TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
SEPTEMBER 22, 2016

HELD AT:        Eastchester Town Hall
                 40 Mill Road
                 Eastchester, New York 10709
                 7:00 p.m.

BOARD MEMBERS IN ATTENDANCE:
CHAIRMAN JAMES BONANNO
ROBERT PULASKI, MEMBER
BILL WEST, MEMBER
PHILIP NEMECEK, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:
MARGARET UHLE, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
MICHAEL VERNON, ASSISTANT PLANNER

Dina M. Morgan, Reporter
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DINA M. MORGAN, REPORTER
THE CHAIRMAN: Good evening. This is the Planning Board meeting of September 22, 2016. If everyone would rise for the Pledge of Allegiance, please.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: I apologize for the late start. It's probably my fault.

Phil Nemecek.

MR. NEMECEK: You're taking attendance?

THE CHAIRMAN: Yes, sir.

MR. NEMECEK: Okay. Present.

THE CHAIRMAN: Bob Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim is here. Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham could not be here.

I'll just run through the agenda quickly so everyone knows what we're going to talk about. We're going to talk about 504 New Rochelle first, then 6 D'Ambrosio Way, 181 Beech, 179 Beech, and adjourned applications.
are 22 and 24 Water and 600 White Plains Road.

So the first application is an open public hearing on Application 13-36, 504 New Rochelle Road.

MR. PARKER: Good evening. My name is Scott Parker. I'm director of facilities for Chestnut Petroleum. You might recognize me. I started this thing in 2013 but it was taken over by Jillian Martin, who has since moved on. I don't know how much detail you want to get into on the actual application.

We are proposing to convert an existing gas station with service bays into a convenience store and put an addition on the backside of that building for the walk-in cooler. We've got a letter that was submitted by Eric Palmer, our construction manager, to the board that addresses what we believe to be the remaining comments, if everyone has that. I don't know if you would like me to get into major detail, read the letter, touch on the points?

THE CHAIRMAN: No. Do you have a site plan or anything to put up there?

FEMALE SPEAKER: Excuse me, can you talk more directly into the microphone because...
we can't hear you.

MR. PARKER: Sure.

MR. NEMECEK: Maybe move the
microphone a little bit away from you.

MR. PARKER: Just sounded loud from
where I was standing. Trying to find the
middle ground here for everybody.

What we're looking at here is really
just the landscape plan, because it was my
understanding that's one of the sticking
points. So we'll show that.

MS. UHLE: You know, it's up to you,
but I think when the applicant last appeared
before you, you hadn't seen it for quite awhile
so you wanted to kind of be able to digest it
and review the materials. There were a number
of issues that were raised at the public
hearing. I do think the applicant did a good
job -- whether you agree with the response or
not -- about addressing each of those issues.
I think it would be helpful if they did go

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we could go over those as well.

MR. NEMECEK: As a reminder, we first received -- this board first entertained this application in June of 2014, but it didn't come back to us until June of 2016. It did have a very extensive and robust exchange with an open public hearing. We spent probably half of our June meeting on this application and there were quite a number of ideas, suggestions that were aired, and I think it would be helpful, because we do have a very sizable viewing audience at home, we have a decent sized crowd here which I'm sure is interested in commenting, let us know what has happened since the last meeting, what steps you've taken to address the concerns that were raised, and I presume we'll resume the public hearing.

THE CHAIRMAN: It's still open.

MS. UHLE: One other point I would like to make. I did tell the applicant in addition to addressing all of the issues that were expressed as concerns at the last meeting, I did emphasize that I think the site lighting is a big issue, so to be prepared to discuss that in detail so that we all understand that clearly.
MR. PARKER: Okay. Like I said, we do have this extensive letter. What I'll do is I'll touch on any of the main points and kind of summarize what we've gotten to, and if you need any more details or if there is anything more you want me to expand on, we can certainly do that.

One of first points that we're discussing is the hours of operation. Typically our stations are 24 hours. That's what we try for initially everywhere that we go just because it is a convenience store, gas station, and we would like to supply our customers with as much open hours as possible so that they could get what they need. What we are proposing at this point is 6 a.m. to 12 a.m. I guess that would be. It says p.m. here.

but it would be until midnight. The reason that we are looking for those hours is that we have a lot of customers that work early, they work at, you know, 7 a.m., sometimes even earlier, and in order for them to be able to visit the store and get what they need prior to their 7:00 start time that's where we get our 6 a.m. We also have a lot of shift workers that get off of work at 11:00, 11:30 at night, so 12
allows them to get what they need on the way home, get gas on the way home. That's why we look for hours like that. Again, open for discussion, but that's what we have proposed at this point is 6 a.m. to 12 a.m.

The second issue is the fencing on the site. We had gone through architectural review with a wooden fence. We thought it would work with the wooded area, adjacent properties. If vinyl is preferred, that's fine. That's not a major sticking point for us.

I'll skip lighting quickly and we'll get back to that at the end.

There was a concern raised about handicap accessibility and emergency exits. We have reviewed it with the building inspector and confirmed that there are no additional means of egress required, and we've also confirmed that during our building application process we'll have to meet any ADA compliance issues. There was an issue raised about the sound from the condensing units from the split units for the cooling and HVAC. We did submit some paperwork showing that the readings -- the maximum readings for the equipment, this is without any attenuation, is 74 decibels from
approximately 10 feet away. If you bring that out to any of the property lines, that drops lower and basically brings you to what's considered slightly below normal speech at 3 feet. Now, this isn't taking into account -- this is just the condensers out in the open. We've also put them behind the building, we've brought them around to the side, and we're also enclosing them in a fence. There's also a wooded area between that and residential and there's a hill that goes up as you know, and there will be another fence at the top of the hill. So those numbers are further brought down. We don't have exact numbers on them, but even with without any of that attenuation at the property lines you're below normal speech levels.

The traffic was brought up. We have gone through extensive revisions with the town's traffic consultants over the process. One thing that was left was they spoke about a large preexisting hedge possibly blocking sight. We have changed the landscape plan to a European Wild Ginger at the advice of the landscape architect, which will not grow up high enough to block view on the side street.
We've also added -- there was some concern about the condition of the trees, vegetation in that wooded area. We have added a note to the plan that has to be -- that area will remain but will be managed and kept clean.

There was an issue or a question raised about delivery times. Right now we're not really sure what kind of business we're going to do, so it's hard for us to know exactly how many deliveries we're going to have, but we would certainly entertain a window of deliveries. Obviously the store is not going to be open all night, so there would not be deliveries at 3, 4 in the morning because there is no one there to receive them.

So we can jump back to lighting unless there are questions or anything you want to discuss?

THE CHAIRMAN: Can you point out the fence? The fence is just on the south side?

MR. PARKER: It goes basically all around the entire back property line.

THE CHAIRMAN: Like all the wooded areas? Okay. Great. Let's talk about lights.

MR. PARKER: So let's talk about lights. So it's my understanding that all the lights...
lighting we've done is in compliance with any kind of --

THE CHAIRMAN: Do you have a lighting plan?

MR. PARKER: We have -- we submitted --

THE CHAIRMAN: If you would.

MR. PARKER: From what we've heard, the lighting plans with the numbers and things the printer doesn't obviously give you the full effect here, but this shows you what it looks like -- what it is proposed to look like. The top one that you're looking at are the lights that we want to keep on at night for security purposes for after closing. The bottom adds the canopy lights and a couple more yard lights during business hours for -- obviously for
customers to be able to see when they're walking around the site and for safety reasons. So this is what we're proposing. There were some questions on what we could turn off at night. So the top one is -- we could turn off the top canopy lights, even though there are some concerns, I don't know if you read stories

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recently about the skimming devices in the dispensers for credit cards? Unfortunately, that happens most times at night when the stations are closed, so we don't like it to be too dark under the canopy, but we could bring it down to this and still feel comfortable. The brightness at night is really just for -- or after closing is really just for security purposes. We're not looking, obviously, to attract customers. It's more to make sure that there's nothing happening around the building when nobody's there. One of the things we talked about was to make sure that these lights go off at night, to have them on a timer. A condition of approval to require the canopy lights, for example, to be turned off at night, you know, with enforcement on that if it's, you know, not followed is certainly something we're not opposed to.
THE CHAIRMAN: So physically where are the lights?

MR. PARKER: So every light is down lit, that's why you're not actually seeing anything except the glow. So we're using

shielded down lit LEDs. So they are underneath the canopy, they are down lights around the building, and then there are three yard lights that are existing, I believe. One here, there, and there. So, again, the top one is what we would like to keep just the lights around the building on. The bottom one is what it would look like when the station is open.

MS. UHLE: Does that show the yard lights? How high are those, do you know?

MR. PARKER: They are typically 15 feet. I can check that. Yes, this does show the lights from the yard lights also. The yard lights are not real bright. It just gives the ambient light throughout the lot for customer safety.

THE CHAIRMAN: But they're also down lights and shielded?

MR. PARKER: They're down lights -- it's self-shielding. It's not like, you know, when you had the bulbs where you had to
actually physically shield. I mean, these things, the LED, the diodes are up in the fixture so they can only point down. Just a

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note, I went by there today, and we can get into there was a letter after this letter that we just received a few days ago regarding the temperature they call it, you know, the level of Kelvin on the fixtures, I'm not an expert on this by any means, but what I did notice is that New Rochelle Road the street lights, the high ones up on the poles have been retrofit with LED already. I don't know the information on that. I just saw that this evening. I don't know, is that a town road or county road, New Rochelle Road?

MS. UHLE: That's a county road; correct? Yes, county.

MR. PARKER: So, I mean, just concern with the type of light or anything like that, I mean, if we want to make it a condition of approval that we're not going to be anything above what the county has already installed shining outside of that property, then we could certainly do that.

THE CHAIRMAN: I don't really know the relevance of that letter to what you are doing
here. Is there any in the kind of lights that were referenced in that letter and what's being used here?

MR. PARKER: Nothing that I -- I'm not an expert on that.

THE CHAIRMAN: Nor am I. It was interesting reading material, but I'm not sure where it bears on this except that what you're showing seems to be -- so at one point I think when you guys were here last you gave the lighting in terms of candles and the --

MR. PARKER: Foot candles, that's correct.

THE CHAIRMAN: Yes, foot candles. I imagine that's the representation of what the --

MR. PARKER: That's right. What I heard from the feedback from that is the foot candles didn't really give you an idea of what was actually going on. So this tells you what it's going to look like.

THE CHAIRMAN: So at night around the perimeter of the site the shading that's there more or less represents if you were standing on the site looking towards the property lines.
MR. PARKER: Yes. I don't know the exact numbers, but I know that we've got zero foot candles. So basically zero light spilling off of, you know, certainly the residential sides. Not to, you know, even mention that the fact that that hill in the back -- I don't know if you're familiar with the topography -- behind the station there's a significant rise.

THE CHAIRMAN: So does the darkest shading represent zero foot candles at the perimeter?

MR. PARKER: Yes. Yes. Again, the gray scale on the printer doesn't really give you everything, but yes, you'll see that -- obviously you don't see any light until you hit here.

THE CHAIRMAN: So if you're standing there in the trees looking, it's dark?

MR. PARKER: It's just like any kind of ambient -- you know, anywhere that's not lit. Now, you know, again, the county road has street lights on it. We haven't -- you know, that's not included in this. Obviously there's

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nothing we can do about that any way.

THE CHAIRMAN: So just one other thing to ask about the way the light is represented. At night light radiates in all directions, it also radiates up; right? Obviously. Well, no, if there's down lights, it's supposedly just down?

MR. PARKER: Right. That's what this is supposed to depict. You don't see a light bulb. You don't see the source of the light.

THE CHAIRMAN: I mean, my point is this looking down on a site and no one ever looks down a site, you look in, right, you look into the site and you see these different contours. If you were looking down at the site, I guess that's what you would see, yeah. Okay.

MS. UHLE: I actually think it would be helpful -- you did submit sort of like a plan -- can you go over that and just explain each of the lighting types and also be very clear which ones are proposed to be off at night.

MR. PARKER: Yes. So figure 7 we can
start with if you guys have that. That shows, you know, in kind of an x-ray view where the fixtures are.

MS. UHLE: Does that correspond with figure 8?

MR. PARKER: And figure 8 is the same thing, yes.

MS. UHLE: I think figure 8 is going to be easier to look at. That looks like you only have two lights on the rear of the building.

MR. PARKER: That's right. They're what's called wall packs. They're just, you know, lights that wash the wall down. Keep in mind the back of this building once we come down on the slope we're just extending the salt box. They have a flat roof shown on this, but it really doesn't affect the light anyway. The salt box once it gets down, the height of the wall pack is going to be about 7, 7 and a half feet. So, you know, it's really not in the back of the building. The light is only this high and the slope goes up from there. So it's not spilling anywhere toward the rear of the building.
MS. UHLE: Then you have two wall packs on both sides of the building as well?

MR. PARKER: Correct. Again, for security. That's the only reason for those. We don't have any exits or anything around the building, so those are just for security those six fixtures.

MS. UHLE: Those are all proposed to stay on at a night, correct, for security?

MR. PARKER: Those, yes, for security purposes that's what we're proposing.

MS. UHLE: One question I have, and again, I don't think any of us are experts in lighting, we do have a commercial property right now that has high hat lighting that is clearly directed on the building but it's still very bright; is there any way to just ensure that we could modify the intensity?

MR. PARKER: There are. There are fixtures that -- with this type of commercial fixture it's not as easy as just, you know, going like this.

MS. UHLE: A dimmer switch.

MR. PARKER: But there are wiring changes that can be made during installation or even after installation that bring that down.
I don't know how you would say that's too bright or that's not, you know, on the wall reflection at least, but it probably has to do a lot with the color of the building also and that kind of thing.

Ms. Uhle: I think as low intensity as you can have and still feel secure but not super bright. Like I said, we're having an issue now with a local store that even though it's shielded downward, et cetera, the building is just very bright.

Mr. Parker: Understood.

Mr. Pulaski: How is the lighting intensity determined; is there a certain guideline you're going by or is there a corporation policy that's being followed?

Mr. Parker: Well, they like to try to get -- there's these foot candle numbers, and I don't know if there was a foot candle plan included in this or just in the original submission. It doesn't look like there was.
was a bank and it had a teller window that was open at night and there was a concern amount of light that was required by that bank.

MR. PARKER: That's the thing, there is no --

MR. PULASKI: I'm questioning is there a guideline on this or is it totally elective on the proprietor to turn the lights down a little bit more?

MR. PARKER: Well, I can tell you that certain municipalities have codes and then we have to conform to those, foot candles at property lines, average foot candles across sites, that kind of thing.

MR. PULASKI: I don't know that Eastchester has a code.

MS. UHLE: No, we don't. I think with regard to the teller machine, that's state law that banks must comply with with regard to

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teller machines.

MR. PULASKI: I was just making a reference.

MS. UHLE: Yes. So I think here they probably don't. It's probably up to each local municipality. I think that's something that we could -- if we're clear on, you know, what's
located where and what's proposed to stay on,
maybe we could work with the consultant to just
help determine the lighting levels.

MR. PARKER: Obviously zero foot
candles is no light, you know, you don't want
to be there. But you could go -- in our
experience, you can go as low as maybe four or
five foot candles in outer spaces, in perimeter
spaces.

MR. PULASKI: Which lights stay on and
which ones go off?

MR. PARKER: So looking at this
diagram, the ones around the building stay on.

MR. PULASKI: Which are basically
wall, they shine on the wall?

MR. PARKER: That's right. The ones
under the canopy we can turn off.

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MS. UHLE: All eight of them?

MR. PARKER: We can. I mean, it
really comes down to what everybody prefers.
Again, we would like to keep some lights on for
security purposes, but if it's causing an
issue -- you know, we could split these and
have two under the canopy on at night or
something like that. We're certainly open.

THE CHAIRMAN: What do you think is
represented there?

MR. PARKER: What's that, I'm sorry?

THE CHAIRMAN: What do you think is represented there?

MR. PARKER: This is no canopy lights on.

THE CHAIRMAN: No canopy lights on?

MR. PARKER: That's correct.

THE CHAIRMAN: That's perfect.

MR. PARKER: But it is yard lights, that one, just because it covers that dumpster area. So it's that yard light and the building light.

MS. UHLE: By yard light you mean the 15 foot high light?

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MR. NEMECEK: Is the depiction in the bottom meant to also represent the lighting from the yard lights?

MR. PARKER: That is everything.

MR. NEMECEK: Because it looks, quite frankly, like there’s nothing coming out from any of the yard lights and that seems a little --

MR. PARKER: Well, this one depicts this light, so that gives you this light in here with these two off. See the difference in shade there, that’s just --

MR. NEMECEK: I was assuming that that difference in shade was coming from underneath the canopy.

MR. PARKER: No. These yard lights, they’re not real intense. I mean, it’s really just to give you ambient light while customers are getting in and out of their cars and obviously parking. The more intense light under the canopy is to allow people to get their credit cards out, punch numbers into the pumps.

MR. NEMECEK: I don’t ultimately have an issue with certain of the lighting suggestions you’re making, but I’m just a
little skeptical as to the lack of any increased lighting underneath the yard lights. It looks like they completely blend in.

MR. PARKER: Maybe this isn't showing it. That shade versus that shade.

MR. NEMECZEK: But again, I see most of that becoming more intense as you get near the canopy. That's what it looks like to me. That looks like canopy light to me. I would expect to see some greater intensity directly underneath the yard light if that was being accurately represented, unless it's absolutely completely ambient with the surrounding environment. Just the skeptic in me.

THE CHAIRMAN: Skeptic?

MR. NEMECZEK: Yes.

THE CHAIRMAN: What about the four lights in the front of the building, they're represented as green on that --

MR. PARKER: Yes.

THE CHAIRMAN: -- Are they on at night also?

MR. PARKER: Yes.


MS. UHLE: What kind of lighting is that?
MR. PARKER: That's a soffit down light.

THE CHAIRMAN: So you would work with us to come up with levels -- not with us but -- come up with levels --

MR. PARKER: If we tried switching every other one off once it's installed and that gives us enough light, you know, then we can wire it like that. During construction, we can, you know, meet with whoever your designated representative is to figure out what -- go there one night and figure out what's appropriate for security.

THE CHAIRMAN: Right, and that would pertain to the two, four, six around the perimeter, the four in the front, and the one down light?

MR. PARKER: Correct.

MS. UHLE: So we're suggesting, again subject to sort of review of the particular lighting intensities, that the one, two, three, four, five, six wall packs would stay on all night and the four soffit lights would stay on, one -- I forgot what you were calling that --

MR. NEMECEK: Yard lights.

MS. UHLE: Yard light. One yard
light, and then none of the lights under the canopy, and the other two yard lights would be off.

MR. PARKER: Obviously in the real world this is different because there's lights coming from the streets, and we could certainly get out there and come to an agreement on,

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okay, we don't need to light that one, there's enough ambient light here for security purposes, we'll turn that one off at night.

MS. UHLE: In a way I appreciate that because, like I said, I don't want to name names, but Country Market right now has -- the lighting was all approved, it's just still very bright. It's the kind of thing that I don't really have the authority to say replace all those bulbs now. So it would be nice if we had a chance to view it and approve it during the process.

MR. WEST: The houses behind the parking lot there?

MS. UHLE: Yes. The light is not directed towards them any longer. It was for awhile. So we had them rectify that. The soffit lighting is still kind of bright. It's not that it's glaring on people's property,
it's just that when you look at it it's kind of very bright.

MR. WEST: Inconvenient to the rear houses; right?

MS. UHLE: Yes, that's what the

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c enters is.

MR. WEST: Not that it's bright, that it affects the neighbors.

MS. UHLE: By being bright. Obviously you have to see some lighting but you don't want it to be too intense.

MR. WEST: Yes. Driving by it doesn't bother me, but if I live behind it or on the side of it and it's shining in my window --

MS. UHLE: Yes, that's the concern.

Yes, that's the concern, definitely.

THE CHAIRMAN: So they'll work with your office on how to come up with lighting.

MS. UHLE: Yes. When we wrap things up, we'll kind of reiterate that.

MR. NEMECEK: I think the idea of a timer, using timers is something that's advisable.

THE CHAIRMAN: Or something. I'm not too crazy about the timer idea. Okay, so we talked about lights enough? We're good? I am.
Anything else? Fencing. Landscaping improvements are really just what you said, they're cutting back that --

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MR. PARKER: It was to address the fence and the concern with the hedge and the condition of the trees and things in the back.

THE CHAIRMAN: Right. All of that is just general housekeeping, clean up, maintained.

MS. UHLE: We could make as a condition of approval that they have to continue to maintain that so that if there are ever dying limbs and trees they have to keep on top of that. I hate to say this because Eric had asked me to suggest plants for that area where the hedge is and I had said, well, that's not really my responsibility, go back to your landscape architect, I will say the Wild Ginger, even though it solves the problem, is incredibly boring. It should also be attractive as well. So I would as a condition like to work with your landscape architect to come up with something that not only satisfies the condition of allowing for sight distances but that's also attractive. That's just a massive area of a low ground cover. I think
there are more interesting perennials and shrubs that grow very low. So I would like to work with your landscape architect to specify some plants.

THE CHAIRMAN: Landscape architect.

MS. UHLE: It's a pretty ground cover but it's just too much of a mass of a simple ground cover, especially since there are some parking spaces there you definitely need something low growing so it doesn't affect sight distances, but it should be attractive as well. It's an easy resolution with your landscape architect.

MR. PULASKI: I have some questions about the crosswalk. What is the history with moving that crosswalk?

MR. PARKER: Currently it goes into kind of an open, depressed curb cut. What we're proposing to do -- and this was through discussions with the traffic engineer -- was to bring it out to here, and this isn't really defined right now, so we're putting it over there into what everybody, including the traffic consultant, thought was a better spot.

MR. PULASKI: So presently traffic
stops when the light changes, and I assume
there's a light --

MR. NEMECEK: There's a light right here.

MR. PULASKI: A traffic light?

MR. NEMECEK: There's a traffic light coming out of --

MR. PARKER: There's a traffic light --

MR. PULASKI: Traffic on this side is going this way; right?

MR. PARKER: Correct.

MR. NEMECEK: It's two way traffic.

MR. PULASKI: So if there's a light here or here, then a motorist knows that they stop at this line.

MR. NEMECEK: There is no light here.

MR. TUDISCO: Actually, Mr. Chairman, just to shed some light on this, it's a T intersection; however, it's an odd T intersection in that, first of all, it is a county road. The light is, I guess, above -- on the map that you're looking at -- above that crosswalk, and also the light governs coming
from I guess the side of the building where the
CVS group of stores is, and also from the other
side it is a light governing traffic that's
coming out of that row of stores where there is
a delicatessen, there's the Greek restaurant,
and those other stores. The light governs
that. As I recall, the traffic consultant for
the town recommended moving the crosswalk
towards that light for safety purposes.

MR. NEMECEK: It also shortens the
crosswalk because it now is -- what is it --
perpendicular to the sidewalk as opposed to
being angled.

MR. PULASKI: I trust if the town
traffic consultant moved it, he probably
evaluated the best of a bad -- I think a bad
situation but.

MS. UHLE: It also eliminates it from
being in within basically the entrance drive to
the site. It was the recommendation of our
traffic consultant, and residents had
questioned it as well, but he's assured me that
he believes again it's the best solution to --

MR. NEMECEK: At the June meeting, I

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know we had Mr. Grealy here, he is the town consultant, and we had an extensive back and forth about the traffic -- all of the traffic issues, and my overwhelming sentiment after all of this is that there are still problems here, there are still traffic issues, but it's an existing site, and I know that a lot of work has gone into making the traffic flow as favorable as it's going to get.

MR. PULASKI: And I'm sure that he's used his best wisdom. It's just when I look at it, I look at something when you have a crosswalk that is assigned to a pedestrian, you enter the crosswalk, you're fine, you're safe, but yet, the crosswalk is in an area where the cars are going to be turning into the station. So now you have a struggle going on between the pedestrian that's in the safe zone and an entry car that has to cross the crosswalk. Then where is the curb cut relative to that? It looks like the pedestrian will actually be walking through the curb cut to walk across the crosswalk. The existing condition is not nice either. So just a concern I wanted to express.

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concerns.

THE CHAIRMAN: Well received. Any other questions from the board guys?

(No comments.)

THE CHAIRMAN: Good. So this is an open public hearing, so we're going to take comments from the public. Just stand by, we'll get back to you. Not there but somewhere.

MR. ATTWOOD: Good evening. My name is Jason Attwood. I reside on Central Drive. I'm also a member of the Chester Heights Civic Association. We sent a letter to the Board last week kind of setting out some of our concerns that we raised at the prior meeting. Just want to take a minute to kind of just highlight our continued concerns. The one obviously is the issue of hours of operation. We're happy to hear that the applicant has agreed to limit it to 6 a.m. to midnight. We think it would be even better to limit it to 10 p.m. Chester Heights is predominantly residential in character. The commercial is a component of the neighborhood but it's complimentary. Having a convenience store open until midnight is just inconsistent with the residential character. None of the other
businesses in the area are open until that hour. Obviously the later stores are open you have potential crime issues, and, respectfully, there are other alternatives in the area for the services that that convenience store will provide both in town and in Pelham.

As to the issue of the lighting, I think the director really kind of hit the issue, it's about the intensity. You could talk about how far it spreads out, but that's, you know, looking from the bird's eye view. When you're sitting in your home, when you're driving down that road, the intensity from that site is going to be an issue at night. We submitted, you know, the article about the 4,000K and, you know, I'm not a lighting expert either but, you know, when you see these places with those types of lights, you know it's got that sort of unnatural view, and just reading that article doing a little research it seems like there are alternatives. I understand LED lights are -- there's benefits, but I think we need to explore a little further the alternatives, whether it's reducing the number of lights or just the intensity. I know there's apparently 3,000K, which gets a little
more favorable response. Again, I'm not a lighting expert, but I think that's something that needs to be explored a little bit further.

Then just finally as to traffic safety, I understand that a lot of time and effort has gone into this issue to come up with the best possible solution. I think just because it's the best that we could come up with doesn't mean it's necessarily adequate to the site. The community has great concerns about, you know, adding more stress to this area. I think you need to look at the road as a whole and not just in a vacuum, you know, that whole stretch of New Rochelle Road there are some significant traffic issues. I think that needs to be looked at really on more of a global scale before we, you know, increase, you know, the strain on it. So thank you.

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some of the concerns that we've had. I also
want to thank Margaret. I had the unfortunate
roll of having to play lighting police this
summer because the owner did not turn off the
lights that were required to be turned off and
they would leave them on all night. Thanks to
Margaret, she was able to get in touch with the
owners and they began to comply, and I had to
call again, and they again began to comply, and
I think it was three times this summer that I
had to contact and now they've been pretty much
in compliance. I think it's this behavior as
well as the behavior that I highlighted in
previous meetings about the owners not cleaning
the sidewalks, not cleaning the driveways of
snow, not cleaning up that back area, the

hedges that are on the side of Hillcrest Road
are in shambles, and this owner has been there
for over a year. So I don't know if past
behavior is a predictor of future behavior, I'm
kind of concerned about that.

As far as the fence is concerned,
since I'm going to be looking at the fence
primarily and also maintaining my side of the
fence, I would ask that you require a vinyl
fence of the owner, again, just to make my life
a little bit easier as far as maintenance and also what I have to look at. Since they're willing to do it, I just ask that you require that.

The other concern I have is about lights. If I could just look at this landscape plan here, that big green area on the left-hand side, which is the south side of the property, it's a bit deceiving. This is a bird's eye view and so the canopy, you know, is very thick. There's a lot of Maples back there, I think there's a Mulberry and a couple Oaks and a lot of Locusts. Again, when you're looking down, it's very, very thick, but when you actually look straight through the property, it's not, and it really doesn't do a good job of shielding things that, you know, I could see from my kitchen window. I know my wife had shared this during the Architectural Review Board, but I just wanted, if I may, hand you this picture of the man urinating behind the gas station and the view that I had from my kitchen window. So again, you know, the canopy is, in fact, very thick, but when you're actually looking straight through, it's not a thickly wooded area. If I may.
MR. NEMECEK: PG?

MR. URBINA: I'm sorry.

MR. NEMECEK: Suitable for our viewing audience?

MR. URBINA: Oh, yes, it's PG, right. It shows the rear part fully clothed.

So again, you know, my kitchen window is above that hill looking down. So again, the light is going to be affecting us even if it's only 7 feet high, and again, the light is what I'm concerned about as well. I would appreciate that anything that is installed, you know, that the permanence of that be conditioned upon the town reviewing it to make sure, in fact, that the light isn't, you know, going up into our windows.

The last thing I would just like to also talk about are the hours. I know a number of years ago, you know, because the gas station was open until midnight, there were throngs of teens that would hang out there up until midnight until the lights went out and then they left. It hasn't been really an issue lately or actually for the last few years, but the concern that I have is, you know, keeping this station open at midnight with the lights...
is just going to attract kind of like late night stuff. You know, I appreciate having items available for those who are coming off of work, but I'm also concerned about those that are coming back from the clubs and all of the, you know, issues that might come with a station staying open until midnight.

I think that Mr. Attwood said it articulately, that, you know, we have a nice balance between residence and commercial and

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it's always been like that, and I would really like to ask that instead of allowing the owner to stay open until midnight, that they be allowed to stay open until 10:00, because I think that that would go a long way in preserving the character of Chester Heights and our community. So I appreciate your time and thank you.

MS. UHLE: Can I just ask you a question, Doctor Urbina, and for the applicant too?

MR. URBINA: Sure.

MS. UHLE: It's a two part question. I'm assuming from the applicant's perspective that lights are necessary on the back of the building for security purposes, and I'm
wondering if you also think that they're necessary at low levels just for security?

MR. URBINA: Well, I mean, I had to call the police a number of times because there were kids back there breaking into the trailer that's back there or the storage container that is there. So I do appreciate the need for lighting, I just want to make sure it's appropriate lighting, because a few years ago the previous owner installed I think it was those mercury vapor lamps, that really bright yellow, and after like a week and after numerous calls to the town they finally turned it off because that was just shooting right into our home.

MS. UHLE: So you are comfortable with appropriate low level lights?

MR. URBINA: That's the key word is "appropriate." Again, I hate to, you know, keep harping on this, but the owner has not had a really good track record about maintenance, and so, again, I'm concerned about that area between my home and the gas station, that hill, because it hasn't been well maintained. Again, it's not thickly wooded and going to prevent or act a shield between my home and the gas station.
station and hope that you take that into consideration.

THE CHAIRMAN: Thank you. I guess for security purposes you need a light back there?

MR. PARKER: Yes.

THE CHAIRMAN: Got it.

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MR. PARKER: To kind of keep what you just saw from happening is mostly what we're doing it for. The level as appropriate.

THE CHAIRMAN: Even a low level light does the trick to keep people from congregating.

Other comments from the audience?

This gentleman is up.

MR. GURINSKY: Good evening. My name is Heath Gurinsky. I live on New Rochelle Road, and it's pretty busy down on that street. Every morning I walk my kid and another kid to the bus stop, those kids go to Tuckahoe Schools, and the bus comes and it's just it's a really busy street, especially in the mornings. This morning there were at least three cars that went through the bus stop sign. So there needs to be something addressed about maybe getting police officers there or something there. Even now it's just really busy and
really dangerous. I'm not hearing anything about that there is going to be a police officer there on a daily basis, because there's definitely going to be a lot more traffic and a

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lot busy. It's just a busy street now and it's hard to even walk with my kids there. I noticed it getting busier. We used to walk to the bagel store, and then we stopped walking because it's just so busy. With this bigger store, I can't see walking down that street. So nothing has been addressed about, you know, those issues.

THE CHAIRMAN: We've addressed these before, Mr. Tudisco, if there are enforcement issues?

MR. TUDISCO: Yes. At the last meeting, there were some complaints about the traffic pattern that the traffic engineer had mentioned changing the traffic pattern to make a safer flow and some of the comments from the public were, for instance, well, nobody is going to listen to that any way. I tried to break that down there's a question of enforcement versus a question about the plan itself. If it's a bad plan, it's a bad plan. If it's a good plan but nobody is going to pay
attention to it, that's where the police come in. I had extended to whoever was watching at

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home and to those who were here, that as the traffic prosecutor I take these things very seriously.
Since that meeting, I did, in fact, meet with Lieutenant Jensen and Lieutenant Hunter from the Police Department, who regulate some of the parking issues, and kind of meet with the community about those issues, and, again, you can bring them to my office, if they go to the Building Department, I'm sure Margaret would get them to my office. Again, there is the question of the difference between what's being enforced versus the plan as is being brought or tweaked to try and maximize safety and minimize flow or however that may be.

MR. GURINSKY: Also, what about working with the school about moving the bus stop? I mean, it's going to get more dangerous that's the bottom line.

MR. NEMECZEK: We had an extensive back and forth with the town's traffic consultant, Philip Grealy, at the last meeting, and they had done fairly extensive studies on the
traffic flow I believe between either 7:45 and 8:00 and 8:45 and 9:00. So in that sort of peak a.m. hour I think he indicated that there were 1400 cars traveling on New Rochelle Road, and I think in the course of the day 15,000. Those are big numbers. That's with or without the approval of this application. According to Mr. Grealy, who had done studies based on the leading experts in the field of traffic flow, and he said there had been extensive studies conducted for convenience stores that were part of a gas station operation, that they projected that during the peak hours the additional traffic flow would be -- at least the number of cars that would be going into and out of a gas station would be 20 additional cars. So compared to 1400, yes, it is an increase, but it's a very small increase as a percentage. There is -- we're also -- just remember this isn't an application to put something on a property that is vacant right now. It is currently operating both as a gas station and as a smaller convenience store than the application has requested.
THE CHAIRMAN: So just to finish, the issues you brought up -- obviously traffic Phil just commented on -- but if there are issues about people going through signs and such like that, Mr. Tudisco has always volunteered to be contacted and he will certainly follow up on those if they're issues that he could address.

MR. NEMECEK: And for school bus stops, I don't know who would be the appropriate conduit, the person to contact to make sure that those issues are addressed. Obviously, that's a major safety concern, and I would think that school officials and/or school bus officials would be responsive to a reasoned explanation as to why a school bus stop might be better suited in one location than another.

MR. TUDISCO: Also, with respect to specific issues that arise traffic-wise, especially when it comes down to safety, whether it's a stop sign, a school, I do know that there are a number of school bus cases that come about across the street in front of, I guess, there usually is an officer there, and I prosecute a lot of people that go through the
stop signs on the school buses, but typically what happens is based upon alerts from the community, the police department will deem that what's known as a precinct condition and they will post officer there and sometimes because it borders with Pelham or New Rochelle sometimes they get coordinated grants and they designate certain hot spots. But that does generate from concerns raised by the public. So we do take that seriously, and certainly I would be happy to field those calls or introduce either local community Civic Association or homeowners groups to the Police Department to try to resolve those situations and increase enforcement if it is a problem, especially if it's a safety issue, especially like what came up with the crosswalk. The traffic consultant was very concerned, I believe, if I recall correctly, that the current crosswalk, which is in there in a lighter shade, was feeding directly into the curb cut where cars would be coming in and out of the gas station. So he recommended that it be moved upward towards the light area out of

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that curb cut. So, I mean, there are changes
that are being made for safety reasons but, you
know, we certainly appreciate feedback from the
public because things may have to be done to
address additional concerns.

MR. GURINSKY: This is where the bus
stop is right now. That's where the bus stops
for the kids.

MR. TUDISCO: Unfortunately, I don't
have much authority, that's one authority I do
not have, but I could certainly find out -- it
would be the Tuckahoe School Board. I know
some people on the Tuckahoe School Board, and I
could address that issue. I would highly
recommend that you raise that at a school board
meeting because they would --

MR. GURINSKY: We have. We have.
They haven't moved it. Basically they're
saying to call the police when it gets busy.
That's basically calling the police every day.
So, I mean, I don't know what use that would
be, you know, calling the cops every day.
Something else is I have another
little kid and there's another guy down the
going to the school and more kids at that bus stop. Right now there's two, offhand I could think of two more, and there's another one that goes even earlier that goes to the middle school, bus stop comes earlier, so there's definitely going to be more kids just to think about when you're deciding this.

MR. NEMECEK: Thank you.

THE CHAIRMAN: Thank you.

MR. URBINA: Julio Urbina, 19 Hillcrest Road again. As a recovering member of the Tuckahoe School Board, I can say that a couple of years ago I requested that we move -- because my children were picked up on that corner too -- that we move the bus stop over to the little plaza there, you know, across the street, and, actually, the school bus consultant came over and they said that this is the best of a bad situation, that having children from that side of New Rochelle Road cross the street to get to that plaza was more dangerous than having them stand on that corner. So that was their opinion, that's why the bus stop hasn't moved.

I forgot to mention one thing about lighting. You know, this photometric study
that they showed up, there was something in the letter that I found interesting or troubling. It said that, while you look at these plans, please note that these photometric studies do not take into account factors such as topography, landscaping and other key elements that affect light. So that tells me that this isn't really an accurate rendering of what the light might look like, and I would ask that you guys, in fact, request, you know, when that is accurate that takes all those things into account. Thank you.

THE CHAIRMAN: Gentleman in the back, please.

MR. PARISI: Mike Parisi, 16 Lockwood Avenue. We talked a lot about lighting. Where are we going to house the dumpsters on that property and what kind of contained area are they going to be in? Are they going to be an eye sore staying our or are they going to be locked in a caged area? We haven't talk about that.
light on the back and it's controlled by a key. Are they going to be in the building or are they going to be out of the building?

Also, about traffic, are we going to move the buttons and take the pedestrian buttons and put them on the opposite of the plaza and are we going to put it in front of the stationary store for the crosswalk? Those are things that were brought up at the last meeting. Also about the fire department, have we done an impact study on the Fire Department, how it's going to affect the engine company, because fires don't have times, when the engine company has to go out. If it's during the school day and you have buses there and you have people going into the stations, you have the Westchester County bus and you have traffic going in both directions, you're looking for a problem. That's my opinion.

So these are some concerns that I think should have been addressed to the public from the traffic consultant on these certain areas but it hasn't come up, and then also about the receptacles for the compactors in the gas station, where are they going to be placed, and what kind of bathrooms are they going to
be, in the building or out of the building. If they're going to be out of the building, that's a place for loitering and problems to occur. Thank you for your time, gentlemen.

MS. UHLE: Do you want the applicant to respond to some of those things?

THE CHAIRMAN: Let's get some responses to that. Ma'am, can we get the responses first before you come up?

MR. PARKER: As far as the trash receptacle, there is a concrete block dumpster enclosure proposed right there and the front gate was to the match the fence. So previously it was proposed as wood but it will be vinyl, the same as the other.

THE CHAIRMAN: So it's enclosed on all four sides?

MR. PARKER: Yes, that's correct, enclosed on the three; the rear, the two sides with the gates in the front. The bathroom will be -- the only access will be from inside.

THE CHAIRMAN: Okay.

MR. PARKER: The rest was traffic based.

MR. PULASKI: The access to the bathrooms, is that from the outside or the --

THE CHAIRMAN: Okay. Thank you. I mean, as far as the Fire Department --

MS. UHLE: The Fire Department is aware of the application and hasn't expressed any concerns. Also, as part of the overall consideration of our traffic consultant, you know, he clearly looks at the adjacent land uses, etcetera. So I don't think that there is any concern that the proposed improvements would negatively impact the fire department. I'm not clear with regard to the questions about the pedestrian buttons.

THE CHAIRMAN: They're existing

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buttons and they're not changing, I imagine; right?

MS. UHLE: We'll have to evaluate where those are located.

MR. PARKER: It's our understanding that we're paying to move whatever needs to be moved.

MS. UHLE: To coordinate with the pedestrian crosswalk. Obviously if there's a button at the crosswalk, it will have to be moved as well.

THE CHAIRMAN: As part of this
application?

MR. PARKER: That's correct. We've agreed to pay for that as part of this, you know, whatever crosswalk signs there are and flashing lights and --

THE CHAIRMAN: Are there flashing lights at that crosswalk?

MR. TUDISCO: Sir, please wait to be called.

THE CHAIRMAN: So buttons will be covered as part of your application.

MR. PARKER: It's my understanding

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that anything that has to be done to move that crosswalk --

MS. UHLE: Is the responsibility of the applicant.

THE CHAIRMAN: Thank you. Sir.

MR. PARISI: Why wasn't it brought out before? We went through the lighting. If you're going to do something and present it to the public, you should present everything, not that somebody has to come up and say something.

In reference to the Fire Department, I live down there and when that engine company goes out now, New Rochelle Road is busy, and sometimes they have to lean on that horn to get

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out onto New Rochelle Road from Parkway Plaza.
They can't come up and go the opposite way
where the old Chemical Bank -- Chase Manhattan
used to be. They have to come out, pass the
island and they have to go out. They have to
lean on that horn to get out onto New Rochelle
Road. You and I both know people are dizzy
driving vehicles today, they're thinking about
other things and they're not concentrating on
the road so that is a problem. We live -- I

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live there. I'm speaking for me. If you live
there, you know what you're talking about. Be
there when something goes on, have the
consultant there, or maybe you guys should be
there and see when the engine company has to go
out during the weekday or during the evening
and see the traffic. 5:00 is the worst, 8:00
in the morning is the worst, 10:00 in the
morning is the worst. There is no time limit
on it. Thank you.

MS. ROSAMONDA: My name is Pat
Rosamonda, and I live at 215 Hillcrest Road. I
am the first house on the Mount Vernon side.
My property borders Eastchester and the Mount
Vernon property line. I don't want to beat a
dead horse because you've heard all of the many
same issues.

The hours definitely if you could crimp it back to 10:00. The traffic plan as it stands without any of the renovations, making a right-hand turn onto Hillcrest Road with the traffic -- if I may refer to the diagram -- exiting here as is we had several close calls because the vehicles coming out of the gas station will not yield to the right-of-way and they're making a left. Now, the proposed traffic plan has been that all of the traffic will now exit onto Hillcrest Road. As it is now, there's an entrance and an exit onto New Rochelle Road. You are increasing the traffic and the potential for a good size fender bender, and it's very, very difficult, especially in the morning, to make a left-hand turn onto New Rochelle Road. You've got the school bus crossing, you've got all of the traffic issues that are being presented today.

With regard to what the gentleman just said, yes, I think this particular site requires a site visit to see exactly what goes on and by more than one person, such as a traffic engineer, because you would be amazed at what you can see.
Also, with regard to these cars being parked vertically up against the fence, I fail to see how a car coming in this way that has no exit out of here has to come around this island of the gas station pumps and have enough room to make the turn to come back out onto Hillcrest Road. So, again, I ask all of you to consider making a site visit to see exactly what we are referring to.

Because I live on the other side of Eastchester, my concern is police presence. Mr. Tudisco, you mentioned that you are certainly aware of some issues. What jurisdiction does Eastchester Police have with regard to any crime coming up to my house, which is the third house up on the left? Do they have the jurisdiction to cross over into Mount Vernon and if we've got some crime going on to address the issue?

MR. TUDISCO: Actually, legally speaking they do. Depending on the circumstances, there is a certain distance that they can cross over into a neighboring town. Certainly, if there is an exigent circumstance that they're in the process of chasing a vehicle, if there's some kind of hit and run or
something. So it really depends on the circumstance, but there are circumstances especially with you said you were like one of the first or second houses in Mount Vernon?

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MS. ROSAMONDA: First.

MR. TUDISCO: They would have some jurisdiction to cross over minimally. That does exist.

MS. ROSAMONDA: That's a little bit reassuring. But the extended hours until 12:00, that proposes possibly an increase in crime.

If I may refer to that lighting diagram. I realize it has to be lit for security purposes, but that is like a beacon in a dark area. You are almost attracting additional crime because here is a lit up area, some unsuspecting person comes along and says, gee, let's see what's involved in here it's so well lit. So I agree that the lighting should be dimmed down quite a bit.

Lastly, I will refer back to something that was mentioned by the project planner -- I believe her name is Jillian -- back in June --

MS. UHLE: She was, yes.

MS. ROSAMONDA: She had mentioned
about adding some fast food items such as a grill for hot dogs and things of that nature.

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Now, if you look up the definition of a convenience store, it's to sell milk, it's to sell small household items, cigarettes, newspaper, and candy, not to offer fast food or the potential to have a grill with hot dogs.

You are then introducing a whole new set of issues regarding vermin, rats, however you want to classify it. So that's a major concern.

MS. UHLE: Just to clarify, they would not be permitted to have a grill. What they did propose is like you see in a lot of convenience stores those warming -- I don't know what they're called -- the warming things for hot dogs.

MR. NEMECEK: The rollers.

MS. UHLE: The rollers with the hot dogs. She said potentially.

MS. ROSAMONDA: So, again, my emphasis on the fact of a site visit. I think it would be very enlightening to all of you. You are very open to hearing our concerns, and as many of you have expressed, the traffic is an issue as well as pedestrian safety and for us homeowners that live in the area. I've lived
there for a good period of time and it has remained an extremely nice area. Even though my house is in Mount Vernon, which we all know Mount Vernon certain parts of it have not the best reputation, I take a lot of pride in my home and how it's kept up. Certainly, if something like that is going to drag down any issues because a site owner needs to revamp his proposal. So please reconsider that traffic plan, it would be a real eye opener to all of you. Thank you.

MR. NEMECEK: Thank you.

MS. UHLE: While Ms. Rosamonda since she's wrapping up, I wanted to follow-up. She had expressed concern about the fact that the Mount Vernon Planning Department hadn't weighed in on the application and at the last meeting we received -- well, we actually received two letters from the Commissioner of Planning urging us to --

MR. NEMECEK: Yes, we read them into the record.

MS. UHLE: Yes. So shortly after that meeting, I did send their Planning Department
every item that was submitted to this board from the beginning. I sent them the Zoning Board resolution, I sent them everything that they needed to know about the application. On August 8th, I received an e-mail from them saying: The Mount Vernon Planning Board decided, quote, not to comment regarding the 504 New Rochelle Road. Thank you for your cooperation in this matter.

Just to be clear, I said, I just wanted to confirm that the Mount Vernon Planning Board has no comments on the application for 504 New Rochelle Road, and they responded, yes, that is correct.

MR. NEMECEK: If I could add a comment too, and I know I speak for myself and I suspect I speak for most, if not all, of the other members of the board as well. I have made more than one site visit to this location and I'm regularly in this area. I love Elia Taverna, I go to J & G, my daughter, one of her best friends probably lives a couple of houses up from you in the Mount Vernon side, and I've been dropping kids off there for years and
years. So I know Hillcrest, I know the area very well, and I know it's a heavily trafficked area and there isn't anything we can do about that. With or without an approval of this application, there are traffic issues there. I know you speak to the lighting. I'm sure there's lighting there now and you can't turn all the lighting off or it's an attractive nuisance; you can't put it on full blare or it's a nuisance to people trying to sleep. I just wanted to clarify that we take very seriously when we have an application in front of us, and particularly here where there's been as much of a community participation in educating us about the conditions that exist, we take that very seriously. I know I have been to the location, I've scouted it out, I want to see for myself what the issues are. So rest assured, this is a very committed board. Whether we should be committed is another question.

THE CHAIRMAN: Yes, we should. Just to further that, in addition to seeing the site, we sit here and the audience tells us their concerns and we certainly don't brush
them off, we take them to heart and try and figure out what we could do to accommodate as many as we can and still work with the applicant. So we're working both sides trying to understand your concerns as well as the applicant's concerns.

That being said, any further comments?

(No comments.)

THE CHAIRMAN: Great. So we can close the public hearing and move on. So I make a motion to close the public hearing on Application 13-36, 504 New Rochelle Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: So if the applicant would come up, I think a few things were brought up that I don't quite know the answers to and I would like to ask you. In particular, the fence; what is the height of the fence?

MR. PARKER: 6 foot.

THE CHAIRMAN: It is 6 foot. That's the tallest you could put there. Okay. And that's what's there now, it's a 6 foot --

MR. PARKER: I don't know what size it
THE CHAIRMAN: There's no fence. We talked a lot about -- we talked about the lights that are turned off at night; what about the other lights that are on during operations and their intensity, what controls that?

MR. PARKER: That was -- one of these was --

THE CHAIRMAN: I know that was but similarly we're talking about when things go off; are they at like the minimum level they should be?

MR. PARKER: I mean, that's what we talked about with the whole foot candles and everything, what is the minimum level. Certain municipalities, like I said, have codes that you stick to. It really -- a retail person, if you were to ask them, they want as much as possible, right, they want to attract people there. Obviously the neighbors want as little as possible.

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MR. PARKER: As far as what's there now is already showing you what's there. The building is what would change. So currently, you know, there's probably some big, you know, spot lights, something like that on the building, everything would be down light. As far as the pole lights and the canopy lights, they're there now. We're not building a new canopy, we're not doing anything with the exterior layout.

THE CHAIRMAN: So you're saying the lights that were shown on the operating are existing lights?

MR. PARKER: That's right. They have to be moved a little bit because of the way the landscaping is, but it's not going to be any more intense than it is right now. I do understand that there were complaints about lights being left on at night and things like that. The problem is with the way the building is constructed now we're talking, you know, breaker panels, employees that are closing, it's not just flipping a switch. So we are certainly when we construct the new building once we determine which lights are coming on, staying on, you know, it's going to be very
The Chairman: Right. So while we're talking about turning lights off at night, I think Margaret explained to me the whole breaker switch thing and timers, and I'm not a really big fan of timers because I have timers in my house and I can't figure out what to do when the time zones change and they always break and I can't quite figure it out, so is there a simple way that we can get the employee when he leaves, he or she leaves --

Mr. Parker: There is. You can put remote contactors basically where behind the counter there is a switch that says, when you close turn this off.

The Chairman: Yes, do that.

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Mr. Parker: We can certainly do that.

The Chairman: The way Margaret explained it seemed like it was a little bit discombobulated.

Mr. Parker: And the electric, I mean, it's an old building.

Ms. Uhle: The existing circumstance is, but I think right now they are not on timers and the switches are not readily
accessible for employees. So you may want to discuss amongst yourself whether you think the timers are a good idea because then you're not relying on an employee. But on the other hand, if you think there are possible snafus with the timers --

MR. PULASKI: My recommendation is that we ask for a lighting design. This is not our board or is the Building Department that's to go out there and view things and make decisions. There's factors involved with existing lighting, how it's circuited, where the switches are, whether people can -- the type of light, how the fixture fills the area.

This application is before us with a major change in the flow of traffic through this site and they're coming before us asking for an approval of this and then they want to tell us that the lighting is existing, we aren't touching that, and therefore we should accept it. I don't accept that. There is a lot of concern here about lighting. We, as a board, are very concerned about lighting because we know that area of Chester Heights, that at 10:00 at night that area quiets down, lights go off, and this is kind of like an oasis that all
of a sudden is brightening everything up and
changing the atmosphere of that neighborhood,
and I think the only way we're going to
adequately address it is with a lighting
design. A person came up here and talked about
a vapor light that I think was on this
property. I go to work every morning very
early, it's dark out, and there's a property
that I pass and occasionally they leave the
switch on and it's a vapor light and you walk
at it and it's not looking down like that
photo, it's walking this way, and this light is
so intense in your eyes that you can't see

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anything else around it, you're blinded. So
unless you see a lighting design that takes
into account what it is that we want to
achieve --

MS. UHLE: I think the applicant did
submit a lighting design. They submitted a
design that showed foot candles. I think the
problem is that nobody on the board has the
expertise to read this. So I think what we
were discussing previously was understanding
that these are not vapor lights, they're all
down lit, they're all shielded, that then as a
potential condition of approval -- and when I
say the Building Department, I don't mean me, I mean getting a lighting consultant on board to work with the applicant to make sure that the intensity levels are appropriate and as low as possible to ensure that security concerns are addressed. What I'm concerned about is that the applicant comes in with the detailed plan that shows the foot candles, et cetera, we still don't understand it. I do think that they have been very good about showing the catalogue cut sheets, the types of lighting,

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they made it clear about the heights of lighting, they made it clear that they're directed downward, so right now we're just talking about how bright are they going to be. In all honesty, one of the best ways to determine that is to go out and look at it at night.

MR. PULASKI: Maybe this application existed for a long time and I'm not up to speed on the lighting design or the light fixture types and so I'm coming into it a little bit ambiguous. But I do remember that that application I talked about before about the bank that was in this area, and I remember that lighting design and you literally had circles
and showed the intensity that was on the asphalt and you could get a sense for how that light was distributing. I also get the impression from the way this property has not been kept up at times, that we may have a difficult applicant and how is he going to react after we give an approval of this site? Is he going to be more than happy to adjust whatever lighting that needs to be adjusted? I would suggest we do it now.

MS. UHLE: Again, just to clarify, any condition about the lighting would be prior to issuing a CO.

THE CHAIRMAN: So we're going to have a long list of conditions of approval and what you brought up are going to be part of the conditions of approval and as long as they're satisfied and the Building Department is satisfied that the conditions have been met, then --

MR. PULASKI: I'm fine with that.

THE CHAIRMAN: At this point, I think that's the direction we're going to go in. When we're done, we're going to go through the conditions and we'll list everything that you just brought up. So why are you back here?
MS. UHLE: You had questions for him.

THE CHAIRMAN: Right, questions.

Fence, storage container, we talked about food.

So light during operations. As far as what you said, the lights during operations are the lights that existing now?

MR. PARKER: And we did submit a plan

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with foot candles and, yes, that's the proposed plan. It has the specs of the fixtures, it has the foot candles that are proposed and that's during operating times. This is more to show you what we would do at night to bring it down more.

THE CHAIRMAN: Since you're being so cooperative, when we look at the lighting that's going be on overnight, can we also take a look at the operating light and see if we could tweak that a little bit?

MR. PARKER: You can but that can't just be an open condition. You know, without having a consultant on your end, he can't just say, that seems too bright, those foot candles, because we can't go buy thousands of dollars worth of fixtures and then figure out later that, you know, that 5 foot candles wasn't too bright.
THE CHAIRMAN: So we'll work on the lights that remain on overnight but the ones that are operating we'll leave as is.

MS. UHLE: I think you have the authority as the board to say that we're going to evaluate those as well. And again --

MR. PARKER: And there is a lighting plan --

MS. UHLE: -- Everything is going to be fair and reasonable. I think, yes, you should look at the lighting during operating hours as well as the lighting, you know, after hours. I think we will get a consultant that understands lighting. I will say they did present the lighting plan at the last meeting.

I was actually the one that said I think people have difficulty understanding those, that I think the renderings would be more helpful, the plans and the pictures at night, because I think the ones that show the foot candles it's just a bunch of circles and most of us don't really understand stand that, but I want to be clear they did submit that. That's something that I could show to a lighting consultant. Similar to how we hire an engineer consultant, traffic engineer, we will get a lighting consultant.
consultant on board to review the lighting.

THE CHAIRMAN: Okay.

MR. PULASKI: Another recommendation I

would make is that we add a no exit sign along
New Rochelle Road. I see the purpose for the
entry and the exit on Hillcrest. If somebody
is coming along Hillcrest and it's opportune
for them to pull in, they're going to pull in
whether you permit it or not, but you really
don't want people exiting back out on New
Rochelle Road. So I would just suggest to put
a no exit sign there.

MR. NEMECEK: Or do not enter.

MR. PULASKI: We're entering here.

MR. NEMECEK: But if you face the do
not enter facing the inside. I think that's
what they have, for example, at the Dunkin
Donuts parking lot on Michael Frey Drive where
they have that same circular flow.

MS. UHLE: You're talking about onto
New Rochelle Road so that people --

MR. NEMECEK: Correct.

MS. UHLE: -- Don't exit --

MR. NEMECEK: It's a one way entrance.

THE CHAIRMAN: A do not exit sign
MR. PARKER: That may already be on the traffic plan because that was one of the consultant's comments.

MR. TUDISCO: My recollection was it is, that when that arrow was changed, that the company signage was supposed to go with it. We should probably clarify it, but that was my understanding that there would be an entrance only sign or no exit sign posted there with it. I think there was also some kind of an arrow on the pavement.

MR. PULASKI: I think as far as adding a convenience store there, I think it goes with the economic flow of these service stations, that is something that you want to keep a viable business and if you have old service areas that you can't use and you have a piece of property and you're only using two thirds of it or half of it and it just behooves you to try to maximize the value of that property. I believe this building is not changing in size; right?

MR. NEMECEK: The usage is changing. There is a convenience store already but the service bays, that area would be used for...
conv en ience as well.

MR. PULASKI: It's like you decided to take your basement and decided to make better use out of it instead of just storage.

THE CHAIRMAN: So moving forward, it seems that we've come to a consensus that we're going to grab a lighting consultant to work for the town and re-examine the lighting that you put forth and we'll bring him to the next meeting and he could tell us --

MS. UHLE: It's up to you, I think you could make that a condition of approval.

THE CHAIRMAN: Based on his recommendations?

MR. NEMECEK: I don't want to deal with lighting anymore.

MS. UHLE: Phil, what did you say?

MR. NEMECEK: I said I don't want to deal with lighting anymore.

MS. UHLE: I think you've got the concept down. And again, it's up to you, but I think that's an appropriate --

MR. NEMECEK: I think I've reached my threshold in terms of what I could understand
without actually seeing the lights installed and determining whether I like it or not, and I think an expert -- a lighting consultant would be the way to go, and I would certainly be happy to delegate the discretion of this panel to them.

MR. PULASKI: I think there's two factors to it: One is a lighting consultant that's going to make sure that the lighting doesn't blare out and it's subdued enough and maybe ask for a fixture that is dimmable or a circuiting system that is dimmable. The other is, what are you going to leave on, what are you going to leave off? We had that discussion of that and the applicant has said, fine, we can turn the canopy off. I would hate to get into a decision and then somebody comes along and says, oh, for security reasons we can't do that. We need to have an understanding of this.

MS. UHLE: Well, I think one of the problems is, for example, when I mentioned Country Markets, that was something that was approved by the Planning Board. You really
don't understand it until you get out onto the site and see it. So I think the applicant has made it very clear that they're willing to be very accommodating as long as site security issues are addressed, and I think we could get a lighting consultant to basically help us say, this is the maximum allowed light that's required for security purposes but that will have the minimum impact on the neighbors. I think it's kind of an easy equation for people that understand what they're talking about.

MR. PULASKI: So I'm very much in favor of that. They may want to keep a light on or a lesser light that comes on in the canopy just to keep a low level of security there but not the designed lights that you need to operate the pumps.

THE CHAIRMAN: So then as you said, we will hire the consultant, he will be the one that will advise on the final lighting working with the applicant. It's not going to come back here.

MR. NEMECEK: The fence.

THE CHAIRMAN: Let's go through the conditions quickly.

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MS. UHLE: I had kind of listed in your meeting notes everything that I felt were issues that needed to be addressed. Maybe we can just go down those --

MR. NEMECEK: Do we have to make a SEQRA determination?

MS. UHLE: Yes, when you get to that part.

MR. NEMECEK: That's last?

MS. UHLE: Yes.

THE CHAIRMAN: Let's start from the top. Hours of operation, I believe the best hours of operation are 6 to 11. Is there anyone up here that thinks they should be different?

MR. NEMECEK: I certainly don't see a reason to cut back the existing hours, I think it's 6 to 11. I haven't heard a compelling reason to extend them to 12 from the existing hours. I think, to my knowledge, pretty much all of the businesses in that area the very latest closures are 11:00 and that's the current hours of operation. I think it's

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THE CHAIRMAN: We're not going to vote on each condition. That would be okay, 6 to 11?

MR. PULASKI: Yes.

THE CHAIRMAN: Next, site lighting we talked about as a condition of approval. Fencing, it's vinyl, got it. Delivery schedules, as you said, the applicant will do everything they can to abide by keeping them during the daytime but there is nothing they could do about fuel.

MS. UHLE: My understanding is that you can limit deliveries of the products to the convenience store during hours of operation obviously when there's people there. The fuel deliveries, it sounds like that is fairly impossible to control.

MR. PARKER: Well, it's not -- when you run out of gas, you need to get gas obviously. It all depends on how much business you have that day. Typically, you know, you

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get into the traffic thing, you don't want them during peak hours. So if you know you're going to run out of gas and you're getting close to a peak hour, you're going to want to get a gas delivery before, you know, the site --
MR. NEMECEK: How frequently does the tank run out?

MR. PARKER: Something like this you're only looking at probably two times a week unless it does really well. Right now, I mean, I think the gas business isn't going to increase. The gas business does fine already.

MR. NEMECEK: Electric cars it may decrease.

MR. PARKER: Right. It might. In my opinion, these things kind of self regulate. So if there are more cars on the site for the convenience store, there will be less for gas. At the most right now it's one or two times a week.

MR. NEMECEK: Typically twice a week?

MR. PARKER: Depends on the season.

MR. NEMECEK: More than twice a week would be surprising?
a condition of approval that all snow with an accumulation of more than 4 inches shall be removed from the site but not to the municipal right-of-way within 12 hours or as further determined by the Planning Board to ensure access to all parking areas and gas pumps and to ensure continuously safe site circulation. The concern of the Zoning Board was that because site circulation and parking is tight on the site, that they didn't want snow to be plowed and to intrude within the circulation areas. I think the applicant was just concerned that, you know, we're going to be down there measuring the snow every 15 minutes. This does say within 12 hours of the snow event.

MR. PARKER: It says anything over 4 inches removed from site.

MS. UHLE: Well, I think the Planning Board could clarify, I think, again, if you have -- see, I'm not sure -- if you have an area to plow the snow that's not within any of the paved areas, but I'm not sure you have areas that you can plow the snow that are not going to eliminate parking spaces or impede with circulation. So that was the concern.
MR. PARKER: There is some. We could push it over there or push it over there. I think it's more just, you know, the wording of it that if you've got a day where it snows 4 and a quarter inches and you can easily put it in places on site and it doesn't snow again for another three weeks and that snow melts, you know, it's just --

MS. UHLE: I think the issue is as long as there is no snow piled within the paved surfaces. If you can get it off of the paved surfaces -- but I think the Zoning Board was very clear that means there's no snow affecting any of the parking spaces or any of the circulation areas. So if it's, you know, 3.75
snow, don't plow it onto the sidewalks. That's
the main thing, the just site needs to be free
of snow within the paved areas.

MR. PARKER: Understood.

MS. UHLE: And I can clarify that.

THE CHAIRMAN: Snow, landscape, we
discussed the --

MS. UHLE: I'm going to work with the
landscape architect and we're going to make it
clear that the wooded area has to be
continuously maintained.

THE CHAIRMAN: Right, that's general

housekeeping. The condition of approval is the

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general housekeeping of the wooded area and the
site in general.

MS. UHLE: Do you have anything else?

THE CHAIRMAN: So that's all yours.

Then we have to talk about how you turn off the
lights, how the lights get turned off at night.
I think we agreed timer or switch, does anyone
want to opine on that?

(No comments.)

THE CHAIRMAN: Good. Then I would
like a switch that's gets operated by whoever
leaves.

MS. UHLE: Rather than a timer?
THE CHAIRMAN: Yes.

MR. PARKER: How about a switch and the cellphone number of the manager that runs the place to each of you?

MS. UHLE: You prefer the switch to the timer?

MR. PARKER: The timers you have to change constantly too.

MS. UHLE: Well, that's what the Chairman sounds like he's concerned about too. Again, readily accessible, readily labeled so that people understand which switches have to be turned off at that time.

MR. PARKER: Just can't make it outside.

MR. WEST: Is there a switch that takes into account daylight savings time?

MR. NEMECEK: If the great James Bonanno can't figure it out, what hope do the rest of us have?

THE CHAIRMAN: Trust me, tell your guys to turn the switch off. Lights. That's everything. Anything else? So are we going to --

MS. UHLE: I think also, even though I do believe this was implied as part of
approval, but we will make it clear like the gentleman had mentioned, that all improvements related to the realignment of the crosswalk including any poles and buttons and lights are the responsibility of the applicant. So I'll make that clear as well.

MR. NEMECEK: Your financial responsibility.

MS. UHLE: But the financial responsibility and the construction responsibility or the coordination with the county.

MR. NEMECEK: I think the county has to do that.

MR. PULASKI: Who has to approve that, is it the county?

MS. UHLE: The relocation of the crosswalk?

MR. PULASKI: Yes, the change in the intersection.

MS. UHLE: You know what, I'm not sure whether that's the county or whether -- just the county, yes.

MR. PULASKI: So we're reviewing a design, we like a design, but ultimately the county has to bless it.
MS. UHLE: Well, only the relocation of the crosswalk.

MR. PULASKI: Which also is the moving of the crossing sign?

MS. UHLE: Yes.

MR. PULASKI: I hope they bless it.

THE CHAIRMAN: What we went through just now are the conditions of approval and you will summarize.

MS. UHLE: Hours of operation from 6 to 11; the lighting I think we talked about ad nauseam, and I will write that up so that it is clearly understood and circulate that to you; the site fencing has to be vinyl fence; snow removal I just discussed that; landscape plan we just discussed that; and the traffic improvements.

THE CHAIRMAN: And just general housekeeping of the site --

MS. UHLE: The housekeeping, okay, that's part of the landscape.

THE CHAIRMAN: -- The applicant to make sure the site on all sides all the way up to the property line not just the areas that are traversed including the sidewalks.

MR. WEST: Do you have security
MR. PARKER: Yes. That's a good thing to mention is that we do -- if anybody ever needs anything, we do remotely monitor all of our sites. We have cameras that cover the whole thing and we have remote DVRs.

MR. NEMECEK: So can you tell us who that guy was in the photo?

MR. PARKER: We don't have it yet. It comes with the new construction.

THE CHAIRMAN: Based on the conditions of approval that we just went through --

MS. UHLE: You should just make a motion to adopt a negative declaration.

THE CHAIRMAN: Right. I make a motion to adopt a negative declaration regarding SEQRA with reference to Application 13-36, 504 New Rochelle Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Now I make a motion to approve the application subject to the conditions that we went over with Margaret and she just itemized for this Application 13-36, 504 New Rochelle Road.
23                   MR. NEMECEK:  Second.
24                   THE CHAIRMAN:  All in favor.
25                   (All aye.)

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THE CHAIRMAN:  Thank you.
MR. PARKER:  Thank you very much for your time.
THE CHAIRMAN:  Next application is 16-25, 6 D'Ambrosio Way. Can you just stand by until Mr. Tudisco comes back.
MS. UHLE:  I don't think that's necessary. I don't know how long he's going to be and it's a single family home. I would just proceed.
THE CHAIRMAN:  Go ahead, you can go.
MR. DEMASI:  Good evening. My name is Lou Demasi, and I'm the architect on behalf of the applicant for D'Ambrosio Way.
What we're looking to do is construct a house on this subdivision. This is the fourth house -- fifth house that we are developing on the subdivision. It's located here in this area here. There's currently a road that comes here, a cul-de-sac, and it's located in this area where we're constructing this new house.
The subdivision already has a storm
water system in place. It's a Stormceptor that takes care of all the storm water for the whole site. So there is no individual storm water management for each site. It's the whole site together, it's not each individual lot.

The house that we're proposing is a shingle style house. It's going to be a shingle house for the siding white in color. It's also going to have Andersen windows that are white; all the trim is going to be Fypon, which is also white; the standing seam metal roof is copper for a little accent.

We had some discussion with the Architectural Review Board a couple of weeks ago about whether or not to keep the shutters. I think we're going to keep the shutters just to give it a little pop, a little accent to the house overall. I think it looks nice. The stone that you see here at the chimney and at the base is a thin stone veneer and it's called a Hudson blend. I have a sample of that here.

The lighting that we're proposing is a fixture like this located at the front door and also on the side where the garages will be, and I'll show you a side elevation for that. We'll
Probably locate them here and here on either side of the garage doors.

Pretty straightforward application.

I'll answer any questions if there is any.

THE CHAIRMAN: Yes. Can you just take that down, the rendering is really spectacular. You could probably sell that to the owner if it ends up looking like that.

MR. DEMASI: It's also a way to sell it to the potential client. It's a nice looking rendering.

THE CHAIRMAN: Did you do the same thing for the others?

MR. DEMASI: I'm sorry.

THE CHAIRMAN: Did you do the same sort of rendering for the others that you brought in front of us?

MR. DEMASI: We've done a couple, yes.

The lot that is --

MR. WEST: When are you going to build on Phil's favorite lot, the one in the corner?

MR. DEMASI: This house here is done for Bill D'Ambrosio, which is his house, we
didn't do a rendering for that, but we did do a rendering for this house and this house here. You could snap a picture if you would like.

THE CHAIRMAN: All right, any questions, guys? On the front, those are copper, the roofs over the front porch and the --

MR. DEMASI: Copper and copper, yes. It's a gray seam copper roof.

THE CHAIRMAN: That's a copper that stays copper color, it's treated?

MR. DEMASI: It will probably have some patina to it, but it's a reddish color in nature and it will fade down a little bit but it won't turn green.

THE CHAIRMAN: Right. That's what I'm asking.

MR. PULASKI: Can you put the layout of the whole --

MR. DEMASI: Subdivision?

MR. PULASKI: That property that's the longest one, that didn't come before us; did you ever make a decision on that?

MS. UHLE: You approved the
subdivision but there's no house proposed for that lot yet.

MR. DEMASI: This is a lot and then this is another lot.

MR. PULASKI: I know it's a lot, but I thought we --

MR. WEST: We discussed it. When they built that other house, we discussed what they were going to do with that other piece of property.

MR. PULASKI: So there was nothing being proposed at the time?

MR. NEMECEK: It was proposed sort of in theory of what it could look like.

MR. WEST: The other one we said it had to be set back. It's not before us today.

MR. DEMASI: Honestly, that's going to be the hardest lot to develop.

MR. NEMECEK: I absolutely agree with the ARB, our hard working Architectural Review Board, that the shutters look really nice on it and they should stay.

THE CHAIRMAN: Yes, they do.

Let's just do a public hearing then.

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MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

(No comments.)

THE CHAIRMAN: Seeing that there is nobody in the audience that would like to comment on this beautiful application, I'm going to make a motion to close Application 16-25, 6 D'Ambrosio Way.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. NEMECEK: We dealt with the issues, the water issues. I think you have a --

MR. DEMASI: It's a very complicated system. All the water goes into the centrifuge and --

MR. NEMECEK: And then it all comes into the town sewers?

MR. DEMASI: Correct, yes, and it's maintain by the town as well.

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6 16-25, 6 D'Ambrosio Way.
7 MR. PULASKI: Second.
8 THE CHAIRMAN: All in favor.
9 (All aye.)
10 MR. DEMASI: Thank you. Thank you for your time.
11 THE CHAIRMAN: You're welcome.
12 MR. DEMASI: So really quickly, there is an App for phones that you could control lighting if you wanted to.
13 MR. WEST: That's what I thought.
14 Even Phil could use it.
15 THE CHAIRMAN: So the next application is 16-47, 181 Beech, and the one after that is going to 48, 179, unless you want to go in specific order.
16 MR. MAIORANO: Good evening, board members. My name is Adamo Maiorano from Community Designs on behalf of the applicant, Peter Albano. We are proposing two single family residences.
17
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in with the neighborhood but at the same time
giving a certain type of individuality to each
one of the homes. This house in particular has
sort of an English cottage feel as well as a
craftsman twist to it. The first portion of
the front elevation the bottom half will be a
rustic brick, by the door columns in the front
it's a thin stone, ledge stone veneer, and the
top portion of the residence will be cement
board siding, it's a shake siding, and the rest
of the house will be clad in fiber cement board
siding with a typical lap siding. All of the
trim and around the windows is a white AZEK
trim, as well as the decorative brackets will
be also be AZEK brackets. The roofing is
asphalt shingle roof, it will be a charcoal
color. As far as what is depicted as the
garage door is exactly what is shown in the

To go back to the drainage, we did
perform deep hole tests and percolation tests,
and what we have proposed is storm water
management on site with CULTEC dry well units.

As far as the condensers, we are
locating them in the rear of the house. This
house is between two of our proposed
developments, so it's in the rear with
arborvitaes around it, evergreens.

A rendering of the street-scape of
what it would look like between the houses.
The one on the left is what is next, and the
one on the right is still in development.

THE CHAIRMAN: Could you go back to
the site plan?

MR. MAIORANO: Sure.

THE CHAIRMAN: The architectural
renderings are beautiful, but let's just talk

about the site plans. So the CULTECs are in
the rear and in the front?

MR. MAIORANO: And in the front,

exactly.

THE CHAIRMAN: And the rest are in the
front?

MR. MAIORANO: Yes, and they're all in
regards to what those deep hole tests and
percolation tests resulted in.

THE CHAIRMAN: And they pick up
MR. MAIORANO: Exactly. They're proportioned to whatever percentage of leaders are going to the rear units and whatever percentage of the surface area going to the front units, and that's why sometimes there's a few more in the back or a few more in the front, and there is also a footing drain segregated to a single unit.

THE CHAIRMAN: And there's a drain at the end of the driveway too?

MR. MAIORANO: Yes, there is a trench drain in the driveway which will go to the front dry well units. So the area of a portion of the front of the house and the driveway is leading to that front system and the rear portion, the patio is leading to the rear system.

THE CHAIRMAN: So the impervious areas are the areas that, I imagine, are shaded, the roofs and the driveway, everything else is some sort of landscaping?

MR. MAIORANO: Yes.

THE CHAIRMAN: Any landscaping around the perimeter or --

MR. MAIORANO: There is a landscape
plan in the application.

THE CHAIRMAN: Do you have it there?

MR. MAIORANO: It was done by a landscape architect, Anthony Acocella. It should be in the application.

MS. UHLE: That was submitted as part of your package. Landscape plans were prepared for all three of the houses.

THE CHAIRMAN: Good. So let's just see if there are any comments, unless we have anymore comments, guys, about the landscaping?

(No comments.)

DINA M. MORGAN, REPORTER
The first one is water. I came before you in 2003 when the D'Ambrosio homes were first proposed, and I just want to read to you a letter that I wrote for you this evening and then just review a brief history in my own words of the water problem surrounding these homes that are proposed:

Members of the Planning Board, thank you for the opportunity to address the Eastchester Planning Board this evening.

DINA M. MORGAN, REPORTER

I feel that it is important to remember the history of very serious water problems at 98 Highland Avenue, 100 Highland Avenue, and my property at 185 Beech Street. I've attached copies of three letters that I wrote to the Planning Board after I addressed them in March, October, and November of 2003.

Thanks to the attention of the Planning Board, several precautions were taken before the D'Ambrosio homes were constructed in order to avoid water problems. One precaution was to drain the water off the property rather than storing it on the property in dry wells. Not all of these homes have been built, but so far I'm optimistic for a favorable outcome.

Now there is another building proposal.
for a three lot subdivision at 183 Beech Street. It's extremely important to exercise the same precautions with this project as you did with the D'Ambrosio building project. Extensive perc tests need to be performed on each building lot and they should be analyzed by more than one person, including at least two engineers. It is important -- this is very

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important -- it's important to note that the worst water problems seem to occur after the winter thaw in March or April. Any of these proposed homes could affect the sensitive water table in this area.

Thank you once again for listening to me. I appreciate all of your help to keep my home and homes of my neighbors safe.

There is a tremendous history that I just want you to be aware of. I was born at 98 Highland Avenue. I'm just saying this because I know this area very well. My family owned 98 Highland Avenue, which became the D'Ambrosio property. Behind the house was a shed, and especially during that very delicate period from February, March, April, that shed would fill up with water in the basement, the basement of the shed, 2 or 3 feet of water. In
the middle part of the property -- and as you
know 98 Highland is a very deep property --
there was a problem with mud. I remember my
husband's car getting stuck in the mud up to
the top of the wheels and we had to get a winch
to get it out.

DINA M. MORGAN, REPORTER
The DiLeo homes behind 100 Highland Avenue also had serious problems and they would divert water down the driveway, and at one point it flowed so fast and furiously down the driveway that it literally broke the garage at the Koblack (Ph.) home at 104 Highland Avenue.

My friend Debbie Koblack Goldman testified to this in 2003, and Debbie is here with me actually this evening. Doctor Webber had trouble at 183 Beech Street where the houses are going to be built. She regularly used a pump, I know that. I remember her son getting very worried and he bought a backup battery for the pump. She also had serious ponding behind her house.

When I came to the Planning Board in 2003, I was very, very worried about water and how the houses would affect my house given the circumstances, and I was a very lucky lady because the Planning Board -- Bob Pulaski, I think you were on the Planning Board at that time -- I was a very lucky lady because the Planning Board and Bill D'Ambrosio listened to me, they heard what I had to say, and instead of keeping the water on the property, they put together a system where the water is taken off
the property. I have to tell you, this has worked quite well. I see quite a difference in

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my own property. But now I'm concerned about water with the new homes. I'm not comfortable with the dry wells. I really would rather see something else. I did not know what the D'Ambrosio property used. So I did do some research and I came up with storm water detention tanks, and the tanks are fitted with a special valve that will slowly release water into the storm water drains over time and prevent flooding. This type of system was also used with the houses at the bottom of Tuckahoe Avenue --

MR. PULASKI: DeBenedictis.

MS. THOMPSON: -- With property that used to have a lake behind it many years ago. I've been around for awhile, I remember the lake. The kids used to go ice skating on it. Apparently this worked quite well. They drained the lake but the water problems persisted.

I understand that the use of detention tanks is reserved for only extreme circumstances. The D'Ambrosio project
certainly represented an extreme circumstance.
I believe the Beech Street project, given the scope of the water problems surrounding it, especially including my home, also represents an extreme circumstance. So I come before you again now and I ask for your help as well as the help of Pete Albano certainly.

MR. PULASKI: I think a detention tank was put in the DeBenedictis house on Tuckahoe where it had an overflow problem.

MS. UHLE: I think -- I can't remember whether they also had dry wells.

MR. PULASKI: The dry well would work.

MS. UHLE: But then it overflowed into a detention tank.

MR. PULASKI: But if it filled up too much, it would be able to overflow.

THE CHAIRMAN: That was an application we saw?

MS. UHLE: That was maybe before your time. That was awhile ago. The D'Ambrosio has a Stormceptor which is primarily for water quality, but I think it does slow down the water.

MR. PULASKI: There were a lot of
people that got up and spoke on the D'Ambrosio, talked about flooded basements and everything.

MS. THOMPSON: Actually, I'm the one that did a lot of that.

MS. UHLE: Perhaps the applicant can address some of the issues. So the board members are aware, our engineering consultant was planning to be here tonight. He had a last minute emergency, so, unfortunately, he couldn't make it, which it would have been helpful for him to hear what you had to say.

He had evaluated both of the proposed storm water plans. He had a number of comments, but he didn't want the Planning Board to be concerned about the number of comments, that they were all easily addressable in terms of his satisfaction. I did tell Ms. Thompson and I have no problem referring her memos to the engineer and even having her talk personally to him about it. Obviously they're two completely different design scenarios.

MS. THOMPSON: Thank you.

MR. PULASKI: I think if I were to
interpret what she's saying when we go from winter to spring is that if you have a wet soil and it's frozen 4 foot down and the top starts to thaw, it gets mushy and that water has nowhere to go, it can't drain down and it just sits there. You wouldn't see that in a percolation test done in the springtime or the summer.

MS. THOMPSON: Exactly.

MS. UHLE: They did do a deep hole test as well, and I think at that point they do evaluate the soil types, etcetera.

MR. NEMECEK: I do recall specifically, because Joe Cermele the consultant was here in May I believe it was, our May meeting, and I remember because we had dealt with -- I think I even commented at the time -- we had dealt with the Deerfield homes just a few years earlier and water was a significant issue there. I was surprised, quite frankly, that he had indicated that based on the deep hole testing that he had done, that he was not -- and remember this is a neutral though and this is someone who's an expert in
the field -- I expressed to him my surprise that that was the result, but he said that was the result.

MS. UHLE: Adamo, do you remember when the deep hole tests were done?

MR. MARK MAIORANO: It was actually done in March during a rain event.

MS. UHLE: In March. Okay. This is the applicant's engineer.

THE CHAIRMAN: Could the applicant just chirp in, the gentleman behind you?

MR. NEMECEK: Ms. Thompson, if you could just let the applicant speak.

MS. THOMPSON: I have one more issue.

THE CHAIRMAN: We'll get back to you.

MR. MARK MAIORANO: Good evening, board. My name is Mark Maiorano. I'm the engineer of record. I designed the storm water system. We did perform the percolation test in March. We're using a 50 year storm, 7 inches of rainfall. We did have a rainfall event that morning. Actually, Mrs. Thompson had seen me out there when we performed the perc test and deep holes. So what I'm getting at is our credit in terms of infiltration was during the worst circumstances -- one of -- not the worst,
but not favorable, meaning a dry day in March, and that's what we're using for our calculations in designing this system. We're using Westchester County best management practices, which looks for a dry well condition to be used if you have suitable soil conditions, and as the engineer from Kellard Sessions had indicated, we do have suitable conditions. The soils are sandy. The percolation tests even on the rear side even adjacent to Mrs. Thompson's house were the higher numbers and favorable, better rates of infiltration, and they're being taken into account in our calculations.

MS. THOMPSON: I'm not an engineer, I'm a retired Eastchester teacher, but I would respectfully say that for the same reasons that the water was taken off the property on the D'Ambrosio property, for the same reasons the same thing should be done with the Beech Street property. You're surrounded with problems. You may catch it with a perc test, you may not.

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hell broke loose. This is the kind of thing that happens, and I'm not comfortable and I think you can see why.

I have a second issue. This one is much simpler. It's about a tree. A very large, old, sick tree. It is at the far right corner of 183 Beech Street.

MR. NEMECEK: 183 isn't before us.

MS. THOMPSON: I'm just saying this because it's on that property and it's easier for me to bring it to your attention rather than marrying it to a particular house.

MR. NEMECEK: Since we have the same applicant who will be here presumably in an upcoming session, maybe we can nip this one in the bud so-to-speak.

MS. THOMPSON: I know the tree well. The little boys in the neighborhood used to like this tree, and they would burn the inside of the tree because they liked to use it as a hut. Every once in awhile, smoke would come from the tree and neighbors had to call the fire department. I'm just trying to tell you the tree has had a rough time.

In 2007, I had reason to have a limb cut from the tree because it was coming over my
deck, and I was shocked to see that the whole inner core of that limb was rotten. There are pictures of that in your packet on the left-hand side. I then called Robert D'Ambrosio Tree Pathologist to do a report on the tree, and he did a very complete report. I draw your attention to number -- you can read it yourself, it's in your packet -- I draw your attention to number 5 of his findings where he says: All that being said, this tree is a hazard to life and property and should be removed.

So again, I ask for your help, and especially the help of Pete Albano, to remove it because there are two things I think about every time they mention the word hurricane: one is water and the other one is the tree.

MS. UHLE: You had relayed this to me,

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I did relay that to the applicant, and they have agreed to remove the tree.

MS. THOMPSON: Pardon me.

MS. UHLE: The applicant has agreed to remove the tree. You had relayed this information to me in the past and I relayed it to the applicant, and they have informed me that they are planning to remove it.
That's correct, right, Adamo.

MR. MAIORANO: Yes.

MS. THOMPSON: Thank you.

MR. PULASKI: I would say regarding the water issues, my understanding is that generally for environmental reasons they try to put water back into the soil and there would have to be a substantiated case that shows that that can't be effective in order to appeal to the town and see if you could divert some water into the town sewer. Apparently that took place in D'Ambrosio. Sometimes there are different soils that just, you know, one soil is here and the other soil is over there or -- I don't know, I can't always explain it, but right now we have a report that says that the

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soil will percolate.

MS. THOMPSON: That's the same kind of report that came through with the D'Ambrosio property, and, actually, you said the same thing then too, and I was very happy that it didn't turnout that way because what they did really has worked quite well. I just think that the D'Ambrosio water removal plan that they have is not going to be take on also the three houses on Beech Street. It's going to
need a backup plan to compliment the D'Ambrosio plan. Again, you could see what has happened with my house. I mean, I live right next to the houses that are going to be built and I know what has happened. So far I'm doing okay because of what has been done on the D'Ambrosio property, but now you add three more houses and you don't have a backup to --

MR. NEMECEK: You're really only adding two houses, there's one existing house already; right?

MS. THOMPSON: Three new houses with three new foundations. It will be total of three new homes.
The same amount of water goes into the soil now as it did before. MS. THOMPSON: I’m with them on the same --

THE CHAIRMAN: In theory that’s what happens. I understand you don’t believe that.

MS. THOMPSON: I’m on the same line with those houses and that kind of thing doesn’t work with me.

THE CHAIRMAN: I could say it all I want but at the end of the day you believe what you believe. Sorry, I have to understand the way this whole dry well thing works and where it is above the water and what it has to do with the perc test. So can you just step away and let me ask the man who designed it?

MS. THOMPSON: Anyway, that’s my request.

THE CHAIRMAN: What are we doing with the tree?

MS. UHLE: They already agreed that they’re going to take it down.

THE CHAIRMAN: Okay. Good. So you don’t need to tell us about the tree, we already know about it.

MS. UHLE: Well, she just did.
MR. TUDISCO: I just have a question in terms of procedure. Are you calling both of the applications together or are you calling them separately one after another?

THE CHAIRMAN: Yes.

MR. TUDISCO: So you haven't gotten to the second one yet?

MR. NEMECEK: Correct.

THE CHAIRMAN: So could ask about the design of the dry well to the engineer? I would like to speak to the engineer behind you.

MR. MARK MAIORANO: Excuse me, repeat the question.

THE CHAIRMAN: Well, I just want to understand the design of the dry wells that are shown here. When I look at the perc test, there is a level of water that's identified on the perc test; is that right?

MR. MARK MAIORANO: One of the perc holes which is furthest away from the Thompsons did have some water in at the initial -- what we do is the holes do get filled and we time and rate the actual infiltration of water into the ground. That rate then gets converted and we determine a volume from the impervious areas from an overall calculation, which is the 7.
inch storm, and we deduct the infiltration that
the ground water will take. Each location,
each tributary area for, say, the front half of
the house, that perc test and those volumes are
accounted for in that calculation, as you do
the rear. So it's realistic for that location
where the dry wells are located. So we're
taking numbers from that soil in that location
THE CHAIRMAN: So if I were to ask if you were to go out there right now and dig a hole, where would you strike water; could you tell me or that depends on the season?

MR. MARK MAIORANO: No, you couldn't, no.

MS. UHLE: I think the purpose of the deep hole test is to ensure that you're not hitting water within 2 or 3 feet.

MR. MARK MAIORANO: Correct.

MS. UHLE: I think the purpose of the deep hole test is to get an idea if the water table is high, and then the percolation test is to see how quickly the soil absorbs the water.

So the level of the water table helps -- the deep hole test helps to determine how deep your dry wells can be, and then the percolation tests are how quickly the soil absorbs the water.

MR. MARK MAIORANO: And it's also used to classify your soils as you go deeper.

MR. PULASKI: Right. On your first page, you provided a chart of your findings. It says, field test results, deep tests, and you had initial top soil, and 6 inches down you had a sandy loam, and then below that you got...
into a sandy clay mixture, which is not going
to give you good percolation, but then about
36 inches down you got into a mixed sand with
some rock, which is going to give you a very

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good percolation. So you could have a
situation where during a rain it's going to
pond because your ground level is fairly level
and you have this loam and you have this clay,
but once you get below that into the sand, you
should be able to get rid of the water provided
there aren't other conditions, and I think
that's what you're doing, that you're spotting
that your dry well is going to go into this
mixed sand and rock area.

MR. MARK MAIORANO: Correct, yes.

THE CHAIRMAN: So the whole dry well
and the whole assembly that's shown on the next
sheet is above any location where you may have
found water or where water --

MR. MARK MAIORANO: They're above.

It's not in the water.

THE CHAIRMAN: That's what I'm asking.
You did the test of where the water was, you
found water at the bottom of the test hole --

MR. MARK MAIORANO: At the furthest
one -- well, the morning of was a rain event,
it rained that day, so having a hole there it
does invite water. Water takes the path of

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least resistance.

THE CHAIRMAN: Oh, water goes into the
hole and that's why water was found there?

MR. MARK MAIORANO: Yes.

THE CHAIRMAN: Okay. So this is all
part of the design of the system.

MR. PULASKI: They took this hole down
to 96 inches and here they're saying the bottom
of the CULTEC they're going to put a --

THE CHAIRMAN: It's down 3 feet. It's
35 deep.

MR. PULASKI: They're going to put it
at 211 elevation and the finish elevation is
221. So it's 10 feet down.

MS. UHLE: Well, I do think Joe
Cermele had recommended that they raise the
elevations of the dry wells, not because of a
water table issue but because of a relationship
with some of the other drainage facilities on
the site. So in his comment letter he did
recommend that they raise the elevations, and I
think the applicant has already coordinated to
an extent with him.

MR. MARK MAIORANO: Right. As
Margaret had said, it was the side area way

drain for the bottom of the steps. That's the

lowest invert.

MR. PULASKI: I'm just reading what
the elevations say here and it just tells me
that it's down into the sandy, rocky area.

MR. MARK MAIORANO: Right. Although

adjustments have been made, you know, to the
dry wells in terms of he has allowed us to --
the under drain around the pipe around the
perimeter of the house which carries any water
around the footing of the house, along with the
drain for the side steps could be sent to an
independent dry well on their own. So it was a
question asked to him. So there were some

small invert elevations that were adjusted from
what you see there.

THE CHAIRMAN: Thank you.

MS. UHLE: I think with regard to Ms.
Thompson's concerns, we could certainly ask our
engineer whether that's a more appropriate and
more feasible solution. I could say, as Mr.
Pulaski said, that in theory there's a lot of

concern about adding to the existing storm
drainage system because that's really what adds
to flooding issues in town is what's coming
from the storm water systems in the street. So
the whole purpose of requiring dry wells is to
minimize the potential for flooding, but I
understand what Ms. Thompson's concerns are.
So I think that's a conversation with both our
highway superintendent and our engineer. I
will have to say, applicants love to be told
they can tie directly into the storm drains,
it's much easier. It's not like there's a
conspiracy by applicants that they want to
install dry wells. The love being able to tie
directly in. They're typically not permitted
except under extenuating circumstances like Mr.
Pulaski said. So I think that under any
circumstances you'll need to defer to our storm
water consultant, engineering consultant, but
as I said, I'm happy to pass the correspondence
on to him and to have Ms. Thompson talk to him
personally, and then he could evaluate the
situation.

THE CHAIRMAN: So that's what we'll
do.
MR. PULASKI: I also remember when we did D'Ambrosio, that must have gone on for like seven or eight meetings. There was a lot of discussion that went on.

THE CHAIRMAN: Please come back.

MS. THOMPSON: If you did these same tests on my property at the same times, it would probably come out the same way.

MR. PULASKI: Not necessarily.

MS. THOMPSON: I believe so, because the problems occur when you have a heavy snow followed by a very big rain. It's not just my house. Why is the same thing happening on the DiLeo homes, why is it happening at 98 Highland Avenue? That was really reason why they took the water off the property. The same circumstances occur here. It's not just, you know, certain time everything is fine. I'm telling you having lived there and telling you about everything that has happened and the whole history of the water problem, there is reason to want to take the water off.

MR. PULASKI: So far that can't be substantiated by this report and that's what
opinion based on what they found when they dug
the hole, that you have a loamy surface and
some clay below that and that will pond water.
You also have a very flat topo in that area, so
that has a tendency to pond water. If you get
below that, they got down to 36 inches, and all
of a sudden they found sand. So if you dug a
hole in your back yard and you dig it 36
inches, then chances are when water would flow
into that hole it would get into the sand layer
and start to run away.

MS. THOMPSON: The water was taken off
the D'Ambrosio property because of the history
of the water problems not because of the
particular test.

MR. NEMECEK: That may have been your
exceptional circumstance.

MS. THOMPSON: It just might.

MR. NEMECEK: You may just want to
count your blessings that you caught that break
and that may have helped alleviate the
problems.

MS. THOMPSON: It has helped.

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application that we had had neighbors talking
about the horrible water problems that they
were having. Well, at one point we had an
expert come up and he was talking about the
standard, you know, which is the 50 year storm,
and somehow we got into a discussion and he had
pointed out that in the preceding maybe it was
six years there had been five or four, possibly
five depending on how you measure it, hundred
year storms, and you can blame our global
warming perhaps for that. We haven't had any
of those events for several years now.

MS. THOMPSON: In my property before
you took the water off if there was going to be
a significant storm, just a regular tropical
something or other, I would be up at 3:00 in
the morning going downstairs to look in front
of my basement door, because that's where it
would back up, to make sure the pump was on.
It is better now. It's just that I don't think
the D'Ambrosio plan is going to accommodate

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three more houses, and I would like to see the
same success continue since I live right next
to these homes. I think it would be safer for
everybody.

MR. NEMECEK: What level is your house

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relative to the three properties?

MS. THOMPSON: The back yard is relative to 183 Beech.

MR. NEMECEK: You're not down street so-to-speak?

MS. THOMPSON: No. The front of her house comes up but the back is level. She's had serious ponding. Anyway --

THE CHAIRMAN: Can we wrap this up?

MS. THOMPSON: I'm asking for your help.

THE CHAIRMAN: What we're going to do then is make part of the condition of approval that your concerns as well as any alternates on how to manage the water be taken up between the engineering consultant for the town and the highway superintendent. So not done, they're going to talk about it and see what they could do to help alleviate the situation, if anything at all.

MS. THOMPSON: Thank you.

THE CHAIRMAN: You're welcome. Where are we here?

MS. UHLE: You opened the public hearing on this particular application.

THE CHAIRMAN: Right.
MR. NEMECEK: Do we want to do the other one now and keep it open and close them both at the same time in case there are any issues that relates to both properties?

MS. UHLE: You could.

MR. NEMECEK: I leave it to our esteemed Chairman.

THE CHAIRMAN: Let's close this one.

MR. NEMECEK: Fair enough.

THE CHAIRMAN: Any other comments from the public about this application? You can comment again.

(No comment.)

THE CHAIRMAN: No. So then I make a motion to close the public hearing on Application 16-47, 181 Beech.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: So then I'm good with approving this application subject to the condition I outlined previously regarding the water.

MS. UHLE: The condition is the storm water management plan is subject to the approval of our engineering consultant, and...
we will refer Ms. Thompson's concerns to them both.

MR. NEMECEK: As well as the recommendations, obviously, that have already been made by the consultant.

MS. UHLE: Yes.

MR. NEMECEK: That would be incorporated. Second. You did move for approval subject to the conditions; right?

THE CHAIRMAN: I did. So then do I hear a second?

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Next application is 179 Beech, 16-48.

MR. MAIORANO: Good evening again, board members. Adamo Maiorano from Community Designs on behalf of the applicant, Peter Albano. This is the project at 179 Beech Street. Same similar principals as the --

MR. WEST: Same inspiration for the design?

MR. MAIORANO: Yes. Obviously, the community. Again, I live in the community so I'm very into that and would like to let these
houses, you know --

THE CHAIRMAN: By the way, are you an Eastchester resident?

MR. MAIORANO: Yes.

THE CHAIRMAN: You are. Okay.

MR. MAIORANO: Office is in Eastchester and --

THE CHAIRMAN: I know the office is there.

MR. MAIORANO: I live in the north end of town, but I take pride in the work in Eastchester.

So with that said, this house has sort of that craftsman feel. It is going to be a stone veneer, a real stone veneer on the first level. The second portion of the house again is a fiber cement board shake siding and partial straight edge lap siding along the rest of the house. The accents and the soffits will be an AZEK white as well as the accents. The roof is an asphalt shingle roof, it's a pewter gray. The lighting is similar to the last house, there's going to be a soffit light above the garage door as well as next to the front door. The garage and the front door is as depicted in the elevation.
This is basically what it looks like. This is the street-scape with the house we just proposed. Next door there is a vacant lot -- two vacant lots next to this residence. Same similar principles with the site as well with this house.

MR. PULASKI: It's good that you presented that rendering because you can now see the difference. Otherwise, the coloration started to look similar but, in fact, the front is very dissimilar to the house adjacent to it,

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which is good. You don't want to see repetition.

MR. MAIORANO: Again, you want them to tie together but not look like the same house over and over again.

MR. NEMECEK: The massing is pretty similar and the overall shape but the details are significantly different.

MR. MAIORANO: Exactly.

THE CHAIRMAN: Public hearing. So you know the drill. Hang on. So I make a motion to open the public hearing on Application 16-48, 179 Beech Street.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.
THE CHAIRMAN: Seeing there is no one here left to comment on this, I make a motion to close the public hearing on Application 16-48, 179 Beech.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(DAVID NEMECEK)

THE CHAIRMAN: You might as well just flip back to the site plan.

MR. MAIORANO: Sure.

THE CHAIRMAN: Probably pretty much similar to other.

MR. NEMECEK: We have the same concerns over the --

MR. MAIORANO: The drainage?

MR. NEMECEK: Drainage, exactly.

MR. MAIORANO: This is actually the furthest lot away from Ms. Thompson, but it had the lower of the valuables so there are a little more dry well systems.

MR. NEMECEK: 183 is not before us.

183 was the existing house that's being demolished or has it been demolished?

MR. MAIORANO: It hasn't been
demolished but it's actually situated on both 181 and 183. It's a fairly large house, so it sits on both of those lots.

MR. NEMECEK: What is the overall increase in impervious surface over the three properties if you have that?

MR. MAIORANO: Figured you would ask that.

MR. NEMECEK: There is an existing residence that's being replaced.

MS. UHLE: Under any circumstances, I doubt there's any drainage facilities associated with the existing house.

MR. NEMECEK: That's what I'm guessing too.

MS. UHLE: Even with the increase in impervious surfaces, there is probably no existing storm water management.

MR. MAIORANO: Exactly. Figuring there is none but there is roughly around 3400 existing today with no storm water management, and our project is spread out further than just that designated site.

MR. NEMECEK: Is it roughly three times the size of the impervious surface?

MR. MAIORANO: About 2350 each house.
so 70 --
MR. NEMECEK: It's not quite three
times, maybe two and a half times?
MR. MAIORANO: Exactly, spread out.
MR. NEMECEK: You're also introducing

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a drainage plan that was previously not
existing.
MR. MAIORANO: Yes.
THE CHAIRMAN: I have no other
comments.
MR. WEST: No comments.
THE CHAIRMAN: So subject to the same
conditions as the previous application, I'll
make a motion to approve this application.
MR. NEMECEK: Second.
THE CHAIRMAN: This application is
16-48, 179 Beech.
MR. NEMECEK: Second.
THE CHAIRMAN: All in favor.
(All aye.)
THE CHAIRMAN: Great. Thank you.
MR. MAIORANO: Thank you for your
time.
MR. NEMECEK: Do you know when you'll
be back with 183 Beech?
MR. MAIORANO: Exactly, yes.
MR. NEMECEK: Next month or a couple of weeks?

MR. MAIORANO: The next meeting.

THE CHAIRMAN: What can we approve?

MS. UHLE: You can approve the minutes for both May and June now that we have incorporated all of Phil Nemecek's comments.

MR. WEST: Important comments.

MS. UHLE: The May comments were already forwarded to our stenographer. The June ones I haven't forwarded yet but she will definitely incorporate those.

MR. NEMECEK: Okay. I think we can approve both of them.

MS. UHLE: Absolutely.

MR. WEST: There's one I can't and one I can.

MS. UHLE: You cannot vote on the June.

MR. WEST: But May I can.

MS. UHLE: May you can.

THE CHAIRMAN: When was the May meeting?
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THE CHAIRMAN: So then I make a motion to approve the meeting minutes of June -- I'm sorry, May 23rd --

MR. NEMECEK: May 26th.


MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Then I make a similar motion to approve the meeting minutes of June 23rd, 2016.

MR. NEMECEK: Second. Bill, you can't vote on this one.

THE CHAIRMAN: All in favor.

MR. PULASKI: Aye.

THE CHAIRMAN: Aye.

MR. NEMECEK: Aye.

THE CHAIRMAN: Let's close this. I make a motion to close the Planning Board meeting of whatever today's date is, September 22nd --


THE CHAIRMAN: Thank you. Second.
MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

(MEETING ADJOURNED.)
STATE OF NEW YORK
   )
COUNTY OF WESTCHESTER)

I, DINA 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 17th day of October, 2016.

____________________________
DINA M. MORGAN
COURT REPORTER

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