EASTCHESTER PLANNING BOARD - 11/30/17

THE CHAIRMAN: Good evening. This is the town of Eastchester Planning Board meeting of November 30th, 2017. If everyone would rise for the Pledge of Allegiance, please. (Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: I apologize for the delay but thank you for staying. We'll do our best to move this along. I would like to do the roll call, so Mr. Robert Pulaski.

MRS. UHLE: Anytime someone creates a new building lot, they're to be referred to the Town Attorney's office for an assessment of recreation fees. So this is simply a motion to refer the application to the Town Attorney for that assessment. Just to remind you, in your submission there's a copy of the subdivision, they're two 50 by 100 foot lots, so, obviously, there's no room to incorporate parkland within the subdivision plat, which is why then it gets referred to the town attorney for the assessment of recreation fees. So simply administrative action to make the motion and vote on it.

MRS. PULASKI: I second that motion.

THE CHAIRMAN: All in favor.

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2. (All aye.)

3. THE CHAIRMAN: Next application is 16-30, 760 White Plains Road.

4. MRS. IANNACITO: Good evening. My name is John Iannacito. I'm an architect, and I'm representing Jamal Hadid, the owner of the subject property. This application was initially presented to the Planning Board on December 1st, 2016, and then the board referred it to the Zoning Board on April 27th, 2017. Since that initial presentation, the application has been revised several times. The initial application was for a 3,073 increase to the floor area and that has been reduced to 490 square feet. The initial application also increased the total off-street parking requirement and that has been eliminated. The current application will not change the existing non-conforming parking deficiency.

5. THE CHAIRMAN: Board Member Nemeczek could not be here nor Board Member Cunningham, so it's just the three of us tonight.

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The proposed alterations will include the elimination of the hair salon on the ground floor, and the proposed 490 square feet will add additional office space for Keller Williams. The building will have one tenant, and it will be completely occupied by the real estate group.

The proposed scope of work will include the construction of a two story addition at the front of the existing structure highlighted here on the survey; reconfiguration of the existing roof and third floor; interior alterations on the ground floor, first floor, and second floor; facade alterations and site alterations, including the reconfiguration of a retaining wall at the front yard to create a new sidewalk level entry.

I'll quickly go through the plans. The last time you guys saw this was awhile ago. So on the first floor the existing use is the hair salon, which will be changed completely to office use, and it will consist of a new reception area, two conference rooms, and a private office.

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The first floor, which is currently used as office space, will include the addition and reconfiguration of the interior spaces, and it will consist of new private offices around the perimeter and then open desk area in the center.

The second floor, the footprint basically remains the same on the second floor, and it's a reconfiguration of the interior spaces, and it will have new private offices around the perimeter and open desk space in the center.

The third floor will be a reconfiguration of the space and the elimination of the existing hip roof, and the new space will consist of an open desk area and wraparound deck, which is the roof of the floor below.

The elevations, we have the front and side elevations, existing on the top and proposed below. We're proposing to remove the existing hip roof, two story addition at the front. Both the addition and the reconfigured top floor will both have flat roofs.

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1. The windows will be aluminum in a black finish, and the railings will be aluminum with a black finish. I have samples. Here's the stucco. The stone veneer is a combination of five different stones with different textures and we're trying to achieve a banding look. 

2. Thank you. If you have any questions, I'm happy to answer them.

THE CHAIRMAN: We appreciate all the efforts you and your applicant have put forth on this to bring the building to something we could look at and then feel it's something we could definitely vote on at this point. I certainly looked at the numbers and the numbers have gone from -- as you pointed out, when you started here it was -- hold on, I got it here somewhere --

MR. IANNACITO: 3,073 was the original increase in floor area.

THE CHAIRMAN: Right. As opposed to now, which is 500 plus.

MR. IANNACITO: 490.

THE CHAIRMAN: Right. So, I mean, just in a big sense where did that area come from, what was taken out of the program such that you could meet those floor areas?

MR. IANNACITO: The original scheme was looking at a four story addition at the front and squaring off the entire upper floor, so it would have been a large rectangular space. So we minimized it to a small addition at the front, which would be about 245 square feet per floor on the first and second floor, and that basically is all the new square footage. The reason the parking doesn't change is because the lower floor right now is a hair salon, which is 1 parking space for every 150 square feet and the office space is 1 for every 200 square feet, so when you do the math, the increased square footage equals out. Then the top floor we changed the roof configuration but did not expand the square footage. The space that's on the top floor is the same square footage as what it was existing under the hip roof.

THE CHAIRMAN: So in the previous application, there were rooms or there was discussion maybe there would be some seminars.

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1. done there?

2. MR. IANNACITO: Yes. We've eliminated the large meeting room that we had in one of the previous applications and any large meetings are going to be held offsite at this point. He'll have some smaller meetings on site, but any large meetings that he usually has on a weekly basis will be offsite.

THE CHAIRMAN: That's a key point that made this viable, and we do appreciate the applicant taking that step. So I read the resolution, it's quite a bit of work, quite a long history, but it's definitely worth it because I'm at the point where I think this is definitely something we're ready to vote on.

Can you put up the street-scape one more time, because I thought it was very impressive the way this building is really not much larger than the building next door.

MR. IANNACITO: I think the two story addition is pretty much almost the height of the bank, and then the overall height of the building actually comes down because of the hip.

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there's only 3 parking spaces provided when 24 are necessary. That's been my main point of contention on this. You also asked about the bank next door and the size of the property. The bank property is probably double the size of the subject property. In real world living, I walked around the property today to see how many cars are parked around the subject property and there's 10 cars that are parked there now. To say that you're going to expand this property and not require any more parking when it's already severely deficient in parking -- actually going to be taking away spots because there's only going to be 3 legal spots provided for plus a handicapped spot when this project is complete. So I went to speak to Margaret today and asked her about that. I said, what if there's five cars parked alongside the building in supposedly the right-of-way, which is the shared driveway between the bank and the subject property? Margaret said, well, they're not allowed to park there. I said, well, they do park there and park all the way in the corner. I said, it's a dangerous situation. I've almost been hit several times with cars coming up the driveway quickly because it's almost like driving up an alley now at present and they come right around the corner and you can't see them. So she said, well, then they will have to -- as part of the approvals, it will have to be -- she thought it was in the resolution but it wasn't written in the resolution that you can't park alongside the building, only park in legal spots. I said, okay, what do they do? Well, they have to put up a sign saying you can't park alongside the building. I said, okay, what if somebody does? Margaret said, well, then we have to call the towing company -- actually, the compliance officer said, we'll have to call the towing company. I said, well, you're not going to call a towing company on yourself, so how does the compliance really work?

MS. UHLE: I want to interrupt a minute because you're misrepresenting the conversation a little bit. What I did say is if there are no parking signs there, we -- the

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1 lot of only three or four spots, one which is a
2 handicapped, on a very large building, a four
3 story building that's maxed out to the property
4 that's built way above, almost on every
5 dimension it's outside the zoning laws. To
6 have this 89 percent deficiency in parking, I
7 just don't see how going forward you can say no
8 to anyone you can't build this because you
9 don't have sufficient parking.
10 Where are the people in this building
11 going to park? If you look at the resolution,
12 they were able to secure two parking spaces in
13 a lot around the corner, a public lot, but
14 that's it, there's really very little parking.
15 You can go down on Webster Road and park down
16 there, but that's also limited parking because
17 they made it -- they put up signs that you
18 could only park a couple of hours because
19 people were parking there from Equinox. So
20 it's a huge structure with three parking spaces
21 essentially in real world living. I think it's
22 going to be a detriment to the area because of
23 that and it's going to cause great problems.
24
25 THE CHAIRMAN: We have the resolution
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1 too, we've read it, and the resolution -- we're
2 under advisement to the resolution. Zoning
3 makes --
4
5 MR. LEONE: So what is the decision
6 based on here that you're going to make?
7 THE CHAIRMAN: I'm sorry.
8 MR. LEONE: What is the decision that
9 you have to make at this point?
10 THE CHAIRMAN: Whether to approve the
11 application or deny the application.
12 MR. LEONE: The whole application?
13 THE CHAIRMAN: Correct. We aren't
14 commenting on the parking. That's already been
15 resolved by the zoning.
16 MR. LEONE: Is there anything left
17 open at this point?
18 THE CHAIRMAN: Regarding parking?
19 MR. LEONE: No, that you have to
20 approve that has not been approved yet. What
21 would you base your decision on?
22 MS. UHLE: As I explained to you
23 today, the Zoning Board looked at the two side
24 yard setbacks and the parking. This board is
25 looking at the whole new design of the
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1 building, they're looking at the aesthetics of
2 the architecture -- you know, in this case it's
3 a pretty tight site -- landscaping, but at this
4 point it's basically down to the aesthetics of
5 the architecture.
6
7 MR. LEONE: Which I have no problem
8 with. I do have a problem with the whole
9 project and adding on to a structure which is
10 already way above maxed out with the parking.
11 That's about it.
12
13 THE CHAIRMAN: Any other comments?
14 MR. LEONE: No. Thanks.
15 THE CHAIRMAN: You're welcome.
16 MR. CAMILLONE: Hi, my name Nick
17 Camillone, I have a property at 774 Post Road
18 on the corner of Reynolds.
19 I applaud the addition that they're
20 going to make, but I have to agree with this
21 gentleman, the parking, I don't know how it
22 ever got through zoning. It's a critical issue
23 there, it's a hazardous issue, and I think it
24 should be brought up again. I know people from
25 Lord & Taylor were here and some of the other
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Application?

(No comments.)

MR. IANNACITO: Just to address the parking, again, we went through the Zoning Board. The reason we cut it down to 490 square feet is because that was the number where we would have zero increase to the existing deficiency that exists today. With or without this addition, the parking situation is exactly the same. You need 24 parking spaces today and you're going to need 24 parking spaces when this building is complete.

MR. PULASKI: There were a couple of conditions that we -- we talked about a lot of things before it went to the Zoning Board, and we needed to find out how the Zoning Board would respond and now we know. I believe that there still are some conditions that we've talked about that were left as a planning item, one of which is the driveway that's between the buildings is two ways. I just drove it tonight. On the bank side, there's something like a 3 foot wide walkway. You have a dimension on here of about 12 foot 3 from the

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Edge of that walkway to the face of your building but you have to provide a walkway too, so that's leaves you 12 foot, split that in half that's 6 foot, a car is wider than 6 foot. So I don't see how you can have 2 cars passing each other at the same time in opposite directions.

Now where my concern is -- if this were happening near where I live on a private street, it's accommodated because one car will stop, pull over, another car will back up a little bit, and you manage to get past. In this particular case, I have a busy road, White Plains Road, I have a -- so a car turns off the road to get to the drive through bank machine in the back, and at the same time we have somebody coming out of the parking area trying to go the other way, I don't know how this is accommodated. At the time we discussed it at the previous meeting, we had several experts here, one from the town, one I think maybe from you guys, and it went back and forth. It was something that got kicked around, and it was thought that it would get resolved by planning.

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If necessary. I think it should be resolved. I think it should become a one way.

MR. IANNACITO: Well, the reason that I think it can't be made just a one way -- I mean, it can be for temporary purposes, but permanently for this particular lot if the bank decided that no one could go through their property and the restaurant decided no one could go through their property, then there's no way in and out of this lot.

MR. PULASKI: Right now somebody painted arrows on the walkway -- on the roadway that shows that the drive goes from White Plains Road to the bank.

MR. IANNACITO: Most people use this as a one way entrance these days. They don't exit onto -- I mean, I've never seen a car exit --

THE CHAIRMAN: Is that because there's frequently cars parked along it?

MR. IANNACITO: Yes, those cars should not be there.

THE CHAIRMAN: That is why it's used as a one way as you say.

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MR. IANNACITO: Maybe.

THE CHAIRMAN: Once that ceases, will they all of a sudden start using it as a two way?

MR. IANNACITO: I don't know. We're happy to put up one way signs, but they just can't be a condition that land locks or gets locked into this property and then --

MR. PULASKI: For this discussion, I'm putting aside the cars that are parking along there because I think that we can resolve it. That's part of the resolution that there's no parking along the side of the building and there will be signs posted, so that's enforceable. Even with that, I mean, technically on the plan I'm looking at there should be a way to walk along there -- that's what seems to tell me -- and that I have a 12 foot wide driveway and I can't pass two cars side by side, one has to back up, and it's very difficult to back one car up onto White Plains Road. I understand your point. If somebody says change an easement and I can't go the other way out, how do I get out of my parking?

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I absolutely understand that, but I didn’t create the situation.

MR. IANNACITO: The situation is existing and we haven’t increased the parking requirement on this building, so whether or not we do an addition to this building, the parking situation is going to be exactly the same here.

MR. PULASKI: I’m not talking parking,

I’m talking about the driveway.

MR. IANNACITO: Even the circulation around the lot. I mean, we did not put our addition -- actually, our addition is further away from the side yard than the existing building.

THE CHAIRMAN: It’s another preexisting condition.

MR. IANNACITO: Yes. The only reason we needed a side yard setback there is because we changed the roof configuration.

MR. PULASKI: Personally, I think the problem is that somebody at one time authorized a drive through in the back of this facility and forget all of the ramifications of that.

MS. UHLE: John, I also think -- could

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you clarify -- I think the driveway easement is 12 feet wide but I think the driveway itself is closer to 16 feet. Unfortunately, I don’t have my scale with me. That’s a little more room.

MR. PULASKI: But there’s a paved walkway on the side. We aren’t talking about the bank, we’re talking about the reality side. There’s no discussion going on about what can be required of the bank.

MS. UHLE: The width of the driveway I’m talking about, the total width.

MR. IANNACITO: We have 8.6 on our property. The property line runs right down the middle of that easement, which is 12 feet.

THE CHAIRMAN: What’s the 16, Margaret?

MS. UHLE: I’m saying the easement is 12 feet wide, but if you’re talking about the driveway width itself, the pavement width where cars can pass each other, I think that’s closer to 16 feet.

MR. IANNACITO: It is.

THE CHAIRMAN: Not 12?

MS. UHLE: No, because the dash line

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what you really need to know is the width of
the pavement that cars are going to be passing
on. A tire can cross over the easement, that's
an imaginary line. We're just talking about
the width of the pavement that will allow
cars --

MR. IANNACITO: We're almost 17 feet
of pavement.

MS. UHLE: So that's what I just
wanted to clarify.

MR. PULASKI: Is there any way to
eliminate the walkway that's on the bank side
so that you have a clear path from side to
side?

MR. TUDISCO: It's not part of this
application.

MR. IANNACITO: That's something the
bank would have to do. How do you force the
bank to remove their sidewalk?

MR. PULASKI: If the bank let's you
pass through the back of it, everything is
fine, you could make this into a one way. If
they want to put up a fence and obstruct that,
can they do that without coming to the Planning

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Board, and then we could require the walkway to
be removed?

MR. IANNACITO: The only thing they
can't do is block that easement. Otherwise,
they could do whatever they want there.

MR. TUDISCO: Just for clarification,
if you did it -- as Mr. Iannacito indicated
earlier -- if you require that it be a one way
driveway as a condition of your approval, then
it would put the applicant in a situation -- I
don't think it would involve the bank which is
outside of the scope of this application -- if
there was a situation where the property became
landlocked, the scenario that you had indicated
earlier, the restaurant and the other vehicle,
then the applicant would then have to come back
in and seek a reversal of that condition
because of a situation that's outside of their
control. There is a potential for that
happening.

MR. IANNACITO: You can look right on
22 here next to Piper's Kilt there's a couple
of buildings there where they have parking in
the back and they're entering off of 22 and

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MR. IANNACITO: Bollards so no one hits the building.
MR. PULASKI: So those are bollards, not posts?
MR. IANNACITO: Well --
MR. PULASKI: Well, a bollard is where I want to go. If it's a post, then it's supporting something above.
MR. IANNACITO: No, it's not supporting anything.
MR. PULASKI: Okay. That was my concern. All right. The other thing is, now that you have -- the zoning has weighed in and said that all you need is these three parking spaces. I'm going to recommend, and I want to hear your comment to it, that perhaps the parking spaces can become a little wider. The reason being is that the 15 foot 2 is, in my opinion, a very, very tight dimension and a car trying to really come in and park in a 9 foot spot is going to come in very angularly. If you had a little bit more width to the parking spot, it would assist in that angular turn.
MR. IANNACITO: This is an existing DINA M. MORGAN, REPORTER

parking lot. The only thing we've done is re-striped it. Right now there is no handicapped parking stripe back there and they're squeezing in probably five along the back.
MR. PULASKI: I've parked in those spaces, they are a nightmare.
MR. IANNACITO: Right. They're squeezing as many as they can back there. Now because we're stripping it and we're trying to make the spaces conform to the zoning code, we can only get three spaces, one of them is a handicapped.
MR. PULASKI: What I'm trying to point out is that the spaces to the left of my plan, which is north, that line looks like it could go over a couple of feet.
MR. IANNACITO: I mean, we could align them to the building. The only thing is, making that turn you have to make sure you're not clipping the corner of that car at the end.
THE CHAIRMAN: But that also limits the travel into the drive aisle, doesn't it?
MR. PULASKI: I understand that. I'm DINA M. MORGAN, REPORTER
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salon back in and it would change the dynamics of the decision.

MR. IANNACITO: -- it's still 24 parking spaces required. We got to a point where we weren't increasing the parking space.

MR. PULASKI: I know, but the decision said that you're going to have very few employees. If the building gets sold, there's nothing that we're deciding that holds how that next tenant operates that building.

MR. IANNACITO: We're deciding that it's an office use. An office use requires 1 parking space for every 200 square feet.

MR. PULASKI: Right, but the decision said that you will have very few staff.

MR. IANNACITO: Is that a condition?

MS. UHLE: No.

MR. PULASKI: It's not a condition.

MS. UHLE: The board in making it's findings did say that because it was operating as a real estate office, that the traffic generation was likely to be less than certain other types of office uses, which was I think --

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MR. IANNACITO: I think the traffic engineer made that same statement.

MS. UHLE: Yes. So I understand what Mr. Pulaski is saying. He's saying if a medical office moved in there that had a higher parking demand -- not a parking demand but generated more traffic -- I think the Zoning Board felt that somebody who actually, like a medical office, had a lot of turnover, would not likely be attracted to this building because of the three parking spaces, and it was more suitable to a real estate building because they don't have as much activity.

MR. IANNACITO: I think that's probably true even today, the way the building sits today. A medical office probably would never move into this building.

MS. UHLE: That was a concern of the Zoning Board too. I think that, as you know, it was before the Planning Board for three meetings with the traffic engineers, and it was before the Zoning Board for three meetings -- actually I think four total -- so it was a tough decision for them because it's a very difficult application. We have a lot of old areas in this town that are difficult to meld into the new codes and the new ways that we would like to operate, and I think this application has gone through the whole process of being evaluated by us and the Zoning Board and it's time to move this along.

THE CHAIRMAN: So then I'm going to make a motion to approve Application 16-30, 760 White Plains Road, and let's go one by one:

Mr. Robert Pulaski.

MS. UHLE: Subject to the two conditions.

THE CHAIRMAN: Just trying to jump to
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the end.

MS. UHLE: One is the installation of
the no parking signs. We’ll work with the
applicant to determine how many signs and the
placement of those signs. The other is the
condition that vehicles actually cannot park
within the driveway.

THE CHAIRMAN: With those two separate
distinctions being made and the meeting thereof
as explained by Margaret earlier. So those are
the conditions, so I make a motion to approve
with those two conditions that Margaret just put
forth. So one by one: Mr. Pulaski.

MR. PULASKI: Approved.

THE CHAIRMAN: Mr. Bonanno, approved.

Mr. West.

MR. WEST: Approved.

MR. IANNACITO: Thank you.

THE CHAIRMAN: Thank you.

The next application is 17-55, 330
White Plains Road.

MR. IANNACITO: Good evening, again.

John Iannacito, I’m an architect, and I’m
representing Mr. Tiso this evening, the owner

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THE CHAIRMAN: Yes. How much wider is that getting?
MR. IANNACITO: So right now the existing plan has that much glass and this is going to be fixed panels, and then also with a NanaWall folding glass door type setup where it can be opened, and then the outdoor dining and indoor dining can act as one during the summer months.
The site plan. This existing property is currently non-conforming with respect to the following zoning requirements:
The first is the rear yard setback to the principal building, the second is the rear yard setback to the parking area, third is the side yard setback, four is the total number of off-street parking, and five is the backup aisle for the parking area.
The proposed addition and change of use will create an increase to the existing non-conforming conditions, and we will be making an application to the Zoning Board for the following variances:
The first will be a rear yard setback.
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MR. PULASKI: So this application is something that we're going to make a referral to the Zoning Board?
THE CHAIRMAN: Correct.
MR. PULASKI: And then it's going to come back to us?
THE CHAIRMAN: Make a SEQRA determination and then refer to zoning. We could hold the public hearing until it comes back, I guess?
MS. UHLE: It was noticed as a public hearing; correct?
MR. IANNACITO: It is noticed, yes.
MS. UHLE: So just in case anyone was here, I would open it.
I just have a quick question for you though. Did you try to orient the parking spaces in both directions so that you didn't have to back out across the right-of-way, because I think you can actually possibly fit them?
MR. IANNACITO: We didn't do it but I guess we could try. The only thing, I mean, on this end it gets really tight.
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1 MS. UHLE: I think you could fit two
2 on that side and three on the other side. I
3 mean, it might not look as good. You still
4 need a --
5 
6 MR. IANNACITO: We would still need a
7 variance. If it does get referred to the
8 Zoning Board, before we go to the Zoning Board
9 I could look at a couple of other options and
10 see if it works.
11 
12 MR. PULASKI: I think that's a
13 valuable thing to consider because if you're
14 going to end up -- if I'm interpreting what
15 you're saying, that you're going to actually be
16 ending up driving on part of the sidewalk --
17 MR. IANNACITO: That's exactly what
18 they do today.
19 
20 MR. PULASKI: I don't doubt that.
21 MR. WEST: I don't know if it's better
22 or worse because today as a deli no one is
23 staying, they're getting their sandwich and
24 they're leaving, so maybe there's more traffic
25 in and out, but as a pizzeria people are going
26 to stay so, you know, parking is probably more
27 of a problem.

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1 MS. UHLE: I think you would need like
2 only a 20 foot backup aisle though.
3 
4 MR. IANNACITO: Because it's on an
5 angle. They're still going to have to back
6 out.
7 
8 MS. UHLE: No, because then you could
9 come out forward though. I would just look at
10 it, that's all.
11 
12 MR. IANNACITO: Okay.
13 
14 MS. UHLE: It would just be switching
15 one variance for another.
16 
17 MR. IANNACITO: Sure, not a problem.
18 
19 We'll take a look at the parking options.
20 
21 MR. PULASKI: One of the thoughts that
22 I had, and I don't know how the rest of my
23 board will think about, I had the impression
24 that the site the way it's laid out probably
25 used presently has a lot more parking than
26 you're going to end up with once you give it 9
27 foot spacing and all of the landscaping and
28 whatever. In my mind, I'm trying to think of a
29 tradeoff between seeing landscaping, which we
30 all like, as opposed to how many cars we could
31 put there because you're eating establishment

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1 is going to keep people there longer as opposed
2 to what Bill West said of just a deli.
3 
4 MR. IANNACITO: That's one of the
5 reasons we dotted in -- the dotted line on the
6 existing plan actually represent one legal
7 parking space. If we're not looking at the 9
8 by 18, you can do a valet parking and probably
9 get 10 cars in there or more.
10 
11 MR. PULASKI: I'm not talking about
12 valet parking.
13 
14 MR. IANNACITO: They could provide
15 valet parking.
16 
17 MR. PULASKI: In that small space?
18 
19 MR. IANNACITO: On a Friday night when
20 people are going out.
21 
22 MR. PULASKI: I think some other
23 things that I would be concerned about if and
24 when you come back to us would be the condition
25 of the fence; are you replacing the fence?
26 
27 MR. IANNACITO: Yes, the fence is
28 being replaced, and there's a cut sheet in the
29 application packet. It's going to be a new
30 white vinyl fence.
31 
32 MR. PULASKI: Another that I always

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special permit, that the furniture either be
bolted down or be able to be brought in.

MR. PULASKI: And the bars from the
umbrellas are right about this height.

THE CHAIRMAN: Make sure they’re
sturdy umbrellas.

MR. PULASKI: That’s not the one
you’re talking about.

MR. IANNACITO: We’re not going to try
to kill anybody.

THE CHAIRMAN: Get good umbrellas. So
let me do the public hearing. I make a motion
to open the public hearing on Application
17-55, 330 White Plains Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

All aye.

THE CHAIRMAN: Comments from the
public?

(No comments.)

THE CHAIRMAN: The public hearing will
remain open, so you could comment next time.

We’re going to move this along. We have to
make a declaration regarding SEQRA status. I

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make a motion to declare this a negative
declaration regarding SEQRA status.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I make a final motion
to move this application to the Zoning Board.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. IANNACITO: Okay, great. Thank
you.

THE CHAIRMAN: See you back.

The next application is 17-54, 62
Garth Road.

MR. DIMOVSKI: Do you want these?

MS. UHLE: You can give them to
Michael.

THE CHAIRMAN: You’re up.

MR. DIMOVSKI: Good evening, Mr.
Chairman, members of the board. My name is
Steve Dimovski, Dimovski Architecture.

We’re here tonight for an application
for a special permit for a small Vietnamese

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2 MR. PULASKI: Now, is it written out
3 that way in the application, because in the
4 letter that I read it sounded like you could go
5 out both the front and the back or either or?
6 MS. UHLE: With regard to where
7 they're putting the garbage?
8 MR. PULASKI: Right.
9 MR. DIMOVSKI: The garbage is out the
10 back. There are deliveries made to --
11 MS. UHLE: The deliveries maybe to the
12 front?
13 MR. DIMOVSKI: Yes, the deliveries are
14 through the front at early morning hours during
15 weekdays.
16 MS. UHLE: Just with regard to the
17 garbage I want to mention something to the
18 board. Periodically, we do have with
19 restaurants if they don't have frequent enough
20 pickups, you know, there's an issue with odors,
21 so I just want to say make sure you're going to
22 have a lid on, it's going to be a fully
23 enclosed dumpster. Also, if you get one with
24 an automatic closing door because that seems to
25 be an issue with some restaurants in the area.

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2 People put food or put trash within the
3 dumpster but the door doesn't close
4 automatically. I guess it depends on what kind
5 of lid you have on it. You want to make
6 sure -- especially with food waste -- that it's
7 picked up on a fairly regular basis.
8 MR. DIMOVSKI: I think the owner is
9 thinking about three times a week right now.
10 As the business grows, who knows, maybe more or
11 less, whatever seems appropriate.
12 MS. UHLE: I think as a condition of
13 approval you might want to say that if there
14 appear to be potential problems, that we could
15 require that that pick up be on a more regular
16 basis. We would have no reason to do that
17 unless there were problems.
18 MR. PULASKI: I stand corrected, I
19 reread your letter and I was just mixing up
20 five and six. Five does say that you're
21 removing it to the back, and six says for
22 deliveries you're either coming in the front or
23 the back. That's where I got mixed up. It
24 says that you're garbage is going out the back.
25 MR. DIMOVSKI: Yes.

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2 MR. PULASKI: One concern I had --
3 it's probably more of a question to the
4 Department of Buildings -- I know that there
5 are other similar restaurants in this area, I
6 believe a Chinese restaurant within a couple of
7 doors from you, the venting, the exhaust
8 venting on the roof, I assume that that doesn't
9 create any problems; there's no high roof or
10 there's nothing that we have to look at that's
11 not presented on this plan relative to that?
12 MR. DIMOVSKI: We had an engineer
13 prepare the ventilation plans, and he did
14 locate the exhaust and the intake on the roofs
15 according to code. So there is the right
16 separation there. It's all designed to code.
17 THE CHAIRMAN: That's a good point.
18 MR. PULASKI: That's good. It's just
19 that I couldn't tell that from looking --
20 MR. DIMOVSKI: No problem. We didn't
21 talk about that in the letter.
22 THE CHAIRMAN: But it's per code
23 whatever they're putting back there?
24 MR. DIMOVSKI: Yes, and the drawings
25 have already been submitted to the Building

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2 Department for that part of the work and it has
3 been done by an engineer.
4 THE CHAIRMAN: Okay. This also is a
5 public hearing, so let me just see if there are
6 any comments from the public.
7 I make a motion to open the public
8 hearing on Application 17-54, 62 Garth Road.
9 MR. PULASKI: Second.
10 THE CHAIRMAN: All in favor.
11 (All aye.)
12 (No comments.)
13 THE CHAIRMAN: I make a motion to
14 close the public hearing on the same
15 application, 17-54, 62 Garth Road.
16 MR. PULASKI: Second.
17 THE CHAIRMAN: With the one
18 condition -- I think it's just that one
19 condition we talked about?
20 MS. UHLE: Yes. Just make sure that
21 the garbage is always fully enclosed, and that
22 we have the authority, if we receive complaints
23 that it's not being picked up often enough, to
24 require that you increase the times that it's
25 picked up.

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MR. DIMOVSKI: No problem.

THE CHAIRMAN: Make that condition about the hydraulic closing?

MS. UHLE: I guess it depends on the type of dumpster that you get. I know we have one nearby where people open the door to throw the garbage in but then they don't close the door, and there are some that have automatic closing doors. I think if we say it has to always be fully enclosed, that means you have to close the door.

THE CHAIRMAN: However you do it.

Send the dishwasher out there to close it.

MS. UHLE: That's a situation where multiple tenants are using the same dumpster.

So in this situation if it's just one tenant, you have a lot more control over how it's being maintained.

MR. DIMOVSKI: Sure.

THE CHAIRMAN: So with the two conditions about the dumpster and the pickup being stated, I make a motion to approve this application, 17-54, 62 Garth Road.

MR. PULASKI: Second.

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THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you very much.

Have a good evening.

Next application is 17-57, 7 Southeast Way.

MR. IANNACITO: Good evening, again.

John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. Joe Forgonie this evening. We are proposing additions and alterations to the existing single family residence located at 7 Southeast Way.

The scope of work will include a one story addition at the front, highlighted here; construction of a covered porch at the front; a one story addition at the rear, highlighted here; new dormers at the front and at the rear on the second story; and site alterations, including the reconfiguration of the driveway. We are relocating the overhead doors from the front of the house to the side.

We have the existing and proposed first floor plan. The covered porch that leads to triple doors into the entrance in the living room, the expansion of the existing garage, and the relocation of the overhead door to the side, the addition at the rear for an expansion of the existing kitchen. On the second floor, we have two new dormers at the front of the house, a new shed dormer and expansion of the existing shed dormer at the rear, and reconfiguration of the roof over the garage.

Here is the existing and proposed front elevation. The existing front elevation. Proposed, the new covered porch, one story addition, two dormers. On the side, reconfiguration of the roof, new overhead door. At the rear, one story addition and expansion of the existing shed dormer.

We have a rendering of the proposed front facade. On the wall surfaces, the new area above in the gables here will be a HardiePlank in an arctic white finish, the stone veneer will match existing, the brick veneer will match existing, the roof surface will be slate to match existing, the windows will be vinyl clad in a white finish, the trim.

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MR. IANNACITO: Yes. That's the stone that's going to match existing.

THE CHAIRMAN: The rendering has a little bit more of a clay tone or red tone?

MR. IANNACITO: Yes. That's a little better.

THE CHAIRMAN: When I came in, this greeted me as I walked in and I said, that's a very nice house. It's certainly a big improvement. Did you make the trees in the back bigger too?

MR. IANNACITO: On the rendering.

THE CHAIRMAN: They look bigger than they actually are. The lawn looks beautiful too.

MR. PULASKI: They also took this photo after they got a chance to clean the roof.

MR. IANNACITO: We did clean the roof a little bit too.

THE CHAIRMAN: It looks spectacular. Other than that comment, I really don't have any more comments.

MS. UHLE: I have one quick question.

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At the ARB meeting, one of the neighbors had concern about their existing hedge along the property line; have you resolved that with them and talked about that with them?

MR. IANNACITO: Yes.

MS. UHLE: Okay. So you worked that out with them. They were concerned about potential damage.

THE CHAIRMAN: Let's run through the public hearing then. I make a motion to open the public hearing on Application 17-57, 7 Southeast Way.

Mr. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I make a motion to close the public hearing on Application 17-57, 7 Southeast Way.

Mr. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Is there a landscape plan or anything in there?
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Zoning Board and the following area variances were granted on October 12th, 2017:

The first was for the gross floor area, where the proposed was 8,090 square feet and the required is 7,182, an increase of 908 square feet. The second was for the setback between the enclosed porch and the pool, where the required was -- the proposed was 9 feet and the required is 16 feet. The third was for a side yard setback to the fireplace, where the proposed was 6 feet and the required is 12.

Here we have the second story plan for the addition over the garage, which will include three new bedrooms and a back hallway which will lead out to a new roof garden.

We're proposing to do a green roof.

THE CHAIRMAN: Is the green roof going to be accessible?

MR. IANNACITO: Yes. The green roof will be accessible through these sliding windows, and they're going to do some kind of a paving pattern and some plantings on top of the roof.

THE CHAIRMAN: Oh, it's not going to be actual grass, it's going to be a landscaped terrace?

MR. IANNACITO: We're debating whether it's going to be a roof with dirt right on top of the fiberglass membrane or if it's going to be a tray system. The tray system you get variations.

THE CHAIRMAN: Not the real thing.

MR. IANNACITO: We're still debating that.

Here's the front addition showing the second story addition over the garage and the side view of the second story. This is the rendering, which I believe you guys saw it the last time. I showed the second story addition the last time also.

The finish materials on the exterior, the wall surfaces will be a combination of a stone veneer, gray stucco or cedar siding. The existing roof is asphalt and will remain. The new roofs are flat and will have a membrane. The windows will be aluminum cladding in a black finish. The trim boards will be painted AZEK in a black finish. The columns are a combination of stone and stucco. The gutters and leaders will be aluminum and will match the color of the trim and the wall surfaces. The overhead doors are aluminum with glass panels, which was the same as what was previously approved. The railing system at the back of the property will be glass panels.

The application was presented to the Architectural Review Board on November 2nd, 2017, and it was approved as submitted with no additional comments.

THE CHAIRMAN: Another fine architectural work.

MR. IANNACITO: Thanks. It goes in a different direction.

THE CHAIRMAN: It is. I was about to say I like the other one more, but I think I like them equally. They're both very handsome.

MR. IANNACITO: They're going ultra contemporary.

THE CHAIRMAN: So let's just do the public hearing. Motion to open the public hearing on Application 17-39, 132 Lake Shore Drive.

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MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

(No comments.)

THE CHAIRMAN: Motion to close the same application, 17-39, 132 Lake Shore Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I have nothing to say. I'm speechless. Once again, good job.

I make a motion to approve Application 17-39, 132 Lake Shore.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. IANNACITO: Thank you.

THE CHAIRMAN: You going home now?

MR. IANNACITO: I'm going home, yes.

You guys have a wonderful Merry Christmas and Happy New Year. See you guys next year.

THE CHAIRMAN: See you in January.

MR. IANNACITO: Thanks.

MR. WEST: Take care.

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THE CHAIRMAN: Next application is 17-56, 1 Howell Place. Good evening.

MS. VERSACI: Good evening. My name is Kristin Versaci. My husband, Tony, is here too, and this is our architect, Peter Cole.

We would like to add an extension to the side of our house. Currently, there is already an extension there. It used to be a screened-in porch and it had been by someone else closed in. We would like to take it down and replace it with a new extension that is bigger in both dimensions and also is two stories.

THE CHAIRMAN: Could you just point it out? I think I know what it is, but just flip it back and just point out in the plan view where the extension is, please. Could you just point on the plan the location of the extension?

MR. COLE: Yes. The existing footprint of the house is here plus the porch. They're taking the porch out. We push back about 8 feet this way and 7, 8 feet in that direction as well. The site plan may be...

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microphone with you if you don't mind.

MR. COLE: I'm sorry.

MS. UHLE: That's okay.

MR. COLE: The existing house front facade is stone and Hardie Board, we will continue the Hardie Board on the front and the sides. We have a sample of it here to show you the color of what it is. Side view of the house.

MR. PULASKI: You could take it with you. Just don't leave.

MR. COLE: Is that good?

MR. PULASKI: Yes.

MR. COLE: The side view here shows that the existing house had Hardie Board there. We're going to continue there. The gable does to the side. We will have decorative windows on the front and the back. This is the back view there. Existing house is asphalt shingle, we will continue to do that. The windows are relatively new wood windows, we will continue to use the wood windows on the new addition as well. We've added AZEK corner boards, freeze boards, new rakes. We're increasing the size...

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helpful. Here you could see it's shaded.

THE CHAIRMAN: That's the addition?

MR. COLE: That's the addition.

THE CHAIRMAN: How many square feet is the addition?

MR. COLE: The addition has --

MS. UHLE: I think it's 633.

MR. COLE: The proposed addition on the first floor is 226 and above, the larger, is another 434, a total of 660.

THE CHAIRMAN: Are you done?

MS. VERSACI: I'm sorry.


MS. VERSACI: I'm happy to entertain any questions that you have.

MR. PULASKI: Could your architect just walk us through the elevation page and what you're doing to finish the addition?

MR. COLE: Yes. We also brought some samples. The existing house is Hardie Board siding up here, we will continue using that here.

MS. UHLE: Mr. Cole, you'll need the...

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of the trim in and around the windows. We've added in some transoms up above to give it a little bit more interest, and we've added a new front portico where there wasn't one before. So the arch that's being placed on the portico will also be mimicked on the gable dormer that goes into the master bedroom itself. Here's a copy of the roof.

We presented to the Architectural Review Board in November. Their only question was they would like to see -- which I have included in the package -- a detail of what the trim around the window will look like. So in your package you have a view of that. Colors will match to what the house has because it's been recently done.

THE CHAIRMAN: You know the drill, we have to open the public hearing and then we'll come back to you, so stand by.

I make a motion to open the public hearing on Application 17-39, 132 Lake Shore Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

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(All aye.)
(No comments.)

THE CHAIRMAN: I make a motion to close the public hearing on Application 17-39, 132 Lake Shore Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. PULASKI: I think it's a great improvement on already a nice house. It just adds a little more pop to it.

MR. COLE: That's what we're hoping to do.

MR. PULASKI: For the sake of this town, I love to see improvements like this. It just makes it a nicer place.

MR. COLE: Thank you.

THE CHAIRMAN: I second what Bob said, and I make a motion to approve the Application 17-39, 132 Lake Shore Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you very much.

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MS. VERSACI: Thank you.

THE CHAIRMAN: Did I do that correctly? That was the wrong one. Sorry about that. I just called out the wrong application.

MS. UHLE: You can just amend it.

THE CHAIRMAN: For the record, I make an amendment to the approval of the previous one, it was for Application 17-56, 1 Howell Place. All in favor.

(All aye.)

THE CHAIRMAN: The next application is 14-50 through 53, that would be four separate applications with the sequential numbers, for 24, 22, and 42 Stewart Place.

MR. FINELLI: Mr. Chairman, members of the board, Michael Finelli, I'm the architect for the project. The owner, Mr. Rogliano, is here as well this evening. We also have our surveyor/engineer, Steve Anderson from Elliot Senor's office, and Michael Zaino who is our landscape architect. He'll be walking you through, I guess, the storm water, the site itself, and landscaping.

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architecture pretty quickly, and then if
there's any site questions, as I said, I have
the engineer here as well as the landscape
architect can answer question. Basically Lot
1, it's just under 7,000 square feet, so when
we were doing our FAR's and our calculations,
we basically come up with a 2375 square foot
home.

The first home, the floor plans as you
see are here, pretty traditional. The one
thing that's a little different is we're going
to actually enter this one site from the Water
Street side and we have a sunken driveway.
When we sunk the driveway to come underneath
the house, I pulled the addition forward
slightly to break up the massing so it wasn't
three stories out of the ground. Again, it's
all about scaling and keeping it to conform
with the rest of the neighborhood and the
texture of the houses going along and down
Water Street. I'm sure you've seen the
pictures that we've presented you of the other
houses, so it's pretty much in keeping with the
character.

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them down to 8 feet, which we did on all four
houses. In addition to that, that allowed me
then to change the window -- which they also
asked us to look at -- above the portico, and I
was able to get a standard double hung window,
which is more in keeping with the theme and the
rest of the front elevation.

One of the other requests that the ARB
had made was that all of the roofs over any of
our bays would become standing seam copper
rather than architectural asphalt, which I
agreed with. At the time, we weren't ready to
make that decision, but I guess once forced,
the decision became very easy.

THE CHAIRMAN: So which roofs are
standing seam?

MR. FINELLI: So all of the roofs --
basically any bay window that pops out off of
the house has a standing seam copper roof on it
now.

The other thing they asked us to do
was to change the lighting. At one time, I
didn't have any light patterns in the picture
window, in any of the bay windows, so I added

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I'm sorry, there's a lot going on, I
just want to make sure I get it all out. So
Lot 1, this is the first house that I designed.
As I was saying, if you look at elevation 2,
you can see from the side there is a volume
which steps down and the house itself steps
back and it allows some character and scaling
from that one street side elevation from Water
Street. As you come up the new drive, the
front of the house, which is the front
elevation here on the upper left, the idea for
this home was to try to keep it as a farmhouse
colonial -- as colonial as possible, not
necessarily farmhouse, you'll see that in Lot
3. This is more colonial, more traditional,
more in keeping with what you see in
Eastchester.

A couple of the comments that the
Planning Board -- I'm sorry, the ARB had made,
pretty much for all four houses you'll see the
same common theme, the porticos they felt were
slightly too high. I had set them at 9 feet
because I wanted to have a little more air at
the front entrance. They requested to bring

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size, it's roughly the same size. So they're
all about 2400 to 2600 square feet in size.
One of the requests, again, in this particular
configuration that the board made, I had a roof
line coming across the entire front of the
portico and the garage, we were requested to
bring that roof line down as well a little bit,
which allowed me to make the windows over the
portico slightly larger, which was a request by
the ARB as well. In here the pediment over the
portico is a little bit more traditional. Its
got an 8 on 12 pitch as far as the roof lines
go. It's got a rake, sub rake right at the
overhang on the rake side of the gable. Again,
just trying to put more of the traditional
detailing that you see around the neighbors
into the house.

Another request made to us was to add
these panels above the garage door. Visually
helps to lengthen the door, which is
something I was looking for at one time. We
had a 9 foot door, it's now an 8 foot door. So
allows the door to get a little smaller but
those panels do allow visually the door to be a

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more space between that and the roof line. It
just created a little more air, allows the
stone to kind of clad around the roof a little
bit better. We were requested to add bases to
the columns at the front entry and caps above
the bases, which will be blue stone capping the
stone, and then they'll be more stone coming up
above to that nice slight arch above the
entryway. The lighting is depicted on all the
drawings, and we actually have cut sheets on
all the lighting that I've forwarded to the
board and you have the cut sheets on
everything. This house will actually have
stucco on the second floor, which is in keeping
with not only in color but also in material
with house 1, and a stone base which goes, like
I said, the entire first story. That was also
an another request, we were asked to raise the
baseline or I would say this line here to the
bottom of the overhang of the portico. It does
look more comfortable doing that, so I did
agree with that request by the Architectural
Review Board.

On the backhand side of the house, we

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had a very shallow pitch just based on the 9
foot first floor ceilings. It only allowed us
to get in like a 2 and a half, 3 pitch at one
time across the back of the house. We dropped
that plate to an 8 foot high plate, and it
allowed us to get more of a comfortable I
believe that's a 5 pitch on there now across
the entire back of the house, which again
better for water, drainage, and it allowed us
to get our egress windows in the back of the
house, which is one of the issues I was having
and that's why I tried to keep that pitch as
shallow as I had it.

I'll put lot 4 on and then I'll go to
the materials.

THE CHAIRMAN: Before you flip, at the
portico there's a dimension line 8 foot 7 and a
half, what's that dimension to at the top?

MR. FINELLI: Right here?

THE CHAIRMAN: Yes. What's the top?

MR. FINELLI: There's going to be a
step down out of the door, so that's from the
top of the platform to the top most part of
that arch at the portico. So it's an 8 foot

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1 high column, but then as the arch comes up and
2 over there's a 7 and a half inch I guess radius
3 at some point, so you'll have a total dimension
4 from the step down of the platform to the top
5 most point of that arch.
6
7 THE CHAIRMAN: It steps back?
8 MR. FINELLI: That does step back.
9 MS. UHLE: It's like your ceiling
10 height in the portico basically?
11 MR. FINELLI: It's not really ceiling
12 height because the ceiling height will go up
13 even further than that. So basically that's
14 from the top of the platform to the top of the
15 arch. So that dimension right there is 7 and a
16 half. On the inside, they'll probably have
17 another 8 or 10 inches or so and then the
18 ceiling will be up above that.
19 MS. UHLE: I see.
20 MR. FINELLI: It's just there to
21 create a thickness so when the stone comes
22 around it looks substantial and just not a thin
23 little 6 inch, 8 inch piece of material hanging
24 above you. There's going to be thickness to
25 that and then it steps back and goes up.

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1 THE CHAIRMAN: The other piece, that's
2 the trim around the door we're looking at?
3 MR. FINELLI: This piece in here?
4 THE CHAIRMAN: Yes, the white.
5 MR. FINELLI: Yes, that's the door
6 setback. So that will be open. The concept
7 for all three of these to have a portico
8 that you can stand under while you're opening
9 your door and not getting rained on, so there
10 is just a space for you to step into.
11 THE CHAIRMAN: I see. Thank you.
12 MR. FINELLI: Should I go on?
13 THE CHAIRMAN: Yes, please.
14 MR. FINELLI: Okay. Then there's Lot
15 4. Lot 4 is the second house which has a
16 garage that slides underneath the house. Both
17 houses that have garages under the house, that
18 came out of the site itself and the way the
19 site slopes away. So I used the site to our
20 advantage to put the parking underneath the
21 house rather than on the side or the front of
22 the house. This house very traditional in
23 detailing. You'll see this style everywhere in
24 Eastchester. Basically, again, the requests

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MR. WEST: We like renderings. Next time you come, bring renderings.

MR. FINELLI: Not a problem. I just have to try to sell it to my client.

THE CHAIRMAN: You're going to do one at a time; right?

MR. FINELLI: Yes.

THE CHAIRMAN: So, Gary, could you zoom in on the one that he's doing so we could see it clearly.

MR. FINELLI: So the first house, Lot 1 -- I'll start from left to right so it's Lot 1, 2, 3, and 4 coming across. So Lot 1, we're doing a stucco finish, it's a gray finish. I have all the color samples if you want me to hand them to you all at once or one at a time, but I'll walk you through it. So we're doing a gray stucco finish to the body of the house. There's going to be a gray stone base that goes across the front of this house. That same stone is going to be used later on, as well as the stucco, in house number -- I'm sorry -- so stucco will be used in Lot 3, that same -- I apologize, I'm getting myself confused. I'm still trying to pull it together.

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Mr. Finelli: The first house has a square cut gray blue ridge stone, it's gray. There's going to be white Andersen double hung windows; three coat stucco, it's a pebble gray is the actual color, again, it's gray; white AZEK for all the trim. There's going to be a fiberglass Thermatru door, it will be painted black, again to try to keep it more traditional. There's going to be a 30 year Timberline roof in oyster gray on the top, and that from the sample you'll see is more of a charcoal-ish black color. The wrought iron is going to be all painted black. We'll have carriage style Clopay stained doors for the garage door. You don't see it here, but it is off on the side on the Water Street side. All the lighting is from Kichler and it's Mount Vernon Series and it's very traditional and colonial in nature.

THE CHAIRMAN: So just back up a little bit. The siding is --

MR. FINELLI: The siding here is stucco.

THE CHAIRMAN: The color?

MR. FINELLI: It's going to be gray.

THE CHAIRMAN: And the standing seam over the bay?

MR. FINELLI: Copper. Well, that was requested by the ARB to have it all be copper.

THE CHAIRMAN: And black roof shingles; right?

MR. FINELLI: Yes, and we're going to do white gutters and leaders for all the houses.

THE CHAIRMAN: Okay. Let's move to 2.

MR. FINELLI: Lot 2, we're going to do a 7 inch exposure Hardie Board siding in a Navaho beige. The stucco is going to be that same pebble gray, so any exposed stucco but mainly at the bottom of the foundation is going to be that same pebble gray, again bringing that same color scheme through; white vinyl.

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windows; AZEK trim; we're going to have again a black fiberglass door. This is the most traditional of all the houses, you know, black door, white body, white trim, very traditional in coloring and in detailing. We're going to do a 30 year grand manor roof in pewter gray. Again, the grays are all very similar, kind of dark, slight shade variations, but they're pretty much all in the same family. Black wrought iron, white carriage style door. We're going to paint the door here white rather than stain it. Again, Kichler Mount Vernon series black fixtures on the backside of the house where you will see them. They'll be a lot of down lighting in the overhangs, so you won't see any lighting at the front of the house on some of these because there are porches and we will have lighting coming from above.

THE CHAIRMAN: So the porticos on each, do they vary in finish? I know the shapes do and you've taken a lot of care to focus on those.

MR. FINELLI: The idea is to have a portico on every one of the houses. As you can
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1
2 see, there is a different variation on all of
3 them. The first one is just a traditional
4 little A frame with a little cut out, a little
5 arched cut out. Again, each one of them
6 literally comes from a different area. As I
7 drive through Eastchester, I say this is what
8 we have, right. So I made it a point to make
9 sure that I tried to take a little bit from
10 each house that I see as I drive around and put
11 it into these four. I didn't want them to be
12 the same and I didn't want them to be so
13 drastically different that they didn't blend.
14 I think here it's a good example of all four
15 houses kind of coming together, but yet being
16 something a little bit different, and again,
17 representing what we see here in Eastchester.
18
19 THE CHAIRMAN: I appreciate the
20 attention. The finishes on the porticos?
21
22 MR. FINELLI: So the portico on house
23 2, it's all going to be AZEK all painted white.
24 Basically the first one is going to be trimmed
25 and clad in AZEK as well, as is the house 4.
26 House 3 is a little different because it's more
27 of a Mediterranean style, so we're doing more
28
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1
2 painted black, whether it's the finishes on the
3 lighting as well as any wrought iron railings
4 that we might have. This will be the only
5 house with a stained garage door. I just felt
6 that this one would lend itself more to that
7 stain rather than painting the door. I thought
8 it just made it a little more rich. Then we're
9 going to do -- I apologize, I said black
10 lighting, we're actually doing a rubbed bronze,
11 so again, just to kind of jump off the stone
12 just to tie back into that --
13
14 THE CHAIRMAN: What's rubbed bronze?
15
16 MR. FINELLI: The light fixtures that
17 are going to be right over the door, right over
18 the garage doors.
19
20 MR. PULASKI: What was the roof color?
21
22 MR. FINELLI: The roof color on this
23 is weathered wood.
24
25 MR. PULASKI: Weathered wood. So
26 that's a brownish?
27
28 MR. FINELLI: It's like a brownish. I
29 have samples of everything. It's more in the
30 brown family. Again, the idea is to keep it
31 more rooted into the beigies.
32
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1
2 of the stone, hip roof, more to tie in with the
3 architecture of that one being slightly
4 different but not completely standing out from
5 the rest.
6
7 I'll go through the materials of house
8 3. So house 3 we're going to do stucco on this
9 as well. This one changes up just slightly.
10 We're going to be more towards the beige family
11 in this one rather than all the grays. I
12 didn't want to overpower all four houses with
13 grays and blacks. This one will have a beige
14 stucco. It's called travertine, the exact name
15 of it. They'll be a square cut stone on this
16 as well to match the stone that we were doing
17 at the base of house 1, and again, start tying
18 pieces back in together just to keep that
19 common theme coming through. We're going to
20 have a front door on this house, the front door
21 is actually going to be red on this. So again,
22 traditional, right, red, black, white as far as
23 doors. This one will be red. We're going to
24 do a weathered wood 30 year roof on this house
25 to tie back in with the beige color. The
26 wrought iron on this is going to all be black,
27
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1 MR. PULASKI: I'm following your --
2 MR. FINELLI: Understood. There's a
3 lot going on.
4
5 THE CHAIRMAN: Do they all have steps
6 going up to the portico?
7
8 MR. FINELLI: For the most part, they
9 do. Lot 3 has the least amount of steps, Lot 1
10 I believe there's 7, there's 5 on Lot 2, and I
11 want to say 6 on Lot 4.
12
13 THE CHAIRMAN: They're going to be --
14 MR. FINELLI: They're going to be blue
15 stone. So we'll finish all of them in blue
16 stone. It will be the same material on the
17 riser side as whatever the base is. So if it's
18 stone, it will be wrapped in stone. If it's
19 stucco, they will be stuccoed.
20
21 THE CHAIRMAN: Oh, I see.
22
23 MR. FINELLI: Just to tie it all
24 together, and then that blue stone cap will
25 just sit right on top of it.
26
27 Then Lot 4, moving down to the last
28 house on the right, the stucco across the base
29 will be, again, that pebble gray, tying in and
30 finishing off all four houses with that same
31
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common theme. The Hardie Board is going to be a Monterey taupe, which is again picking up more of the brown from the Mediterranean and that will kind of drag that color scheme back across. We'll do white vinyl double hungs, white AZEK. This will have a charcoal roof, it will have the darkest roof of all three. It will be closer to black but not quite black. Black wrought iron. Again, the same materials just used differently across all four. We're going to do a white Clopay garage door and we're going to do black Kichler Mount Vernon Series light fixtures on this house again towards the back and on the sides wherever light fixtures might be depicted on all the drawings. Any lighting on the front, other than in Lot 3, will be from soffit lighting. That includes the garage doors, the porticos. Any porches that we might have will all be lit from above and down. Again, that's to prevent light going towards a neighbor and filtering where you don't want it.

THE CHAIRMAN: What's the base on this one?

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MR. FINELLI: This one here is stucco.

It will be that same gray as the body of house 1 and the upper section of house 2 -- no, I'm sorry, the house body of 1 and the base of house 2.

THE CHAIRMAN: This one I just noticed the gutters, what are the gutters and leaders?

MR. FINELLI: So they'll all be white aluminum gutters on all three houses.

THE CHAIRMAN: All right. I think you used just about all the materials possible, all the finishes, all the materials.

MR. FINELLI: I think so.

THE CHAIRMAN: Nothing left. Good thing there's only four.

MR. FINELLI: Right.

THE CHAIRMAN: Okay, could we hear from your site guy with regards to the site plan?

MR. FINELLI: Yes, absolutely.

THE CHAIRMAN: Any questions about the finishes up here?

MR. PULASKI: It's fine.

MR. FINELLI: Just very quickly, one.

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MR. ANDERSON: Good evening, Steve Anderson from Gabriel Senor's office. Basically essentially the last time I was here was in June for the subdivision approval, which we got. Since then, I worked with Kellard Sessions, did a more complex drainage study because at this point we have the building footprint and the patios and all. So we actually looked at each individual Cultec system, one in the front yard, one in the back yard, and incorporated that into the report and any elevations that are involved. The design itself is for the required code of the 2, 5, 10, 25, 50, and hundred year storm. So each of these houses is designed for a hundred year storm. The other fact is, they're all designed for maximum lot coverage, right. Basically each of his designs are less than what is actually -- you know, it's not at the lot coverage, the maximum lot coverage, but the design for the storm water is at that. Basically all the systems will take the water for the maximum lot coverage, a hundred year storm, there is a runoff from each unit just a

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approval would be subject to his final review and approval. I did speak with him prior to the meeting, and he is sure that everything -- there's no complications or anything. It's getting down to the minor details.

THE CHAIRMAN: So why did you size it for the maximum coverage?

MR. ANDERSON: Just in case in the future somebody adds a little more patio. THE CHAIRMAN: Okay. What's the delta?

MR. ANDERSON: I'm not too sure off the top of my head.

THE CHAIRMAN: What percentage are we talking, 10 or 30?

MR. ANDERSON: Let me see if I have it. It should be on the subdivision map.

THE CHAIRMAN: I just want a rough ballpark idea of how much you oversize it for.

MS. UHLE: For example, this one says -- for lot 1 it says 2199 square feet are proposed whereas 4294 is allowable. So it's pretty significant.

THE CHAIRMAN: That's fine. That's

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slight bit, but it's still well below the predevelopment conditions. So we're actually reducing the storm water runoff. That's really the only changes since the last time you saw it. Joe Cermele from Kellard Sessions reviewed it. We do have minor, four comments which will essentially be taken care of when we finally get it to the water company and the Westchester County Health Department. They're just minor details. Actually, on the details he wanted some notes added on the manhole and to verify a couple of items with the DPW. So that's essentially what has changed since you last saw it.

THE CHAIRMAN: So is Joe Cermele presently reviewing it?

MS. UHLE: He is and, as Steve mentioned, he's completed most of the review but there are a few details. He already approved the storm water management plan essentially for the subdivision as a whole where they looked at the individual lots, and then the only difference now is we have the actual footprints. So, you know, any kind of

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2  So essentially we're providing a
3  little bit of a foundation planting. I have
4  native deciduous trees, October Glory as the
5  street-scape, and to provide some continuity in
6  the material between each residence but they're
7  placed with some variety and some color to give
8  them a little more of a unique space. It's
9  really just doing the front of the building.
10  There's opportunity for additional planting in
11  the future if they do some other work around
12  the back of the house. It's essentially a good
13  foundation planting so there's something when
14  you're drive down the street.
15
16  One thing I do want to point out that
17  I did that wasn't on the other site plan is I
18  provided a walkway to the driveway on Lot 1,
19  which is going to require some stairs. I just
20  put it on the drawing without consulting with
21  the engineer, so I just wanted to point that
22  out. Everyone else's had a little walkway, and
23  I felt that this needs to have some kind of
24  connection. The driveway does go down, so this
25  might change a little bit to get this further
26  so I don't have as many steps, but I thought it
27
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2  branches when you're walking by, so it's a
3  canopy tree.
4  MS. UHLE: I think that the applicant
5  may have been required to put street trees
6  within the right-of-way as part of the
7  subdivision approval, weren't they? Do you
8  recall? Do you know, Anthony? We might just
9  want to coordinate your trees with whatever
10  trees may be in the right-of-way.
11  MR. ZAINO: Typically when I've done
12  these, actually they don't want me to put them
13  in the right-of-way and that's why I placed
14  them right along the edge. If you want me to
15  move it in, we could move it in a few feet just
16  to put it inside.
17  MS. UHLE: I'll coordinate with the
18  Highway Superintendent, because I know as part
19  of the subdivision approval we spoke about
20  street trees. I understand what the landscape
21  architect is saying, sometimes the Highway
22  Department doesn't want to take responsibility
23  for them but sometimes they do. So we'll know
24  there's street trees and just talk to the
25  Highway Superintendent about where he would
26
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2  was important that when you park -- even though
3  they're going to be able to get to their house
4  from the garage, if a visitor were to come they
5  need to get to the front door. So that's the
6  only difference between my landscape plan and
7  the site plan from the engineer.
8  THE CHAIRMAN: So all of the trees are
9  the same species, the big ones?
10  MR. ZAINO: The trees that go around
11  the cul-de-sac is a native Maple. October
12  Glory is the species. It's a canopy tree.
13  Yes, they're all the same. I wanted to provide
14  some kind of unifying element. It's a street
15  tree where it can be a canopy tree where it can
16  provide a little more of a --
17  THE CHAIRMAN: Right, there's Maples
18  everywhere. What's the caliber?
19  MR. ZAINO: I'm just showing them as a
20  2 inch caliber tree. Not giant. They'll be
21  14 feet tall when they're installed and the
22  native Maple grows at a rate, once established,
23  of 12 to 18 inches a year and even more.
24  They'll be pruned up so you see a minimum of 6
25  feet so you're not going to be hitting the
26
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open to the circle, the whole backyard?

MR. ZAINO: Currently, yes, it is.

There's just lawn between that. That is a unique backyard where he's -- it's almost like a -- it's not really a private backyard like the other residence because he's on a corner. As you typically see on a corner, he has two front yards. So, you know, his backyard is his other -- it still fronts on the street. When a house is located on a corner, it's difficult to say he has a backyard because it's actually a side yard or in this case it's a front yard/backyard. But yes, that's this area here.

It's all open. I mean, if the owner were to do some screening, he would be restricted from doing it on his property. It would have to be inside that heavy property line. The town is not going to want him to put a hedge in their right-of-way. Also for snow, that's where everyone piles their snow. Now that we have global warming, maybe not be too much.

THE CHAIRMAN: Where do they pile it; on the cul-de-sac?

MR. ZAINO: This is the right-of-way,

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which is approximately 10 feet, so this is where when they plow they'll be stockpiling the snow. He could plant along that line to give him a little more privacy or a picket fence or something. Obviously, they need a permit to get a fence in Eastchester. It would have to put on his property. There's an opportunity to give him a little more privacy there. At this time, we're just proposing to establish the right-of-way, the street-scape with the canopy tree, and each individual home with a foundation planting.

MR. PULASKI: I'm glad you picked up the walkways, and I think maybe the architect should take a closer look at it and tell us what kind of material it's going to be made out of.

The one observation I have is in house 1, that seems to have like two fronts to it. It has a front off of Water Street, which I don't really think is the front, the front is going to be more off of the cul-de-sac street, and so I see that you're going to have mail trucks or whatever pulling up alongside that.

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(All aye.)

(No comments.)

THE CHAIRMAN: That was easy. Make a motion to close that public hearing, 17-51, 52 -- 50, 51, 52, and 53, 22 and 24 Water Street and 42 Stewart.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. PULASKI: An observation I have, and I would like just to get your opinion on it, is on the elevations where you have bathrooms on the inside, you get a very squat kind of window. Just in the global view, to my eye, it doesn't appear balanced.

MR. FINELLI: Do you have a particular house in specific that we could talk about?

MR. PULASKI: We could look at the first house. I understand what you're doing and maybe that's the way it has to be because you have a counter behind it.

MR. FINELLI: I think you're talking about that little awning window in the upper right-hand corner.

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MR. PULASKI: Yes.

MR. FINELLI: I agree with you. I typically try not to put bathrooms in the front of the house, and if I do, they're in appendages that are staggered back. So although, yes, it is technically in the front of the house, when you look at it in two dimensions, it's going to look like it's right there in the front but in reality in three dimensions it sets back. Over time maybe they'll be some landscaping there. I haven't had a chance to look at the final landscape plan. I'm not sure if anything is going to go there. Hopefully, it won't because it will block that other window.

MR. PULASKI: I'm not trying to landscape it.

MR. FINELLI: I understand.

MR. PULASKI: What I see is a big, heavy border and then a very thin sill. Maybe it's just the way I'm looking at it on the pencil diagram here. The proportion just seems to look off. I don't know if there is any alternative way of making that window.

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1. their property and doesn't let a back area just
2. grow wild. I've seen that in a couple of spots
3. in town, you all of a sudden see a wild area
4. and go, okay, that's an extension of somebody's
5. lot, they don't want to mow it.
6. MR. FINELLI: Well, I believe New York
7. State International Code there's a property
8. maintenance code that prevents it from growing
9. just completely wild an just being abandoned.
10. MS. UHLE: Actually we get calls for
11. that very often and sometimes people actual
12. landscape things to look a littler more
13. naturalistic, but there are property
14. maintenance rules with regard to the height of
15. the grass or just overgrown vegetation,
16. etcetera.
17. MR. TUDISCO: And they are typically
18. enforced. We have cases in court all the time
19. where we're prosecuting someone for leaving the
20. property in disarray, the grass. The Building
21. Inspector or Code Enforcement officer will
22. actually go out and measure the grass based
23. upon complaints. It's a big issue with
24. foreclosures, actually, when no one is there is
25. foreclosures, actually, when no one is there is

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MR. FINELLI: Thank you very much, everyone. Happy holidays and see you next year.

THE CHAIRMAN: Thank you. Same to you. Merry Christmas.

The second to last application is 17-64, 777 White Plains Road. All right, you're up.

MS. BEYER: My name is Theresa Beyer, I'm the architect for Kidz Korner. It's been at this location I think since about early 2012, and currently the play area is on the other side of the lot on -- actually on an adjacent lot where the landowner rents some space there for the playground, but I'll explain why that isn't working so well anymore.

The shopping center is built in the RB zone, retail business, but most of the parking lot area, including where we're proposing to put the playground, is actually in an R-6 zone.

The play area -- currently the children -- I'm going to actually take this out -- the children have to -- the day care is here and they have to walk across where the

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dumpsters are to get to the playground. Not too long ago, a Chinese restaurant came in and they seem to be creating a lot more smell and vermin and vultures are perching on the fence of the playground. It's just not working the way it -- it was fine for the first couple of years but it really isn't working now.

So the landlord had bought this piece of land -- there had been a right-of-way where they had just this little piece and they extended with the notion that we could put the playground there. The pocket of land is about 79 feet by 88 feet, which is little over 7,000 square feet, so it's bigger than a building lot for that area. It's quite a large piece of land. You can see what it looks like here. This photograph is taken approximately here looking towards this back fence.

We're proposing a very small area for the play area. There won't be any structures there. We push it back a little bit because there's a lot of rocks here and there's already a fence, so then we don't have to build that piece of fence. All of the existing trees and

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shrubbery is going to remain. It will be very similar to what it is now except we'll have a fence around it. The kids will just -- the requirement of the state is that they have to get out in the fresh air, but they don't need a play structure. It's not going to be a real playground, you know, with swings or climbing structures or anything like that. It's just very simple, grass, they could run around.

It's adjacent -- this area here is the back of the gas station on White Plains Road, and then these are all residential houses on quite large lots. I passed out to you the distances to all of the nearest structures.

It's closest to those new town homes where it's 90 feet from the corner of this building to the corner of the playground. Otherwise, it's 120 feet to the nearest house, 115 to this garage.

It's really not particularly close to anything. Ivy, who's running the day care, will explain the exact procedures, but there will be only one class there at a time, so that's 6 to 13 children at any one time out on the playground, plus however many adults need to

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take care of that age child. It will only be used during daylight hours generally before 3:00 p.m. I don't know if there is anything you want to add about -- well, I guess the other thing we just can explain because I know it came up last time is the children actually get walked to the play areas and they walk up here, around here, there's a sidewalk here with a fence. We're adding a yield sign here, a speed bump here, and a new crosswalk there. This was all discussed with the fire marshal, I believe, who felt that that was what was required to make it safe. These are Photoshop drawings showing what this might look like. So this photograph is here, this photograph is here, you have the dentist over here on the right, and then this is back here looking back towards downhill with a play area over here. The play area is here and in this one it's beyond here. They'll actually come all the way around here -- quite a considerable way around the corner before they even cross the street, and then they'll come back along this path that kind of avoids the rocks.

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1  I think that's about it. There was an
2  issue that we also need to get approval because
3  if you're adjacent to or in a residential zone,
4  then you could extend the area where this
5  commercial use -- which this officially
6  is because you're extending day care use --
7  that you have to be within 75 feet of the
8  commercial zone. One of the things that I just
9  passed out to you shows where we believe that
10  75 foot line is. We'll certainly double check
11  it before we build anything to make sure that
12  we are well within but we do appear to be.
13  Okay.
14
15  THE CHAIRMAN: So the path of the
16  students is out the back and around to the
17  front?
18  MS. BEYER: Yes. You could kind of
19  see here there is a fence. They'll be on the
20  far side. They won't be in the street.
21  THE CHAIRMAN: So they're separated by
22  that fence?
23  MS. BEYER: Yes. They can't get over
24  it. It's at least toddler height.
25  THE CHAIRMAN: And they're supervised.

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1  MS. BEYER: Yes, they have plenty of
2  adults and hands.
3  THE CHAIRMAN: Where were they before
4  and how did they get there, like where is the
5  existing location?
6  MS. BEYER: What?
7  THE CHAIRMAN: The playground.
8  MS. BEYER: The playground that's
9  existing here.
10  THE CHAIRMAN: It's over there. And
11  how did they get there?
12  MS. BEYER: Same way.
13  THE CHAIRMAN: Same way, go out there
14  and just go straight.
15  MS. BEYER: The dumpsters are here.
16  THE CHAIRMAN: Oh, I see.
17  MS. UHLE: That space right now is
18  leased because it's on adjacent property. So
19  it's the rear of an adjacent property.
20  MS. BEYER: I think the landlord is
21  getting tired of paying the rent.
22  THE CHAIRMAN: So what's the mechanics
23  of using this space for the same use? I mean,
24  it's not part of this lot, is it?

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Initially what I was running into when I first came in 2015 to propose to move the playground, was just logistics. It was just that there were trucks always parked in the loading area, because it's not just a garbage area, it's also a loading area. When the trucks are there, we can't go outside. Then I also was having a problem, which I reported to the landlord, that people were after hours I guess smoking and leaving cigarette butts everywhere, and every morning my staff had to go out and not only pick it up off the front of the building but also they were just flicking them onto the playground. We can't allow the children to go into the playground if there are cigarette butts and this is every day.

When I proposed it in 2015, there was a little bit of an issue as to exactly where it could be located, and I just kind of got frustrated and I just left it alone. But then in 2016, the Japanese place came and I don't know exactly what they're putting in the dumpster, but we started getting very large vultures. I mean, they're bigger than the children that we have, and they're sitting on the playground. It's not only freaking the kids out, but the staff doesn't want to go out there. We reported this to the landlord, wild life came out. They said, we can't remove the birds, they're protected. It was just like the most ridiculous thing I ever heard. The landlord tried to help us by putting spikes on the fence so they at least couldn't land on the fence, so what they're doing is they're not landing on the fence of the playground but they're landing above the playground. The fish is also attracting rats. We're not talking about -- we have pictures -- not little. I called Margaret and told her. I said, they're not little, it's these big rats. I've come at 6:00 in the morning and a vulture grabbed a rat and threw it over my head and took it up above the dumpsters and ripped it apart. They're landing inside the dumpsters. The staff goes to open up the dumpsters, the vultures are popping out of the dumpsters. The crows are pulling garbage out. It just got to a point.

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where it just was absolutely insane.

My only goal here is I'm not trying to make it difficult for any the residents, which is one of the reasons why I decided that we're going to let the play structure go because I'm not trying to impose on anybody, but I really do need to have a safe place for these children to play and this seemed like the safest place.

It's not next to any garbage, we're not having this whole big -- it's only 13 kids maximum.

Most of our classrooms range from six to eight children, so they go out every 30 minutes from 9:00 -- 9:30 actually -- from 9:30 to 1:00 is the last set of groups. We don't let them go out in the afternoon because I don't want parents picking children up from the playground because things happen. So I want them to all be in the building when parents start picking children up so we can clock children out safely. So it's usually during the hours in which I assume that people may be working and it's not so impact. We're not open on the weekends, we don't stay late, we don't do any of those things. It's just really to allow the children to comply with the state regulations that require us to have them have fresh air a minimum of 15 minutes, so we give them 30 minutes a day to try to get outside and get some fresh air weather permitting.

MS. UHLE: How old are the children again?

MS. RENTZ: The children that go outside start at 18 months to close to five years of age. The babies don't go out to the playground. We push them underneath the path just in front because it's just too much. They don't go to the playground that we currently have right now because it's just too much effort to try to get them out, lay them on a blanket. It's just too much. We just stroll them in the front of the building just to give them a little fresh air.

MR. PULASKI: I'm glad you endeavored to solve the problem and that you found a solution and acted on it.

MS. RENTZ: The Building Department has been very helpful in trying to help me figure this out.

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2. THE CHAIRMAN: Regardless of what we
3. decide tonight, this garbage is still an issue
4. that needs to be addressed.
5. MS. RENTZ: There's nothing I could
6. do. I tried. I tried to see if there was
7. somebody that can capture the birds. They're
8. like, you can't touch them, and they're huge.
9. MR. PULASKI: I also read over your
10. description of how you're going to maintain
11. safety when the children are crossing the
12. sidewalk, and I think it's done very
13. appropriately. You're going to have a monitor
14. walk out to the middle with a stop sign.
15. MS. RENTZ: I just want you to know,
16. we have -- I have other day care centers. In
17. Mamaroneck we use the public playground and the
18. children walk down Grove Street in Mamaroneck
19. and cross over Barry Avenue and we do the same
20. thing. The teacher goes out, she stops the
21. traffic to make sure that every morning it's
22. clear that the children are crossing across the
23. street, and then we have another person that
24. backs the front and the back of the line.
25. Margaret also went out with me with the Fire

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2. Department, the Police Department just to see
3. during that time of day what the traffic is
4. like, and there's hardly any traffic at
5. that point in the daytime, which is one of the
6. reasons why we don't go out at that time.
7. MR. PULASKI: I've also seen that
8. procedure followed with schools. You see a
9. crossing guard and when the children get ready
10. to cross, they go right out into the middle.
11. MS. RENTZ: Yes, and they have a stop
12. sign and they stop traffic with the stop sign.
13. THE CHAIRMAN: Okay, we'll come back
14. to the design. Thank you. Allow us to open
15. the public hearing, take comments from the
16. public, and then we'll discuss your design a
17. little more.
18. So I make a motion to open the public
19. hearing on Application 17-64, 777 White Plains
20. Road.
22. THE CHAIRMAN: All in favor.
23. (All aye.)
24. THE CHAIRMAN: Please come forth.
25. MR. LANE: Good evening, Mr. Chairman,

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2. members and associates of the board. My name
3. is David lane. I live at 75 Maple Street,
4. which my property is adjacent to where the
5. proposed playground is going to go up. I'm
6. also accompanied by my wife and a couple of
7. neighbors, Ms. Theresa Lunde of 81 Maple Street
8. and Ms. Nicola Kleehammer of 79 Maple Street.
9. My property runs from Maple Street all
10. the way to the back adjacent to the Acme
11. parking lot, which means that the lot that the
12. playground will set upon is protruding past my
13. boundary at the back end of my lot. My
14. neighbor's lot is adjacent to the end of the
15. playground, Ms. Kleehammer's, and Ms. Lunde's
16. also is at the point of the triangle end of her
17. property.
18. Now, we are opposed to the application
19. for a number of reasons. First of all, it's
20. regrettable that the Kids Corner does have
21. their challenges as far as what they're having
22. to deal with, as they mentioned before. It
23. sounds very unfortunate to me. But at the same
24. time, as residents of these property that will
25. be adjacent to the proposed variance, we are

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2. the lot itself has a history. It used to be a
3. part of Ms. Kleehammer's property, 79 Maple
4. Street. The prior owner sold to the -- I
5. don't know if some of you remember -- to the
6. owner of the Shoppes at Eastchester, Urstadt
7. Biddle Company. I guess he got a bargain
8. basement price on the house, and it seemed that
9. the end intent was to subdivide that property
10. to situate the lot to where it is now to the
11. advantage of the commercial property, existing
12. commercial property. When that was done, I was
13. here, I remember their attorney represented
14. that they had no future plans whatsoever for
15. the property, just wanted to use it to the
16. advantage of whatever square footage they
17. needed to rent their properties, but we do know
18. that they tried to put a parking lot there,
19. didn't work, and now something else is coming
20. up that they're proposing. We knew it was only
21. a matter of time, so here we are.
22. The second concern that we have is the
23. existing noise and congestion we already are
24. subject to is exhausting. First of all, you
25. have the Acme store with its parking lot behind

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2. rest of any activities that might occur.
3. Across the street we already have
4. Greenvale School, which is a great school and a
5. necessity, but it has its noise factors that it
6. contributes already to our row of houses.
7. Maple Street, daytime traffic is quite
8. congested and we hear a lot going up and down
9. the street during the daytime because Maple
10. Street -- I'm sorry, I said Maple Avenue
11. before -- Maple Street is used mostly during
12. the daytime hours as a bypass to avoid Post
13. Road when in the existing state it's already a
14. no through traffic area, so we tolerate and put
15. up with that.
16. Also, Ms. Kleehammer and myself, we
17. have outdoor, fenced-in dogs. They're good
18. dogs, friendly dogs, but they bark incessantly
19. at any and all activity that are adjacent to
20. the properties, so this will only increase
21. their incessant barking, as it sounds like
22. there will be activity over there a good part
23. of the day. This town already has noise
24. ordinances in place, so I would ask that strong
25. consideration be given to that in making a

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2. there, a lot of traffic, a lot of congestion, a
3. lot of car alarms going off, as you can
4. imagine. You have another store, another space
5. that's called The Little Gym. They have
6. activities for children's events, which are
7. indoors, but, you know, as the children
8. advance, they get excited, and they're usually
9. screaming at the top of their lungs exiting and
10. entering the place, especially on weekends we
11. hear this quite a bit.
12. As far as the subject lot, it's
13. already a nighttime congregation area,
14. so-to-speak, for many youth. If you were to
15. look at the police log, you could see that
16. they've been frequently contacted by various
17. folks in the neighborhood for noise and
18. activity going on there night. As far as
19. residue from those activities, you know -- we
20. know that they already have suffered cigarette
21. butts and things like that, but the things that
22. you would find back there -- you would have to
23. take a look yourself -- from alcohol
24. containers, cigarette butts over there too,
25. and, well, just use your imagination for the

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2. decision on this application. Just more noise
3. and congestion will incur more duress upon us
4. as residents.
5. Approving this application, in our
6. opinion, will further devalue -- it will
7. contribute to further devaluating our
8. properties. First of all, the condos went in
9. up at the end of the street, which we resisted
10. for quite some time, and we still feel that
11. they shouldn't have gone in up there.
12. Secondly, the subdivision of this lot, as it
13. exists right now, the subdividing of the prior
14. property to get to this lot as it is right now
15. we feel has devalued our property right now
16. because of the commercial encroachment. Even
17. though it's still residential zoning, we feel
18. in effect it's been annexed to a commercial
19. property.
20. So basically, you know, we're just
21. asking for a break from any further duress when
22. it comes to these things. Also, I would think
23. that any member of the board -- and I'm sure
24. that you are -- would be very, very concerned
25. of the traffic safety factor of trekking

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1. children across a commercial area, across a
2. highly high traffic parking lot area on a daily
3. basis three or four times. I guess that's not
4. my responsibility or concern, but I do think
5. about that as well. That's really all I had to
6. say at this point. I didn't have a lot of time
7. to prepare, again, because of the mailing
8. dates, but we hope to get further refinement
9. and substantiation during the January meeting,
10. I suppose. That's all I have to say unless
11. somebody --
12. THE CHAIRMAN: Just one thing. As you
13. were going through your comments, you said
14. there were some conditions in the past, did you
15. mention those in the summary that you gave?
16. MR. LANE: I did. I did. The condos
17. going up, the subdividing of the lot, the
18. buying of the property next door to us which
19. devalued other properties at the time it was
20. bought.
21. MS. UHLE: I just wanted to clarify
22. one thing Mr. Lane said. It's semantics but
23. there's a difference. The applicant is not
24. seeking any variances at all, they're seeking a
25. DINA M. MORGAN, REPORTER

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1. there --
2. MR. LANE: There is no usage of it now
3. at this time as far as we see. We know that
4. they tried to put parking spaces up there but
5. were declined.
6. THE CHAIRMAN: Right. So now it's
7. green space that's vacant most of the time
8. except for the time that --
9. MR. LANE: I'm sorry, green space?
10. THE CHAIRMAN: Yes, it's space right
11. now that --
12. MR. LANE: It's green space right now,
13. we would sure like to see it remain that.
14. THE CHAIRMAN: Well, I would too. On
15. a typical day, people are not in that space,
16. it's not used by anyone?
17. MR. LANE: No, No. The congregation
18. comes out at night.
19. THE CHAIRMAN: Got it.
20. MR. PULASKI: So the property owner
21. came before the Planning Department with an
22. application to put parking there?
23. MS. UHLE: No, they did not. I think
24. that when Urdadt Biddle did the subdivision,
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1. special permit. Special permits are actually
2. permitted uses, just as principal uses are
3. permitted uses, but a special permit requires
4. this sort of extra level of review. It's not
5. the same as a variance, and again, it's
6. semantics because I think you know what they're
7. asking for, but it's a special permit to allow
8. them to locate the playground facility in the
9. RB district within 75 feet of the district --
10. I'm sorry, the R6 district within 75 feet of
11. the district boundary. So it's a special
12. permit, which is a permitted use, it's just
13. that there's this extra level of review that's
14. required by the Planning Board.
15. MR. TUDISCO: And legally if it were a
16. variance, it would be up to the Zoning Board.
17. MR. LANE: I stand corrected on that.
18. MS. UHLE: I just wanted to clarify
19. that.
20. MR. LANE: In that case, we're opposed
21. to the special permit.
22. THE CHAIRMAN: So since you're there,
23. what is the usage of that piece of property
24. now? Other than what occurs at nighttime, are
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1. they actually -- as they were going through the
2. subdivision process, they actually met with me
3. initially -- and this is what Mr. Lane might be
4. talking about -- I think they were hoping that
5. they could parking in there, and I think that
6. they may not have done their total due
7. diligence before they went ahead with the
8. subdivision. Because of that provision about
9. locating the commercial use within 75 feet of
10. the district boundary, etc., and because of
11. the configuration of this, I think they
12. realized fairly early on that they actually
13. weren't going to be able to fit parking in
14. there, any substantial amount of parking in
15. there, and still be able to circulate in and
16. out. So they actually never submitted a formal
17. application. It was something that they
18. discussed with us sort of at the same time they
19. were undergoing the subdivision process. This
20. I'm speculating, I think that may have been
21. their intent initially, but I think when they
22. tried to do the engineering of it, it actually
23. doesn't provide enough room for them.
24. MR. PULASKI: I was a part of that
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when they were going for that subdivision, and my speculation was that they were trying to create like a block, that there was some other potential use of if you put certain properties together, that could be of a challenge to them, and they wanted to block that. No matter how many times we asked their attorney, they just said, no, they don't have any intent.

MS. UHLE: Again, this is total speculation, so take it with a large grain of salt. Besides trying to potentially add additional parking, somehow being adjacent to the service station lot that's there, I truly believe, only based on the timing of some meetings that I had with them, that they were hoping there would be more potential for this lot, and they realized sort of after the fact that there wasn't very much potential. I do believe by the time they came for the final subdivision approval, that they maybe didn't have a great idea of what they were going to do with it. They have never approached me again, other than the applicant now with regard to the play area, with any concepts for this

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Mr. Pulaski: -- and you were 50 feet from these existing hedges.

MS. BEYER: Yes, that's correct.

MR. PULASKI: So if you're bordering any property, you're bordering --

MS. BEYER: The gas station.

MR. PULASKI: The gas station, okay.

MS. BEYER: We only border the gas station.

MR. PULASKI: I don't know if you were aware of that, that's why I asked those questions, because they're not in your property. Not that that necessarily has significance, but it just totally eliminates what your concern was.

MS. UHLE: Well, one thing I had talked to the applicant about doing based on an understanding of some of the concerns of the

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THE CHAIRMAN: Not just by the dumpster?

MR. LANE: I'm sorry, sir. THE CHAIRMAN: Not just by the dumpsters, you're saying everywhere?

MR. LANE: We've seen them run in the parking lot, etcetera.

MR. PULASKI: We're going to make that recommendation that they get rid of --

THE CHAIRMAN: That they get rid of the vultures and rats.

MR. PULASKI: Someone to take an inspection of that area.

MS. UHLE: Got it.

THE CHAIRMAN: Thank you. Any more comments from the public?

MS. HEINZINGER-LUNDE: Good evening. My name is Theresa Heinzinger-Lunde. I live at 70 -- I'm sorry, 81 Maple Street. I'm very nervous, didn't have a lot of time to prepare because as Dave had mentioned, we just received the mailing last night.

I support everything Dave says. What I would like to talk about is the property

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solve it.

MS. UHLE: Actually, legally this is the only alternative site on the property because the rest of the property is parking lot or the very rear is dedicated for parkland.

This is the only green space.

MR. PULASKI: In listening to your comments, I made a lot of notes and I just wanted to try to separate certain things that -- I know the history of that area, I know Maple Street, I know about young people at night in this town.

MS. RENTZ: I didn't know that.

MR. PULASKI: I hear your comments about property line and whatever. I'm trying to separate the two, and I think I've created that separation.

MS. RENTZ: Okay.

THE CHAIRMAN: Any more comments from the public?

MR. LANE: Yes. I just wanted to mention, you know, just for the benefit of all, there's plenty of rats on the Acme side of the property as well, we've seen them.

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itself. A lot of emphasis has been put on the safety of the children. This lot needs a lot of work. Prior to being subdivided, the previous three owners never had an opportunity to work on the back lot. This area over here as you go up into the back lot, that actually elevates upward. Completely unsafe. A lot of rocks, large boulders, holes. This tree here is an -- I believe it's a pear tree.

Completely diseased. These also over here are apple and pear trees. They barely produce fruit. Completely diseased. Behind this tree here, several owners prior had an aboveground pool that they decided to heat and bring lighting out so they could swim at night, so they ran piping and electricity from the house, which is all visible and out on the property.

Everything, to my understanding, has been disconnected but it is there. So that's completely unsafe for the children. It needs a lot of work. It needs a lot of work. But, like I said, behind this tree -- you could even see it -- it had some type of rubber plastic enclosure that is just lying there where the
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1 piping had come up. The lot needs a lot of
2 work if you're really concerned for the safety
3 of the children.
4 In fact, this piece here, the disease
5 that is on it is some type of black fungus,
6 which is on all those trees back there. That
7 lot needs a lot of work and it's very rocky.
8 It's just not safe for children to be walking
9 through as it is existing.
10 That's all I could think of right now
11 on such short notice.
12 THE CHAIRMAN: You could come back.
13 We're going to do this a little more.
14 MS. HEINZINGER-LUNDE: I agree, I
15 would definitely like it fenced out or marked
16 out so we could see where they're proposing to
17 put it. But it's going to be a hike for them
18 to get from the street all through this. You
19 really should go back there and see how it
20 looks.
21 MR. PULASKI: I have some questions
22 for the applicant again. You've walked the
23 area, you've surveyed the area?
24 MS. RENTZ: Yes.
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1 MR. PULASKI: You are knowledgeable of
2 some of these things that have to be dealt
3 with?
4 MS. RENTZ: Yes.
5 MR. PULASKI: How are you intending to
6 deal with them?
7 MS. RENTZ: When you come up on the
8 side -- on the side of the -- right on like
9 that little angle when you come up the street,
10 the roadway, right there, that little angle,
11 that's kind of where the rock --
12 MS. BEYER: There's rocks here and
13 rocks here. We've walked it. There's room for
14 a 5 foot path that goes between the rocks. All
15 of the trees are over here. They're not
16 anywhere near --
17 MS. RENTZ: Where we're proposing.
18 MR. PULASKI: So within the confines
19 of the play area.
20 MS. BEYER: The old pool was
21 approximately here. We've seen the pipe.
22 MS. RENTZ: We saw it. The plastic
23 that they're referring to, I thought it was
24 like covering something, and then the fence guy
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1 just flipped it up and it's just like a random
2 piece of plastic that's just laying out there.
3 I mean, clearly we have guidelines, we are not
4 allowed to just put something --
5 MR. PULASKI: Now, in the process of
6 operating your school and you do something like
7 this, do you have to notify some group at the
8 agency and they have to come out and look at it
9 before you can start making use of it?
10 MS. RENTZ: So just to give you an
11 idea where we had the playground, if you
12 remember, Margaret, it was trees and dead trees
13 and rocks, and we graded it. We went through
14 each tree that they could safe, they couldn't
15 save. It was a painstaking process.
16 MR. PULASKI: I get that and I
17 appreciate it, but does the agency send
18 somebody out at some point?
19 MS. RENTZ: The state -- a playground
20 is required to be inspected. The licensor
21 comes out every three months, the fire
22 inspector comes out every single year. We are
23 required every single year to have the Building
24 Department come out -- well, they came out from
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1 the Fire Department actually -- and they come
2 out and they check to make sure we haven't made
3 any changes without permission, that everything
4 is still in good condition, it's still viable,
5 there's no issues, and we do this every single
6 year.
7 MR. PULASKI: Okay. There are certain
8 specs on the fence that you could put in or how
9 the top of that fence is so that you don't have
10 any sharp edges?
11 MS. RENTZ: Yes. So if you look at
12 our fence now, it's a cap fence. It's a chain
13 link fence. It's capped. There is a pull lock
14 on it. We put a lock at the bottom of it when
15 we're not using it so that people don't just
16 randomly go in there and play with the kid's
17 stuff.
18 MR. PULASKI: But I'm concerned if you
19 have a 4 foot fence and the child goes overly
20 like this and you have those sharp cut edges
21 and --
22 MS. RENTZ: No.
23 MR. PULASKI: What are you require to
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MS. RENTZ: We're required to have all those things, if you've seen them, like the little dome cap, and it's a coated fence and our children are not 4 feet high.
MR. PULASKI: Okay, I get it.
THE CHAIRMAN: I guess we're contending that the conditions in the lot are not conditions that these children will be exposed to?
MS. RENTZ: No, because it's set back. So it's not right when you come up, you can see it's set back. The space that it fell into was larger. I'm not trying to make a huge, you know, thing. I just wanted the area big enough -- the state says we have to have an area that is considered the same square footage we would have for that same classroom inside, so we replicated that outside. It's not big enough for two classrooms to be out there, which is why I did it that way because I don't want two classrooms out there, I only want one at a time.
THE CHAIRMAN: All right. Thank you.
Any more comments from the public regarding....
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MR. LANE: Sorry, one more item was brought to my attention. We just wanted to conclude by saying, bottom line, it's a quality of life issue for us because we have noise at night and noise in the daytime already and we just don't want to add to it. Thank you.
MS. UHLE: Do you want me to go over some of the things that you and I had discussed? Some things the applicant has provided and some things I think you need some additional information.
THE CHAIRMAN: I think that's what it is. So can we speak with the applicant again, the architect applicant. The architect, not you. We would like to just discuss the site plan that you put forth and just explain some of the conditions that we would like. I think, Margaret, you can run through it.
MS. UHLE: Yes, and I did give them a heads up. Because a special permit says you have to be within 75 feet of the zoning district boundary, I know what the applicant used was a sketch that I had done and attached......
MS. BEYER: I believe that that path has to be probably A.D.A. accessible, so it has to be 5 five wide and you have to be able to plow it.

MS. UHLE: Well, we were going to ask for some additional information with regard to the material. I also thought, as the applicant said, in 2015 at least we walked out there with the fire marshal, police department, and I don't think you necessarily have to be there, but I would like to go out with the plan that you propose just to run that by them again to see if they have any particular concerns, and then also if they could give you specific details in terms of -- this sounds ridiculous -- the dimensions of the speed bump, the dimensions of the crosswalk.

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MS. RENTZ: I don't know if you remember, but when we did that, that's when we changed the plan but we didn't go forward with it. He gave us some very specific dimensions about the signage at the bottom, we looked at where exactly the crosswalk should be, the curb cut should be, all of those things, but when we changed the plan, we just didn't go forward with it.

MS. UHLE: And then maybe when you have that -- for lack of a better word -- engineer drawing, because it's basically the same, maybe those could be shown with the actual dimensions. I think the main thing is just confirming the location of the zoning district boundary, staking out the play area.

I did ask just this evening for the dimensions to the existing homes, which was provided today, so that's been provided. Do you know when you did send out the mailings? Did those go out just recently?

MS. RENTZ: Yes. The mailings, when I found out they did go out late, I just said, okay, we're going to end up having to go back.

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from somewhere to somewhere that children have
to take or adults --
THE CHAIRMAN: It has to be A.D.A.
accessible?
MR. TUDISCO: Absolutely.
THE CHAIRMAN: Okay. So then as far
as the slope of the path and everything, that's
all got to be called out and shown.
MS. RENTZ: Yes.
THE CHAIRMAN: And the entrance and
the passage through the chain link fence.
MS. RENTZ: We didn't initially
propose to take down any of the plantings
because we weren't sure if that was something
that people wanted or didn't want. I know that
when we did this before, that was something
that came up after we got the approval and we
went through each and every -- it was way more
trees and bushes than it is right now. That
property was sloped like this and we pushed it
back. It was a lot. There was a lot more work
than what we're proposing here.
MR. PULASKI: The sidewalk that goes
up the steep slope of the driveway, that has
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MS. BEYER: I don't believe we're
required to because it's existing.
MS. RENTZ: If we do something new.
We're not changing that. So however people
were getting up there before to get to those
other businesses, that was preexisting.
MR. PULASKI: I'm just saying that
your children are going to be on the sidewalk,
so to get to each step and how do they
transition that step because we don't have a --
MS. RENTZ: If you've seen the steps,
it's like a step and then it's like a platform.
Every two steps there's a little platform. So
just they would walk up -- they've been back
there. They go to the grocery store and pick
out apples and stuff like that. They've walked
the stairs before. We call that a field trip.
MR. PULASKI: The very able child, but
an A.D.A. child, the child that's in a
wheelchair --
MS. RENTZ: We don't have children --
MR. PULASKI: But do you have to
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MS. UHLE: That's a separate issue for our code enforcement officer to look at.
MS. RENTZ: I had brought that to the town prior to this meeting.
THE CHAIRMAN: Have you explained it to them in the same context that you did to us?
MS. RENTZ: Yes, they know.
MS. UHLE: Again, our code enforcement officer has difficulty rounding up vultures too.
MS. RENTZ: They're protected, you can't do anything with them.
THE CHAIRMAN: Why is it a code thing and not a landlord thing?
MS. UHLE: We would issue violations to the landlord.
MS. RENTZ: I could tell you that when we did complain, the landlord had the dumpster company come out and switch out the dumpsters because that was also a problem, they were in the dumpster, and when my staff went to open the dumpster, the birds fly out of the dumpster.
THE CHAIRMAN: I think you need the DINA M. MORGAN, REPORTER.

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dumpsters where the lid comes down automatically. Enough on the games. Thank you.
The next and final application is 17-25, 44 Water Street.
MR. SCAVELLI: Good evening. My name is John Scavelli, I'm an engineer working with Mr. and Mrs. Baranov for the application for 44 Water Street.
Under this application, it's proposed to demolish an existing single family dwelling that's delapidated, it's overgrown, and propose to construct a new single family dwelling, three bedroom, three bathroom dwelling.
Just a little background of the past few months with some of the other approvals is, we first started with the Zoning Board to apply for a side yard setback variance. I'll just go over some of the reasons for that. It was only for 1 foot, and the reason being was the original house was actually at a non-conforming condition for the front yard setback, and we wanted to push the house back further to be more in line with how the neighborhood is and DINA M. MORGAN, REPORTER.

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to comply with the front yard setback requirements, but if you look at the lot, it's a very narrow lot and it just slightly elongates and to really get the house to fit we went 1 foot over to the side yard, so we applied for the 1 foot variance and that was approved back in September.
Then from there we went to the Architectural Review Board to go over the application, and there were a few comments that we accepted and we went over. So I'll kind of describe a little bit of the history from those comments and some of the updates. The first being some comments on the front facade, creating a bit more symmetry between the windows, so we adjusted the window symmetry a bit based on their recommendations. The other big comment was the roof structure. Originally we were proposing a gable roof, but we went to a hip roof to give it more of a modern look to kind of tie the aesthetic all together.
Then some minor items that were updated was basically adding stone just around the front entrance, and then the siding is DINA M. MORGAN, REPORTER.

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proposed to be a gray vinyl, that I could bring you some samples; and then asphalt roof shingles; the trim all AZEK white; same thing with the garage doors, white; front door, white. I have some samples here I'll bring up to you guys.
Do you want me to go over the floor plans or any questions?
THE CHAIRMAN: Sure, just run through the floor plan quickly.
MR. SCAVELLI: A traditional house where you walk you in, the dining room, family room, study on the first level, and the bedroom spaces are upstairs. So upstairs there's three bedrooms, two bathrooms on the second floor, and then an unfinished basement. Down below is a look at the facade with the neighboring properties. The total square footage was 2135 for the total area of the house.
MS. UHLE: The applicant did submit a landscape plan, and they're coordinating with our engineer with regard to the storm water management plan.
MR. SCAVELLI: Yes. So there is a DINA M. MORGAN, REPORTER.
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MR. SCAVELLI: It's being prepared.

The site engineer is working with the town engineer, so they've been out to the site so I think they're just working out the final details. The locations are designated.

MS. UHLE: Before we issue the building permit, our engineer just needs to review and approve the storm water management plan.

THE CHAIRMAN: And, of course, the landscape architect has to issue a letter saying that it's been installed per the plans.

With those two conditions, I make a motion to approve this application, 17-25, 44 Water Street.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

All aye.

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THE CHAIRMAN: Just one comment. The siding being one big piece as opposed to two slats, is that just a cost thing? I've seen houses with it and for some reason you could sort of tell the difference. I think when it overlaps as opposed to that, you get a little more relief.

MR. SCAVELLI: Yes, so I mean the vinyl siding and like the HardiePlank siding comes in the single pieces. In terms of budget, they're working with the modular company so there's only certain products that we're working with their budget was.

THE CHAIRMAN: Oh, I see, that's what they put on it.

MR. SCAVELLI: Yes. There's only that in terms of what their budget was for the project.

THE CHAIRMAN: So then if there's no more comments, I'm going to run through the conditions of this application and they are:

Just prior to the permit, the storm water management plan should be reviewed, which it's underway you said or it's being prepared?

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CERTIFICATION

STATE OF NEW YORK )
 ) Ss.
COUNTY OF WESTCHESTER)

I, DINAM M. MORGAN, Court Reporter and
Notary Public within and for the County of
Westchester, State of New York, do hereby
certify:
That the above transcript was taken from
a videotape of the actual hearing. I was not
present for such hearing. The videotape was
taken and transcribed by me to the best of my
ability.

And, I further certify that I am not
related to any of the parties to this action by
blood or marriage, and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 20th day of December, 2017.

DINA M. MORGAN
Court Reporter
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