

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
Monday – November 20, 2017**

PLANNING BOARD MEMBERS PRESENT:	Christopher Carthy, Chairman Steve Sauro Gideon Hirschmann Jim Jensen
Absent:	Michael Pollack Joe Cermele, PE Consulting Town Engineer Kellard Sessions Consulting, PC Roland Baroni, Esq. Town Counsel Stephens, Baroni, Reilly & Lewis, LLP
ALSO PRESENT:	Adam R. Kaufman, AICP Director of Planning Valerie B. Desimone Planning Board Secretary Recording Secretary Conservation Board Representative: Zenaida Bongaarts

The meeting was called to order at 7:04 p.m.

APPROVAL OF MINUTES:

November 6, 2017

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

October 23, 2017

Mr. Carthy made a motion to approve the minutes as amended. Mr. Hirschmann second the motion and it was approved with three ayes. Mr. Sauro abstained and Mr. Pollack was not present for the vote.

PUBLIC HEARING:

THE PRAY FAMILY FOUNDATION, INC. [15-142]

16 BEDFORD BANKSVILLE ROAD

102.04-2-50

Katherine T. O'Neill, Whitman Breed

Discussion

Consideration of resolution of approval

Present for this application was Marikay Satryano, Executive Director of the Malcolm Pray Achievement Center.

Mr. Carthy read the affidavit of publication for the record. Mrs. Desimone noted all paperwork was in order for this application. No noticed neighbors were present for this application.

Ms. Satryano reminded the board that Malcom Pray was an avid car collector and the museum houses the cars he collected and the foundation was created to inspire and educate young people.

Mr. Kaufman reminded the board that this application was approved previously and expired. This evening the board is considering re-approval of the original application with no changes.

The board had no additional comments or questions at this time. Mr. Sauro made a motion to close the public hearing, it was second by Mr. Hirschmann and approved with four ayes. Mr. Pollack was not present for the vote.

Mr. Sauro made a motion to approve the resolution. Mr. Hirschmann second the motion and it was approved with four ayes. Mr. Pollack was not present for the vote.

**OAMIC INGREDIENTS INC. [17-016]
6 Labriola Court
107.04-2-19
Amended Site Plan
Mark Miller - Veneziano & Associates
James Ryan, John Meyer Consulting
Discussion**

Mr. Sauro made a motion to reconvene the public hearing. It was second by Mr. Hirschmann and approved with four ayes. Mr. Pollack was not present for the vote.

Present for this application was the applicant Steven Gu and his professional Paul Dumont, Mike Connors and Mark Miller.

Mr. Miller stated that he is waiting on three letters. One from the professional consultant the town hired, Bill Catavan from Hydro Environmental Solutions (HES). The second letter is an update from the NYCDEP regarding review of the most recent plans. The third letter is from the Town's Fire Marshal, Bill Richardson.

Mr. Miller noted that the two main issues regarding the fire compression and containment of the class 1, 2, 3 chemicals was the cost for improvements was 1 ½ times the cost of the property. His client has agreed to only store class 3 ingredients on site and will not store class 1 or class 2 on site. Class 3 ingredients will total about 26 ingredients. He noted the experts now say no separate room is needed to store the ingredients and only a standard sprinkler system is necessary for the class 3 ingredients. The water tank will now be 175,000 gallons and no containment whatsoever is necessary. The large underground water tank will be removed from the plan and an updated letter from the NYCDEP will be submitted. The applicant will submit an updated list of ingredients to be stored on site.

Mrs. Bongaarts noted that a few of the chemicals still proposed on site are a class 3 and regulated by the NYCDEP and DEA (Drug Enforcement Agency). Mr. Miller noted that the The NYCDEP will comments on those chemicals in their updated letter to the board.

Discussions were had regarding the ingredients that are regulated by the NYCDEP and DEA. Mr. Gu noted three of the four ingredients were eliminated.

Mr. Jensen requested a professional rank and rate the chemicals to be stored on site. Mr. Miller noted his experts say that containment is not necessary. Mr. Kaufman noted that we expect a report by the 12/11/17 meeting and the towns professional will be available for comment.

The board agreed to adjourn the meeting until this information was available. Mr. Sauro made a motion to adjourn the public hearing. It was second by Mr. Hirschmann and approved with four ayes. Mr. Pollack was not present for the vote.

NEW & CONTINUING BUSINESS:

**TEDESCO [15-121]
1462 Old Orchard Street
Section 123.01-1-1 & 15
2 Lot Subdivision
Nathaniel J. Holt, Holt Engineering & Consulting
Discussion
Referral/Recommendation to ZBA**

Present for this application was the applicant Mr. Frank Tedesco.

Application for preliminary subdivision approval of a two lot residential subdivision in the R-1A Zoning District. The site is currently a 1.7-acre single family lot and a 1.05 acre abandoned right-of-way parcel. The applicant previously received a negative referral to the ZBA and has since revised the plan and resubmitted it to the board.

Mr. Tedesco stated that he would like to get a positive referral to the ZBA.

Mr. Sauro inquired how far the house moved from the last submission to this submission. Mr. Tedesco was not certain of his answer but noted that two of the four concerns were addressed with this submission. He also noted that he had a letter from his neighbor who would be affected the most by this subdivision and he had no objection. He was hoping this would change the status of the referral.

Mr. Carthy noted that this was a modest change to change the recommendation. Mr. Sauro noted that we appreciate the comment from the neighbor but we also have to review the long term effects of an application, he did not feel enough was submitted to change his recommendation at this time. Mr. Jensen agreed with Mr. Sauro's comments and noted that the degree of deficiencies has not changed. Mr. Hirschmann noted it was the neighbors issue at the time when his house is sold, the marketability of the lot is not the problem. Mr. Carthy noted that good planning is still part of our decision and we want a higher or good level of planning.

Mr. Jensen made a motion for a negative recommendation to the Zoning Board of Appeals based on the recent revised plans. Mr. Sauro second the motion and it was approved with four ayes. Mr. Pollack was not present for the vote.

USHERENKO [16-016]
9 Winkler Farm Road
95.01-2-77
Site Plan
Discussion of Field Change

Present for this application was Irene Usherenko at 9 Winkler Farm Road and her abutting property owner Eric Schoenfeld at 311 Bedford Banksville Road.

During the Planning Board review, abutting property owner, Mr. Schoenfeld expressed his concerns regarding landscaping of the fence and the plans were updated to include screening on the neighboring property owners side of the fence. The black chain link fence was installed along the property line and the landscaping was installed on the applicant's side. The fencing was not done according to the approved plan and the applicant is back before the board for a field change. The abutting property owner Mr. Schoenfeld was also informed that this matter was before the Planning Board.

After a lengthy discussion with the applicant, the neighbor, the board and the professionals regarding this proposed field change. The applicant stated they would like the Planning Board to approve the field change regarding the fence location because she could not maintain the landscaping with the fence as shown on the plans. The abutting property owner/Neighbor strenuously objected to the proposed modification. The Planning Board told the applicant that if an agreement can't be reached with the neighbor, the board will not approve the requested change. The Applicant was instructed to return to Planning Board on December 11, 2017 to discuss the negotiation progress.

GJONAJ [12-035]
7 Pine Ridge Road
102.01-02-7
3 lot Residential Subdivision
Mark Miller - Veneziano & Associates
Paul Sysak, RLA, ASLA John Meyer Consulting, PC
Consideration of Extension of Time Resolution

Mr. Sauro made a motion to approve the extension of time resolution. It was second by Mr. Hirschmann and approved with four ayes. Mr. Pollack was not present for the vote.

HIDDEN OAK SUBDIVISION [14-106]
13 Hidden Oak Road
Section 107.01-1-32
Alan Pilch, Evans Associates
3-lot subdivision
Consideration of extension of time resolution

Mr. Sauro made a motion to approve the extension of time request. Mr. Hirschmann second the motion and it was approved with four ayes. Mr. Pollack was not present for the vote.

PROCLINIX [17-025]
5 North Greenwich Road
Section 108.03-3-14
Alan H. Siegel Pilch, Proclinux
Consideration of site plan waiver

The Applicant is proposing the conversion of 6,000 square feet of existing office use (formerly a sign company) to medical office use and the new mix of uses are permitted uses within the PBO Zoning District.

Mr. Kaufman stated that the applicant submitted a plan showing there was sufficient parking on site for this change of use and site plan waiver letter was received from the Building Inspector.

Mr. Sauro made a motion to approve the site plan waiver, Mr. Hirschmann second the motion and it was approved with four ayes. Mr. Pollack was not present for the vote.

Mr. Sauro made a motion to adjourn the meeting. Mr. Jensen second the motion and it was approved with four ayes. Mr. Pollack was not present for the vote.

Meeting adjourned at 8:18 p.m.