

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
March 13, 2017**

PLANNING BOARD MEMBERS PRESENT: Steve Sauro – Acting Chairman
 Christopher Carthy
 Jim Jensen

PLANNING BOARD MEMBERS ABSENT: John P. Delano, Chairman
 Michael Pollack

ALSO PRESENT: Adam R. Kaufman, AICP
 Director of Planning

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

 Joe Cermele, PE
 Consulting Town Engineer
 Kellard Sessions PC

 Valerie B. Desimone
 Planning Board Secretary
 Recording Secretary

 : Conservation Board Representative:
 Zenaida Bongaarts

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

PUBLIC HEARING Cont.:

BTDI PROPERTIES

18 Carolyn Place

Section 100.04-1-5

Ralph Mastromonaco, PE PC

Frank Guiliano, Landscape Architect

Tim Miller Associates, Inc.

Jacob Amir, Esq. DDWWW LLP

Site Plan

Discussion

Consideration of site plan approval resolution

Mr. Carthy has recused himself from this application; therefore, there was not a quorum present this evening to discuss it.

PUBLIC HEARING:

NORTH BROADWAY TOWNHOUSE DINER

720 North Broadway

122.16-3-31

Amended Site Plan

Joel Greenberg, Architectural Visions

Discussion

Consideration of site plan approval resolution

Mr. Sauro read the affidavit of publication for the record. Mrs. Desimone noted all paperwork was in order for this application. Neighbors present for this application were Theresa & Ed Loberman at 42 Nethermont Ave and John Junker at 5 Grove Road.

Present for this application were the property owners, Mr. & Mrs. Koutros and their professionals Katherine Zalantis, esq. – Silverberg Zalantis LLP and Joel Greenberg, AIA Architectural Visions.

The Applicant is seeking site plan approval to construct a new handicap access, secondary access stairs and the installation of additional landscaping and a garbage dumpster enclosure.

The applicant made a presentation to the board.

Mr. Loberman's questions were answered to his satisfaction. He inquired about a bond to ensure all of the work is done on site and done timely. (Later in the meeting the board agreed to a bond regarding the planting and repaving since that would not be done for a few months.)

Mrs. Loberman stated she was on the Beautification Committee and asked for more details regarding the proposed landscaping plan. Mr. Greenberg reviewed the landscaping plan to Mrs. Loberman's satisfaction.

Mr. Junker inquired about the unlimited access to the site from Route 22 and the long

stretch of no sidewalk so close to Route 22. He noted that while walking across this site you must look ahead, behind and across the street to be safe while walking across this site. He requested a white raised sidewalk. He noted this was a safety issue for drivers and pedestrians. He continued and stated that five cars can pull out of that site at one time and this is limiting for pedestrians and incoming traffic. Ms. Zalantis stated that this is an existing building, with an existing parking lot and existing business. If this were a new building it would be located in a different location. Mr. Junker stated that the Shell Station and the Imperial Wok had sidewalks in front of them and the recently approved Green Drop application did as well.

Mr. Carthy stated he appreciates the comments from the neighbors. The applicant moved in and did not change the use and the addition of a handicapped ramp does not trigger site plan review. The Planning Board does not have jurisdiction on this application and the board appreciates the additional items proposed beyond the handicapped ramp.

Discussions were had at this time regarding Mr. Kaufman and Mr. Baroni's interpretation of the situation because they differ. Ms. Zalantis stated that the Building Inspector interprets the code, not the Planner, the Town Attorney or the Planning Board. Her client cannot afford to pay \$200,000 for a sidewalk and if the sidewalk were built her client would lose all of the parking spaces in front of the building and then the applicant would not be conforming regarding parking space count.

The board discussed and considered a bond at this time. Mr. Baroni stated the board can do a bond since the planting and repaving can't be done for a few months. Mr. Kaufman was directed to update the resolution with a condition regarding the bond as noted above. In response to the board's comment, Mr. Baroni explained to the board how we got to where we are today with this applicant.

Mr. Junker noted that the last time this applicant was before the board they were directed to get a report from the NYSDOT and wanted to know the status of that report. It was stated that since there were no changes on site, NYSDOT approvals were not necessary.

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

The board discussed the site plan resolution at this time. Mr. Cermele made some verbal revisions to the document which were acceptable to the board. The board discussed the resolution further and based on those comments Mr. Baroni and Mr. Kaufman will work on the language to update the resolution, the board was agreeable to that. The resolution was updated accordingly. Mr. Sauro asked for a motion to approve the site plan resolution as amended. Mr. Jensen made a motion to approve. It was second by Mr. Carthy and approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

78 LAFAYETTE AVENUE

78 Lafayette Avenue

122.12- 1- 29

Site Plan

Timothy Nanni, AIA Construct Architecture Studio

Discussion

Mr. Sauro read the affidavit of publication for the record. Mrs. Desimone noted all paperwork was in order for this application. Noticed neighbors present for this application were Norman, Trevor and Phyllis Tunnell at 56 Lafayette Avenue.

Present for the applicant was the applicants professional, Tim Nanni.

The applicant is proposing the construction of a new mix use 10,253 square foot warehouse and office building with a total of 34 indoor and outdoor parking spaces located within the IND-A Zoning District. Associated improvements include retaining walls, cistern and green roof.

In response to Ms. Tunnell's comment - Mr. Nanni presented the two story office warehouse proposal to the board and members of the public. He noted the building would be 45 feet tall and have a green roof. He reviewed and discussed each page of the plan set. The people present did not have any objections to the application proposed. Mr. Sauro noted that a resolution could not be considered this evening without ARB approval. Mr. Nanni noted he was scheduled to appear before the ARB this Wednesday, March 15, 2017 and was hoping the board could consider a resolution at the following meeting.

Mr. Nanni stated that he was hoping to get some input from the abutting neighbors at the rear of the site regarding the fence. He noted a six foot fence was proposed at the rear of the site and he could put up a see through fence or a none see through fence or could vary the materials of the fence if the neighbors had any comments. He noted if there were no comments from the neighbors he will leave it as proposed.

Mr. Cermele stated that there are still some technical comments that need to be addressed as noted in his memo. Mr. Nanni stated that he would address those comments.

Mr. Sauro asked for a motion to adjourn the public hearing. Mr. Carthy made a motion to adjourn, it was second by Mr. Jensen and approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

MADONNA

Route 128- Mount Kisco Road

108.01-1-30.3

Site Plan

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

Frank Madonna, Applicant

Discussion

Mr. Sauro read the affidavit of publication for the record. Mrs. Desimone stated that all paperwork was in order for this application. Kyra Goldsmith from 126 Old Mount Kisco Road was present for this application.

Mr. Sauro stated that at the applicant's request, this hearing will be adjourned until April 24, 2017. The applicant noted he had a new architect and was working on getting ARB approval and thought he would have his final approval by then.

Mr. Sauro asked for a motion to adjourn the public hearing until April 24, 2017. Mr. Jensen made a motion to adjourn. It was second by Carthy and approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

11 NEW KING STREET PARKING GARAGE

11 New King Street

119.03-1-1

Proposed automated airport parking facility

Nanette Bourne, AKRF

Bill Null, Esq. Cudy & Feder

Consideration of acceptance of FSEIS

Present for this application were the principals Kim Frank and Jeff Brown as well as their professionals Nanette Bourne and Bill Null.

Discussions were had with the professionals from both sides as well as the board members regarding the most recent revisions of the FSEIS (Final Supplemental Environmental Impact Statement). Amongst the items discussed was the amount of wetland disturbance vs. amount of wetland mitigation. The applicant proposes to remove invasive species in the wetland and because this is an enhancement to the site, the applicant opines that disturbance not be included with the other disturbance totals proposed on site. The town's professionals noted that they are working on a fair balance but stormwater mitigation is still a disturbance and yet all numbers are not created equally and they will work with the applicant on this matter.

Discussions were had regarding acceptance of the document this evening or not. The board and its professionals agreed that they wanted to see a completed document before accepting it. It was agreed that the applicant would submit only the revised pages per tonight's discussion. Ms. Bourne will make that submission by the close of business Wednesday.

McMANUS

19 Glendale Avenue

108.01-5-51

2-Lot Subdivision

Mark P. Miller, Esq. Veneziano & Associates

Consideration of 4th Extension of Time Resolution

Consideration of bond recommendation to Town Board

The bond recommendation was not finalized for the board to vote on this evening and no vote was taken on this matter.

Mr. Sauro asked for a motion to approve the McManus extension of time resolution. Mr. Carthy made a motion to grant the extension of time, Mr. Jensen second the motion and it was approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

80 LAFAYETTE AVENUE

80 Lafayette Avenue

122.12 / 1 / 11

Second floor addition to the existing building

Nicholas Cichanowski – Dominick R. Pilla Associates, PC

Consideration of site plan resolution extension of time

Mr. Kaufman noted that the applicant was contemplating an amendment to the original approval.

Mr. Sauro asked for a motion to approve the 80 Lafayette Avenue extension of time resolution. Mr. Jensen made a motion to grant the extension of time, Mr. Carthy second the motion and it was approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

Mr. Sauro asked for a motion to adjourn the meeting. Mr. Carthy made a motion to adjourn; it was second by Mr. Jensen and approved with three ayes. Mr. Delano and Mr. Pollack were not present for the vote.

Meeting was adjourned at 8:12 p.m.