

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
December 10, 2018**

PLANNING BOARD MEMBERS PRESENT: Christopher Carthy, Chairman
Steve Sauro
Michael Pollack
Jim Jensen
Gideon Hirschmann

Also Present: Adam R. Kaufman, AICP
Director of Planning

Joe Cermele, P.E. CFM
Kellard Sessions Consulting

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

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

: John Krupa
Conservation Board Representative

APPROVAL OF MINUTES:

November 26, 2018

Mr. Hirschmann made a motion to approve the minutes. Mr. Sauro second the motion and it was approved with five ayes.

Mr. Carthy thanked John Krupa, Conservation Board representative for being present this evening.

**HELLER [18-034]
97 Mianus River Road
96.01-1-15
Site Plan
Peter Gregory, PE Keane Coppelmann Gregory Engineers, PC**

Application was removed from the agenda.

CARDARELLI [18-026]

7 Patriots Farm Court

102.03-2-15

James Ryan, RLA Principal – John Meyer Consulting

Special Use Permit

Consideration of resolution of approval

Proposed new in-ground pool, patio and pool house. The subject project was referred to the Planning Board by the RPRC.

Present for this application was the applicants professional Michael Thompson from John Meyer Consulting.

Mr. Thompson stated at the last meeting the public hearing was opened and closed and since that time he has received Architectural Review Board and Conservation Board approval. He has reviewed the draft resolution that was posted on the website. He presented the rendering at this time.

The board had no further comments.

Mr. Hirschmann made a motion to approve the Cardarelli resolution. Mr. Sauro second the motion and it was approved with five ayes.

FARRELLY [18-038]

6 Pine Ridge Road

102.01-2-9

Special Use & Site Plan

Barry Naderman PE- Naderman Land Planning and Engineering P.C.

Discussion

Present for this application was the property owner Steve Farrelly and his professional Barry Naderman.

Proposed new 934 square foot two story detached garage with storage on the second floor. No plumbing is proposed for the structure. The majority of the proposed structure is within the Town-regulated wetland buffer.

Mr. Naderman reviewed the application as noted above and oriented the board with the location of the detached 3 car garage and assured the board that it is only a garage and storage. He noted the proposed location would not impact the neighboring properties. He presented photos of the site to orient the board with the proposed location. He noted that he needs to get some input from the Conservation and Architectural Review boards. He will stake the site; the applicant will amend the plan to reduce the size by 100 square feet in order not to trigger approval from the ZBA as well.

Mr. Carthy suggested a joint site walk with the Conservation Board. Mr. Naderman noted that the site will be staked within the next day or two.

Mr. Kaufman noted that his only other comment was the secondary access way along the side of the house, there is a gate along the side of Pine Ridge Road. Mr. Naderman stated it appears that it is maintenance access. Mr. Kaufman noted the board can look at that while on the site walk. The Conservation Board representative requested the wetland and wetland buffer be marked for the site walk as well.

In response to comments from Mr. Jensen, Mr. Naderman pointed out on the plan the conservation easement on site.

MARIANI RESIDENTIAL [18-021]
45 Bedford Road
108.03-1-65
Zoning Petition - Referral from Town Board
Anthony Veneziano Jr. Esq. Veneziano & Associates
Discussion - Referral from the Town Board

The Town Board has been presented with a third amended zoning petition that would still result in the demolition of the existing structures on the property and the redevelopment of the site for residential use. The revised project would contain 5 4-bedroom townhouse units of approximately 3,700 square feet, six 3-bedroom townhouse units of approximately 2,700 square feet, 6 one bedroom flats and 6 2-bedroom flats in three buildings and a multifamily apartment building with 18 1-bedroom units, 8 2-bedroom units, and 1 3-bedroom unit with parking located underground and outside the units. Ten percent of the apartments will be AFFH units and will be located on-site.

The above would be permitted via the adoption of a new zoning district – the R-MF-DA (Residential Multifamily Downtown Armonk) that would replace the current NB (Nursery Business) Zoning District.

Present for this application Tony Veneziano, attorney for the applicant. Rob Aiello engineer for the applicant and John Halper, architect for the applicant.

Mr. Veneziano briefly updated the board with the application as noted above. He reminded the Planning Board that the Town Board is lead agency regarding this application. Once the Planning Board makes a recommendation to the Town Board, the Town Board can schedule a public hearing.

Mr. Aiello stated that the unit count has gone up from 43 to 50 but as a result of that the FAR has come down, originally we were at .6 and now it is just under .5 there was a different mix of units previously. He noted the stone wall will remain and the entrance that exists today will be in the same general location and approximately 6 feet narrower and further away from Maple avenue. When you first enter the site there are 5 4-bedroom units which are the most luxurious and largest units on site, approximately 4,000 sq. He continued to review the units at noted above and their location on site.

Parking will be provided below the C building which is located at the rear of the site and abuts Route 22 and will be 40' in height.

Mr. Aiello continued. The setbacks were changed from 100' to 80' which has really opened up the lot. He noted that there is a wider buffer to Maple Avenue and a wider Route 22 buffer. There will be 93 bedrooms and 120 parking spaces are required. The applicant is proposing to land bank six spaces in the center green. The parking spaces include the garages on site but not all the aprons on site. He then pointed out the guest parking spots on site. A storm water management report will be submitted. The site previously used 5,000 gallons a day and is proposed at 10,000 gallons a day for water and sewage.

Mr. Halper handed out a color rendering at this time. He reviewed the architectural plans and details for all of the building types (A, B, C, D) He reviewed the interior layouts, units with an elevator and how terracing the units breaks up the mass of the units and softens the site. In response to comments from the Planning Board Chairman, Mr. Halper stated that all 5 AFFH units are facing route 22 and Mr. Aiello responded to another comment that in regards to the existing height of the Mariani building, the top of the copula is 40'. He reminded the board that there is a dense screen existing that the applicant wants to remain on site.

Mr. Carthy reminded the board that the Town Board is lead agency in this matter and they will review the density and deed restriction for the site and we can advise on this matter. The Planning Board will review the site plan. Mr. Veneziano stated that additional information will be submitted regarding the hamlet traffic and noted that with the changes in the timing of the traffic signal, the traffic has improved. He also noted that the height of the building can work based on the location on site and the town is firm on the improvements as part of the recreation fee.

In response to comments from the Planning Board, it was noted that full town board has not seen this plan yet, the supervisor and one board member have seen it. It was noted that infrastructure is being worked on that will affect the whole hamlet. A fantastic landscape plan will be part of this application.

Mr. Carthy and Mr. Sauro both noted the importance of screening Bedford Road as well as screening Maple Avenue.

Mr. Carthy stated that he would like to go over the Director of Planning's comments at this time.

Mr. Kaufman expressed his concerns regarding how this project interfaces with Bedford Road. The site plan for B, C & D units works very well, that may be tweaked while before the board for site plan approval. The main focus is how the town envisions this property interfacing with the rest of down town. The applicants approach is to provide screening and keep the stone wall and essentially you will drive in its own development. His thought is to use the A unit as an in-between, a transition from Bedford Road as an interior of the site and he opined that it is important to bring those units closer to Bedford Road and eliminate the pavement in the front and bring it to the back. Mr.

Kaufman stated that when discussed with the applicant previously, they were not in favor of the garages in the rear and these units because there would be no back yard. Mr. Kaufman noted that was a valid point and presented a compromise with a detached garage, the site can have some private green space in-between. Mr. Kaufman reiterated that the board and the town has to decide on how to proceed, do they want to integrate those units into the street or do you want this to be a standalone development behind that wall of planting.

Mr. Veneziano stated that the Town Board did not want garages facing Bedford Road because it did not match the historic district nature. They tried to set the buildings back similar to the setbacks of the legion hall next door. His client would prefer to keep the stone wall and landscape the area. He and Adam would prefer to keep the garages in the rear and now they have moved the houses 90 degrees so the garages face the side of the site. Mr. Aiello stated that he will continue to work with Mr. Halper. Mr. Veneziano stated that a small plunge pool is important to his client. By moving the buildings forward, you would affect the vision of the church when entering town. Architectural details and site plan renderings have softened the site and continue to be worked on.

The board presented some feedback at this time. Mr. Hirschmann did not think the most expensive units should be put on the street and is a drawback. The luxury units should be located at the rear of the site. He is very concerned with the impact to the traffic at the intersection of Maple Avenue and Bedford Road as was discussed at the last meeting and was surprised the applicant has returned with seven more units from the last time they were before the board. He is not comfortable making a recommendation back to the Town Board without reviewing the traffic impact first. He is concerned with the impacts of this application on the day to day operations of the hamlet.

Mr. Veneziano stated the traffic report is being worked on. He noted he was familiar with the traffic study at this intersection from the Armonk Square project. He noted that one of the partners are very familiar with what the market is demanding and his clients already have people looking for these units. He also noted that he is well on his way to resolving the easement, water and sewer issues.

In response to Mr. Hirschman's comment, Mr. Baroni stated that there are couple of avenues the Town Board is negotiating on, they are working on picking up some existing wells on properties that are not in use and those details are being worked on. The wells would not only benefit this applicant but all of down town Armonk.

The board continued discussing the Director of Planning's memo. Mr. Kaufman reminded the board that the units would be moved forward but not on the sidewalk. Mr. Pollack noted this was an impressive and well thought out presentation. He did not want to lose sight of providing the desirability of greenspace to the occupants, but if the density is fixed, now you are creating a limitation by virtue of insisting on a density. There is a tradeoff between those two things and if there are other components that are necessary it is a tradeoff. Mr. Veneziano stated that these are rental units and not estates. He noted that people are leaving other communities and going into white

plains to the apartments. Mr. Pollack noted that this site is right at the entrance down Maple Avenue which is a gateway into our town and wanted to ensure the views and beauty are not diminished in any way.

Mr. Sauro also agreed that the view when entering Maple Avenue and seeing St. Stephens church is critical and was not sure if moving the units forward may hamper that. He did not think that the proposed architecture for this site agrees with the historic new England district across the street. He thought you might be able to bridge the gap between the two with some cobblestone and benches. Mr. Kaufman stated that if the architecture is the crux of the issue he would strongly suggest that the applicant change the look to compliment the historic district. Mr. Sauro did note that the architecture of the rear building is fantastic but was not sure how to maintain that architecture throughout the site and then transition to complement the existing historic district. Mr. Veneziano stated that the Town Board expressed the same comments that they would like the face of these buildings to marry and reflect the buildings across the street. Mr. Halper noted that we are moving the architecture in that direction.

Mr. Jensen inquired how does this relate to the other structures on the street in regards to how far it is setback off the street, the height and FAR as it relates to the other lots on the street and is that acceptable to have an imbalance. Mr. Carthy noted that this is not integrated into the historical district, it is adjacent and opposite the historical district but not integrated. Mr. Veneziano stated that the building in the rear of the site will be really hard to feel from Bedford Road. The building is set well and we will continue to work on mitigating it.

Mr. Jensen inquired how some other projects in town or surrounding communities compared with the FAR and GLC of this application. Mr. Veneziano stated he does have that information from other projects in town.

Mr. Jensen noted this site was set low and there were flood plain risks, you have to drive through the flood plain to get to the parking spaces at the rear of the site. In response to Mr. Carthy's comment, Mr. Cermele stated that this will be reviewed and mitigated at the time.

In response to Mr. Hirschman's comment, it was noted that the number of units were increased by the applicant due to the negotiations with the Town Board regarding certain obligations that the applicant take on for water, sewer, parking and improvements to Wampus Park. There is a financial reality and the town would not negotiate for less, the Town Board is leading that discussion. Mr. Veneziano stated that in order to meet the obligations that the applicant will take on they need more units to make it financially practical.

Discussions were had regarding placement of the units closest to Bedford Road, should they be moved closer, should the wall be removed or relocated closer to the road. Should smaller units be kept where proposed or brought to the front of the site.

Mr. Carthy summarized that 4/5 members stated that they were not in favor of moving the units forward, although the board has not seen those plans. Mr. Kaufman

suggested the board at least take a look at a set of those plans. Mr. Carthy liked Mr. Sauro's comment regarding breaking up the stonewall entrances and would like to explore the concept.

Mr. Jensen stated that it sounds like the partners have put a lot of emphasis on the four bedroom units at the front of the site and he noted the other units are equally as attractive. He inquired how the applicant concluded to put the larger units upfront to achieve this goal when it is difficult to integrate with Bedford Road. He inquired if it would be easier to integrate the smaller units. Mr. Veneziano stated that his client has a definite market with a definite lifestyle and his client does not want the smaller units up front. Mr. Halper pointed out architectural features on this application that coordinate with the historical district.

Mr. Jensen noted that originally the maximum building coverage was 15% in the NB district and the applicant is proposing 25% and he would like to see some other comparisons in town to get a better understanding of what the sense of a 25% scale exactly means. Mr. Veneziano noted this was a very low coverage. Mr. Aiello stated that the total impervious surface will almost be the same from existing conditions to what is proposed, it will actually decrease slightly.

Mr. Carthy noted that it is very dense project and appreciates the community benefit and the Town Board will decide on the density of the site. He does not necessarily think the architecture compliments the historical district. He reminded the board that this application is not in the historic district, it neighbors the historic district. It is important that it complements the historic district but it does not need to imitate the historic district. He agrees with the other board members that he likes the concept of pulling into this complex and proceed from there. He was not drawn to the concept of pulling the buildings out closer to the road. He also agreed with Adam that we have not seen that as an illustration and that should be submitted for review.

Mr. Baumann stated that he was present on behalf of St. Stephens church. He noted on principal we are very supportive of this plan. The comments from the Board and Director of Planning have been outstanding this evening. He noted that they have been fairly positive with the rendering to this point and the rear building will not be much of an issue. He noted that the stone wall in front of the site is very important to St. Stephens church and would like it to remain, they realize the challenges of the site. He feels the movement towards complimenting the historical district is very good. He also noted that St. Stephens believes residential is a good use for this site and this solves many problems from past applications.

Mr. Veneziano stated that this is a good tax base for the town and will bring disposable income to the business in town. He would like to come back to the board on January 14, 2019 and is hoping to have traffic information by then.

GECAJ [18-025]

3 Vincent Lane

101.01-1-6

Residential Site Plan

James A. Ryan, RLA JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

Discussion

Proposed driveway realignment and expansion with associated stone walls, gate, and retaining walls. Maintenance of existing rock slopes in front of property and excavation or rock slope associated with new patio. New cantilevered deck on side of existing house. Wetland permit is required for work performed in 100' Town-regulated wetland buffer.

Planning Board site plan jurisdiction has been reserved, via a plat note, for all lots within the North Castle Associates Subdivision.

Present for this application was Lucille Munz and Paul Dumont from John Meyer Consulting.

Ms. Munz stated that last time they were before the board it was noted in the Conservation Board memo that they wanted the parking area reduced. She reminded the board that two generations live in this house and the Conservation Board requested the elimination of two parking spaces, her client agreed to reduce it by one parking space as a compromise. In the spirit of that they tried to minimize the disturbance in the buffer area by bringing the grading back closer to the wall. She presented this information on the plans to the board.

Ms. Munz also noted as requested by the Conservation Board that more year round screening will be added to the site. The applicant would also like a backup generator which is proposed in the front yard. The Generator is 156' from the road and will be landscaped. The survey will be updated with the generator information. The location of the generator is at the best location as it relates to the propane tank. Mr. Kaufman noted that if the generator were three times the front yard setbacks then that would not be an issue.

Handouts with three different Cross Sections of the site were handed out at this time. Discussions were had regarding the perpendicular fence along the property line in cross section AA.

Mr. Cermele inquired if the work on site would be done by hand or with a machine. Ms. Munz stated most likely by hand. After this discussion Mr. Kaufman suggested a condition be added to the resolution that there would be too much disturbance to the site if machinery was brought in and the work should be done by hand. The board was comfortable moving forward with a five parking lot plan.

Discussions were had by the board and professionals regarding storm water testing and mitigation on site.

Mr. Jensen also noted the driveway was steeper on the most recent plan. The applicant noted that the driveway was now at a 6% incline vs. 5% previously, the applicant stated that they will tweak and address those grades.

In response to Mr. Pollack's comment, Mr. Kaufman noted that the terrace can be within five feet of the property line.

The applicant will revise the plans as noted this evening and will submit them as part of the public hearing and the board will consider a resolution the same evening.

CRINITI [16-010]
2 Barnard Road
108.03 - 3 - 60
Plan Amendment
Roy Fredriksen, PE Rayex Design Group
Discussion of site walk

Proposed relocation of existing air conditioner units six feet into existing hillside to mitigate noise in adjacent bedroom.

Present for this application was William Besharat.

Mr. Besharat stated that this application will make the site safer and remove the noise from the AC units.

The board agreed that they need to have an updated drawing showing exactly how much cut of the bank is proposed to be removed and exactly where the AC units are going to go on site. Mr. Cermele suggested the applicant submit a landscaping plan to help with the screening as discussed at the site walk. The applicant was asked to submit a plan with existing conditions and was asked to show on the plan exactly what is being proposed and this plan should be detailed and precise. The board noted some trees could be planted where the car entered the property from the street across the curb. The trees are small or missing and not in keeping with the front row of trees adjacent to where the car entered the property and that would eliminate any concerns of parking there in the future.

The applicant will resubmit plans.

**DIPIETRO [11-085]
137 Bedford Banksville Road
Property ID: 102.01-2-67
New Construction of a 3 Bedroom 4,972 s.f. Home
Geraldine Tortorella, Esq. Hocherman Tortorella & Wekstein, LLP
Consideration of extension of time resolution**

It was noted that the applicant secured the lot next door and is changing access to the site and the applicant has met with Mr. Cermele and Mr. Kaufman regarding this access.

Mr. Sauro made a motion to approve the Dipietro extension of time resolution. It was second by Mr. Pollack and approved with five ayes.

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

Mr. Sauro made a motion to approve the resolution. It was second by Mr. Pollack and approved with five ayes.

**11 WASHINGTON PLACE EAST [17-003]
11 Washington Place east
122.12-4-26 & 40
Amended site plan of Mixed Use Commercial/Residential Building
Frank Della Galla
Consideration of extension of time resolution**

Mr. Kaufman noted that the original resolution expires today and we followed up with the applicant today and they said they would submit an extension of time request and we prepared the resolution, the extension of time request was not received. Mr. Baroni noted the board could grant an extension of time request without the letter as it would be a nuisance for the board to let it expire and go through the approval process again.

Mr. Carthy made a motion to approve the extension of time resolution for 90 days. It was second by Mr. Pollack and approved with five ayes.

WORKSESSION:

TOWN COMPREHENSIVE PLAN [18-036]

Discussion of implementation of priority recommendations

The board did not discuss the plan this evening.

Mr. Carthy made a motion to adjourn the meeting. Mr. Sauro second the motion and it was approved with five ayes. Meeting adjourned at 9:21 p.m.