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

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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
25 Colonial Road
Bronxville, New York 10708
(914) 469-6353

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 THE CHAIRMAN: Good evening. This is
3 the Planning Board meeting of September 22,
4 2016. If everyone would rise for the Pledge of
5 Allegiance, please.

6 (Whereupon the Pledge of Allegiance
7 was said.)

8 THE CHAIRMAN: I apologize for the
9 late start. It's probably my fault.
10 Phil Nemecek.

11 MR. NEMECEK: You're taking
12 attendance?

13 THE CHAIRMAN: Yes, sir.

14 MR. NEMECEK: Okay. Present.

15 THE CHAIRMAN: Bob Pulaski.

16 MR. PULASKI: Present.

17 THE CHAIRMAN: Jim is here. Bill
18 West.

19 MR. WEST: Present.

20 THE CHAIRMAN: Mark Cunningham could
21 not be here.

22 I'll just run through the agenda
23 quickly so everyone knows what we're going to
24 talk about. We're going to talk about 504 New
25 Rochelle first, then 6 D'Ambrosio Way, 181

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 Beech, 179 Beech, and adjourned applications
Page 2

3 are 22 and 24 Water and 600 White Plains Road.

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

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

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

25 THE CHAIRMAN: No. Do you have a site

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2 plan or anything to put up there?

3 FEMALE SPEAKER: Excuse me, can you
4 talk more directly into the microphone because

5 we can't hear you.

6 MR. PARKER: Sure.

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

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

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

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

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2 through all of those. As you know, you
3 received a couple of letters from the Chester
4 Heights Civic Association, so those have become
5 part of the record as well, and they also have
6 indicated certain areas of concern, so I think

7 we could go over those as well.

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

24 THE CHAIRMAN: It's still open.

25 MS. UHLE: One other point I would

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2 like to make. I did tell the applicant in
3 addition to addressing all of the issues that
4 were expressed as concerns at the last meeting,
5 I did emphasize that I think the site lighting
6 is a big issue, so to be prepared to discuss
7 that in detail so that we all understand that
8 clearly.

9 MR. PARKER: Okay. Like I said, we do
10 have this extensive letter. What I'll do is
11 I'll touch on any of the main points and kind
12 of summarize what we've gotten to, and if you
13 need any more details or if there is anything
14 more you want me to expand on, we can certainly
15 do that.

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

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2 but it would be until midnight. The reason
3 that we are looking for those hours is that we
4 have a lot of customers that work early, they
5 work at, you know, 7 a.m., sometimes even
6 earlier, and in order for them to be able to
7 visit the store and get what they need prior to
8 their 7:00 start time that's where we get our 6
9 a.m. We also have a lot of shift workers that
10 get off of work at 11:00, 11:30 at night, so 12

11 allows them to get what they need on the way
12 home, get gas on the way home. That's why we
13 look for hours like that. Again, open for
14 discussion, but that's what we have proposed at
15 this point is 6 a.m. to 12 a.m.

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

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

24 There was a concern raised about
25 handicap accessibility and emergency exits. We

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2 have reviewed it with the building inspector
3 and confirmed that there are no additional
4 means of egress required, and we've also
5 confirmed that during our building application
6 process we'll have to meet any ADA compliance
7 issues. There was an issue raised about the
8 sound from the condensing units from the split
9 units for the cooling and HVAC. We did submit
10 some paperwork showing that the readings -- the
11 maximum readings for the equipment, this is
12 without any attenuation, is 74 decibels from

13 approximately 10 feet away. If you bring that
14 out to any of the property lines, that drops
15 lower and basically brings you to what's
16 considered slightly below normal speech at 3
17 feet. Now, this isn't taking into account --
18 this is just the condensers out in the open.
19 We've also put them behind the building, we've
20 brought them around to the side, and we're also
21 enclosing them in a fence. There's also a
22 wooded area between that and residential and
23 there's a hill that goes up as you know, and
24 there will be another fence at the top of the
25 hill. So those numbers are further brought

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2 down. We don't have exact numbers on them, but
3 even with without any of that attenuation at
4 the property lines you're below normal speech
5 levels.

6 The traffic was brought up. We have
7 gone through extensive revisions with the
8 town's traffic consultants over the process.
9 One thing that was left was they spoke about a
10 large preexisting hedge possibly blocking
11 sight. We have changed the landscape plan to a
12 European Wild Ginger at the advice of the
13 landscape architect, which will not grow up
14 high enough to block view on the side street.

15 We've also added -- there was some concern
16 about the condition of the trees, vegetation in
17 that wooded area. We have added a note to the
18 plan that has to be -- that area will remain
19 but will be managed and kept clean.

20 There was an issue or a question
21 raised about delivery times. Right now we're
22 not really sure what kind of business we're
23 going to do, so it's hard for us to know
24 exactly how many deliveries we're going to
25 have, but we would certainly entertain a window

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2 of deliveries. Obviously the store is not
3 going to be open all night, so there would not
4 be deliveries at 3, 4 in the morning because
5 there is no one there to receive them.

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

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

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

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

15 MR. PARKER: So let's talk about
16 lights. So it's my understanding that all the

17 lighting we've done is in compliance with any
18 kind of --

19 THE CHAIRMAN: Do you have a lighting
20 plan?

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

23 THE CHAIRMAN: If you would.

24 MR. PARKER: From what we've heard,
25 the lighting plans with the numbers and things

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2 were just not giving people what they were
3 looking to see.

4 THE CHAIRMAN: Yes, that was helpful.
5 That's what was in our package.

6 MR. PARKER: So this kind of gives you
7 more of an actual real life -- is it showing?

8 THE CHAIRMAN: Yes, that's good.

9 MR. PARKER: Okay. So this gives
10 you -- unfortunately the gray scale on the
11 printer doesn't obviously give you the full
12 effect here, but this shows you what it looks
13 like -- what it is proposed to look like. The
14 top one that you're looking at are the lights
15 that we want to keep on at night for security
16 purposes for after closing. The bottom adds
17 the canopy lights and a couple more yard lights
18 during business hours for -- obviously for

19 customers to be able to see when they're
20 walking around the site and for safety reasons.
21 So this is what we're proposing. There were
22 some questions on what we could turn off at
23 night. So the top one is -- we could turn off
24 the top canopy lights, even though there are
25 some concerns, I don't know if you read stories

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

21 THE CHAIRMAN: So physically where are
22 the lights?

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

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

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

12 MR. PARKER: They are typically
13 15 feet. I can check that. Yes, this does
14 show the lights from the yard lights also. The
15 yard lights are not real bright. It just gives
16 the ambient light throughout the lot for
17 customer safety.

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

20 MR. PARKER: They're down lights --
21 it's self-shielding. It's not like, you know,
22 when you had the bulbs where you had to

23 actually physically shield. I mean, these
24 things, the LED, the diodes are up in the
25 fixture so they can only point down. Just a

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

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

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

23 THE CHAIRMAN: I don't really know the
24 relevance of that letter to what you are doing

25 here. Is there any in the kind of lights that

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2 were referenced in that letter and what's being
3 used here?

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

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

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

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

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

22 THE CHAIRMAN: So at night around the
23 perimeter of the site the shading that's there
24 more or less represents if you were standing on
25 the site looking towards the property lines

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2 that would be the --

3 MR. PARKER: Yes. I don't know the
4 exact numbers, but I know that we've got zero
5 foot candles. So basically zero light spilling
6 off of, you know, certainly the residential
7 sides. Not to, you know, even mention that the
8 fact that that hill in the back -- I don't know
9 if you're familiar with the topography --
10 behind the station there's a significant rise.

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

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

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

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

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2 nothing we can do about that any way.

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

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

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

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

25 MR. PARKER: Yes. So figure 7 we can

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2 start with if you guys have that. That shows,
3 you know, in kind of an x-ray view where the
4 fixtures are.

5 MS. UHLE: Does that correspond with
6 figure 8?

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

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

13 MR. PARKER: That's right. They're
14 what's called wall packs. They're just, you
15 know, lights that wash the wall down. Keep in
16 mind the back of this building once we come
17 down on the slope we're just extending the salt
18 box. They have a flat roof shown on this, but
19 it really doesn't affect the light anyway. The
20 salt box once it gets down, the height of the
21 wall pack is going to be about 7, 7 and a half
22 feet. So, you know, it's really not in the
23 back of the building. The light is only this
24 high and the slope goes up from there. So it's
25 not spilling anywhere toward the rear of the

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2 building.

3 MS. UHLE: Then you have two wall
4 packs on both sides of the building as well?

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

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

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

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

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

25 MS. UHLE: A dimmer switch.

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2 MR. PARKER: But there are wiring
3 changes that can be made during installation or
4 even after installation that bring that down.

5 I don't know how you would say that's too
6 bright or that's not, you know, on the wall
7 reflection at least, but it probably has to do
8 a lot with the color of the building also and
9 that kind of thing.

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

16 MR. PARKER: Understood.

17 MR. PULASKI: How is the lighting
18 intensity determined; is there a certain
19 guideline you're going by or is there a
20 corporation policy that's being followed?

21 MR. PARKER: Well, they like to try to
22 get -- there's these foot candle numbers, and I
23 don't know if there was a foot candle plan
24 included in this or just in the original
25 submission. It doesn't look like there was

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2 one.

3 THE CHAIRMAN: No, I don't think
4 there's one in there.

5 MR. PULASKI: I remember awhile back
6 when we did a site somewhere around here and it

7 was a bank and it had a teller window that was
8 open at night and there was a concern amount of
9 light that was required by that bank.

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

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

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

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

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

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2 teller machines.

3 MR. PULASKI: I was just making a
4 reference.

5 MS. UHLE: Yes. So I think here they
6 probably don't. It's probably up to each local
7 municipality. I think that's something that we
8 could -- if we're clear on, you know, what's

9 located where and what's proposed to stay on,
10 maybe we could work with the consultant to just
11 help determine the lighting levels.

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

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

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

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

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

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2 MS. UHLE: All eight of them?

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

10 THE CHAIRMAN: What do you think is

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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. PARKER: That's correct.

MS. UHLE: That's at the corner there.

THE CHAIRMAN: So that stays on. The other two yard lights are off; is that correct?

MR. PARKER: That's correct. There is a crosswalk, you know, that comes there and there was some discussion about maybe wanting to leave one of those on, but I do believe that there's a street light there also. But again, we will work with you guys on whatever you feel is appropriate for the nighttime lighting.

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

16 MR. PARKER: That is everything.

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

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

25 MR. NEMECEK: I was assuming that that

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2 difference in shade was coming from underneath
3 the canopy.

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

12 MR. NEMECEK: I don't ultimately have
13 an issue with certain of the lighting
14 suggestions you're making, but I'm just a

15 little skeptical as to the lack of any
16 increased lighting underneath the yard lights.
17 It looks like they completely blend in.

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

20 MR. NEMECEK: But again, I see most of
21 that becoming more intense as you get near the
22 canopy. That's what it looks like to me. That
23 looks like canopy light to me. I would expect
24 to see some greater intensity directly
25 underneath the yard light if that was being

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 accurately represented, unless it's absolutely
3 completely ambient with the surrounding
4 environment. Just the skeptic in me.

5 THE CHAIRMAN: Skeptic?

6 MR. NEMECEK: Yes.

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

10 MR. PARKER: Yes.

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

13 MR. PARKER: Yes.

14 THE CHAIRMAN: Okay. Cool.

15 MS. UHLE: What kind of lighting is
16 that?

17 MR. PARKER: That's a soffit down
18 light.

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

22 MR. PARKER: If we tried switching
23 every other one off once it's installed and
24 that gives us enough light, you know, then we
25 can wire it like that. During construction, we

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2 can, you know, meet with whoever your
3 designated representative is to figure out
4 what -- go there one night and figure out
5 what's appropriate for security.

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

10 MR. PARKER: Correct.

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

17 MR. NEMECEK: Yard lights.

18 MS. UHLE: Yard light. One yard

19 light, and then none of the lights under the
20 canopy, and the other two yard lights would be
21 off.

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

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

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

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

16 MS. UHLE: Yes. The light is not
17 directed towards them any longer. It was for
18 awhile. So we had them rectify that. The
19 soffit lighting is still kind of bright. It's
20 not that it's glaring on people's property,

21 it's just that when you look at it it's kind of
22 very bright.

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

25 MS. UHLE: Yes, that's what the

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2 concern is.

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

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

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

11 MS. UHLE: Yes, that's the concern.
12 Yes, that's the concern, definitely.

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

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

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

20 THE CHAIRMAN: Or something. I'm not
21 too crazy about the timer idea. Okay, so we
22 talked about lights enough? We're good? I am.

23 Anything else? Fencing. Landscaping
24 improvements are really just what you said,
25 they're cutting back that --

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

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

8 MS. UHLE: We could make as a
9 condition of approval that they have to
10 continue to maintain that so that if there are
11 ever dying limbs and trees they have to keep on
12 top of that. I hate to say this because Eric
13 had asked me to suggest plants for that area
14 where the hedge is and I had said, well, that's
15 not really my responsibility, go back to your
16 landscape architect, I will say the Wild
17 Ginger, even though it solves the problem, is
18 incredibly boring. It should also be
19 attractive as well. So I would as a condition
20 like to work with your landscape architect to
21 come up with something that not only satisfies
22 the condition of allowing for sight distances
23 but that's also attractive. That's just a
24 massive area of a low ground cover. I think

25

there are more interesting perennials and

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shrubs that grow very low. So I would like to

3

work with your landscape architect to specify

4

some plants.

5

THE CHAIRMAN: Landscape architect.

6

MS. UHLE: It's a pretty ground cover

7

but it's just too much of a mass of a simple

8

ground cover, especially since there are some

9

parking spaces there you definitely need

10

something low growing so it doesn't affect

11

sight distances, but it should be attractive as

12

well. It's an easy resolution with your

13

landscape architect.

14

MR. PULASKI: I have some questions

15

about the crosswalk. What is the history with

16

moving that crosswalk?

17

MR. PARKER: Currently it goes into

18

kind of an open, depressed curb cut. What

19

we're proposing to do -- and this was through

20

discussions with the traffic engineer -- was to

21

bring it out to here, and this isn't really

22

defined right now, so we're putting it over

23

there into what everybody, including the

24

traffic consultant, thought was a better spot.

25

MR. PULASKI: So presently traffic

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 stops when the light changes, and I assume
3 there's a light --
4 MR. NEMECEK: There's a light right
5 here.
6 MR. PULASKI: A traffic light?
7 MR. NEMECEK: There's a traffic light
8 coming out of --
9 MR. PARKER: There's a traffic
10 light --
11 MR. PULASKI: Traffic on this side is
12 going this way; right?
13 MR. PARKER: Correct.
14 MR. NEMECEK: It's two way traffic.
15 MR. PULASKI: So if there's a light
16 here or here, then a motorist knows that they
17 stop at this line.
18 MR. NEMECEK: There is no light here.
19 MR. TUDISCO: Actually, Mr. Chairman,
20 just to shed some light on this, it's a T
21 intersection; however, it's an odd T
22 intersection in that, first of all, it is a
23 county road. The light is, I guess, above --
24 on the map that you're looking at -- above that
25 crosswalk, and also the light governs coming

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 from I guess the side of the building where the
3 CVS group of stores is, and also from the other
4 side it is a light governing traffic that's
5 coming out of that row of stores where there is
6 a delicatessen, there's the Greek restaurant,
7 and those other stores. The light governs
8 that. As I recall, the traffic consultant for
9 the town recommended moving the crosswalk
10 towards that light for safety purposes.

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

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

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

25 MR. NEMECEK: At the June meeting, I

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

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

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2 I don't know where that's going to go.

3 MR. NEMECEK: Very legitimate
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4 concerns.

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

7 (No comments.)

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

12 MR. ATTWOOD: Good evening. My name
13 is Jason Attwood. I reside on Central Drive.
14 I'm also a member of the Chester Heights Civic
15 Association. We sent a letter to the Board I
16 think last week kind of setting out some of our
17 concerns that we raised at the prior meeting.

18 Just want to take a minute to kind of
19 just highlight our continued concerns. The one
20 obviously is the issue of hours of operation.
21 We're happy to hear that the applicant has
22 agreed to limit it to 6 a.m. to midnight. We
23 think it would be even better to limit it to 10
24 p.m. Chester Heights is predominantly
25 residential in character. The commercial is a

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2 component of the neighborhood but it's
3 complimentary. Having a convenience store open
4 until midnight is just inconsistent with the
5 residential character. None of the other

6 businesses in the area are open until that
7 hour. Obviously the later stores are open you
8 have potential crime issues, and, respectfully,
9 there are other alternatives in the area for
10 the services that that convenience store will
11 provide both in town and in Pelham.

12 As to the issue of the lighting, I
13 think the director really kind of hit the
14 issue, it's about the intensity. You could
15 talk about how far it spreads out, but that's,
16 you know, looking from the bird's eye view.
17 When you're sitting in your home, when you're
18 driving down that road, the intensity from that
19 site is going to be an issue at night. We
20 submitted, you know, the article about the
21 4,000K and, you know, I'm not a lighting expert
22 either but, you know, when you see these places
23 with those types of lights, you know it's got
24 that sort of unnatural view, and just reading
25 that article doing a little research it seems

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 Like there are alternatives. I understand LED
3 lights are -- there's benefits, but I think we
4 need to explore a little further the
5 alternatives, whether it's reducing the number
6 of lights or just the intensity. I know
7 there's apparently 3,000K, which gets a little

8 more favorable response. Again, I'm not a
9 lighting expert, but I think that's something
10 that needs to be explored a little bit further.

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

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2 MR. NEMECEK: Thank you.

3 MR. URBINA: Good evening. My name is
4 Julio Urbina, and my property is right next to
5 the gas station on the south side of that. I
6 just wanted to say that it's not an old pick
7 up, it's a classic.

8 First of all, I wanted to thank
9 Chestnut Petroleum for, you know, responding to

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 hedges that are on the side of Hillcrest Road
3 are in shambles, and this owner has been there
4 for over a year. So I don't know if past
5 behavior is a predictor of future behavior, I'm
6 kind of concerned about that.

7 As far as the fence is concerned,
8 since I'm going to be looking at the fence
9 primarily and also maintaining my side of the
10 fence, I would ask that you require a vinyl
11 fence of the owner, again, just to make my life

12 a little bit easier as far as maintenance and
13 also what I have to look at. Since they're
14 willing to do it, I just ask that you require
15 that.

16 The other concern I have is about
17 lights. If I could just look at this landscape
18 plan here, that big green area on the left-hand
19 side, which is the south side of the property,
20 it's a bit deceiving. This is a bird's eye
21 view and so the canopy, you know, is very
22 thick. There's a lot of Maples back there, I
23 think there's a Mulberry and a couple Oaks and
24 a lot of Locusts. Again, when you're looking
25 down, it's very, very thick, but when you

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2 actually look straight through the property,
3 it's not, and it really doesn't do a good job
4 of shielding things that, you know, I could see
5 from my kitchen window. I know my wife had
6 shared this during the Architectural Review
7 Board, but I just wanted, if I may, hand you
8 this picture of the man urinating behind the
9 gas station and the view that I had from my
10 kitchen window. So again, you know, the canopy
11 is, in fact, very thick, but when you're
12 actually looking straight through, it's not a
13 thickly wooded area. If I may.

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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

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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

16 is just going to attract kind of like late
17 night stuff. You know, I appreciate having
18 items available for those who are coming off of
19 work, but I'm also concerned about those that
20 are coming back from the clubs and all of the,
21 you know, issues that might come with a station
22 staying open until midnight.

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

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

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

13 MR. URBINA: Sure.

14 MS. UHLE: It's a two part question.
15 I'm assuming from the applicant's perspective
16 that lights are necessary on the back of the
17 building for security purposes, and I'm

18 wondering if you also think that they're
19 necessary at low levels just for security?

20 MR. URBINA: Well, I mean, I had to
21 call the police a number of times because there
22 were kids back there breaking into the trailer
23 that's back there or the storage container that
24 is there. So I do appreciate the need for
25 lighting, I just want to make sure it's

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2 appropriate lighting, because a few years ago
3 the previous owner installed I think it was
4 those mercury vapor lamps, that really bright
5 yellow, and after like a week and after
6 numerous calls to the town they finally turned
7 it off because that was just shooting right
8 into our home.

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

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

20 station and hope that you take that into
21 consideration.

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

24 MR. PARKER: Yes.

25 THE CHAIRMAN: Got it.

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

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

8 Other comments from the audience?
9 This gentleman is up.

10 MR. GURINSKY: Good evening. My name
11 is Heath Gurinsky. I live on New Rochelle
12 Road, and it's pretty busy down on that street.
13 Every morning I walk my kid and another kid to
14 the bus stop, those kids go to Tuckahoe
15 Schools, and the bus comes and it's just it's a
16 really busy street, especially in the mornings.
17 This morning there were at least three cars
18 that went through the bus stop sign. So there
19 needs to be something addressed about maybe
20 getting police officers there or something
21 there. Even now it's just really busy and

22 really dangerous. I'm not hearing anything
23 about that there is going to be a police
24 officer there on a daily basis, because there's
25 definitely going to be a lot more traffic and a

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

10 THE CHAIRMAN: We've addressed these
11 before, Mr. Tudi sco, if there are enforcement
12 issues?

13 MR. TUDISCO: Yes. At the last
14 meeting, there were some complaints about the
15 traffic pattern that the traffic engineer had
16 mentioned changing the traffic pattern to make
17 a safer flow and some of the comments from the
18 public were, for instance, well, nobody is
19 going to listen to that any way. I tried to
20 break that down there's a question of
21 enforcement versus a question about the plan
22 itself. If it's a bad plan, it's a bad plan.
23 If it's a good plan but nobody is going to pay

24 attention to it, that's where the police come
25 in. I had extended to whoever was watching at

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 home and to those who were here, that as the
3 traffic prosecutor I take these things very
4 seriously.

5 Since that meeting, I did, in fact,
6 meet with Lieutenant Jensen and Lieutenant
7 Hunter from the Police Department, who regulate
8 some of the parking issues, and kind of meet
9 with the community about those issues, and,
10 again, you can bring them to my office, if they
11 go to the Building Department, I'm sure
12 Margaret would get them to my office. Again,
13 there is the question of the difference between
14 what's being enforced versus the plan as is
15 being brought or tweaked to try and maximize
16 safety and minimize flow or however that may
17 be.

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

22 MR. NEMECEK: We had an extensive back
23 and forth with the town's traffic consultant,
24 Philip Grealy, at the last meeting, and they
25 had done fairly extensive studies on the

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2 traffic flow I believe between either 7:45 and
3 8:00 and 8:45 and 9:00. So in that sort of
4 peak a.m. hour I think he indicated that there
5 were 1400 cars traveling on New Rochelle Road,
6 and I think in the course of the day 15,000.
7 Those are big numbers. That's with or without
8 the approval of this application. According to
9 Mr. Grealy, who had done studies based on the
10 leading experts in the field of traffic flow,
11 and he said there had been extensive studies
12 conducted for convenience stores that were part
13 of a gas station operation, that they projected
14 that during the peak hours the additional
15 traffic flow would be -- at least the number of
16 cars that would be going into and out of a gas
17 station would be I think something like 20
18 additional cars. So compared to 1400, yes, it
19 is an increase, but it's a very small increase
20 as a percentage. There is -- we're also --
21 just remember this isn't an application to put
22 something on a property that is vacant right
23 now. It is currently operating both as a gas
24 station and as a smaller convenience store than
25 the application has requested.

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 THE CHAIRMAN: So just to finish, the
3 issues you brought up -- obviously traffic Phil
4 just commented on -- but if there are issues
5 about people going through signs and such like
6 that, Mr. Tudi sco has always volunteered to be
7 contacted and he will certainly follow up on
8 those if they're issues that he could address.
9 MR. NEMECEK: And for school bus
10 stops, I don't know who would be the
11 appropriate conduit, the person to contact to
12 make sure that those issues are addressed.
13 Obviously, that's a major safety concern, and I
14 would think that school officials and/or school
15 bus officials would be responsive to a reasoned
16 explanation as to why a school bus stop might
17 be better suited in one location than another.
18 MR. TUDI SCO: Also, with respect to
19 specific issues that arise traffic-wise,
20 especially when it comes down to safety,
21 whether it's a stop sign, a school, I do know
22 that there are a number of school bus cases
23 that come about across the street in front of,
24 I guess, there usually is an officer there, and
25 I prosecute a lot of people that go through the

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 stop signs on the school buses, but typically
3 what happens is based upon alerts from the
4 community, the police department will deem that
5 what's known as a precinct condition and they
6 will post officer there and sometimes because
7 it borders with Pelham or New Rochelle
8 sometimes they get coordinated grants and they
9 designate certain hot spots. But that does
10 generate from concerns raised by the public.
11 So we do take that seriously, and certainly I
12 would be happy to field those calls or
13 introduce either local community Civic
14 Association or homeowners groups to the Police
15 Department to try to resolve those situations
16 and increase enforcement if it is a problem,
17 especially if it's a safety issue, especially
18 like what came up with the crosswalk. The
19 traffic consultant was very concerned, I
20 believe, if I recall correctly, that the
21 current crosswalk, which is in there in a
22 lighter shade, was feeding directly into the
23 curb cut where cars would be coming in and out
24 of the gas station. So he recommended that it
25 be moved upward towards the light area out of

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

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

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

18 MR. GURINSKY: We have. We have.
19 They haven't moved it. Basically they're
20 saying to call the police when it gets busy.
21 That's basically calling the police every day.
22 So, I mean, I don't know what use that would
23 be, you know, calling the cops every day.

24 Something else is I have another
25 little kid and there's another guy down the

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2 block that has another little kid, so there are
3 going to be more kids that are going to be

4 going to the school and more kids at that bus
5 stop. Right now there's two, offhand I could
6 think of two more, and there's another one that
7 goes even earlier that goes to the middle
8 school, bus stop comes earlier, so there's
9 definitely going to be more kids just to think
10 about when you're deciding this.

11 MR. NEMECEK: Thank you.

12 THE CHAIRMAN: Thank you.

13 MR. URBINA: Julio Urbina, 19
14 Hillcrest Road again. As a recovering member
15 of the Tuckahoe School Board, I can say that a
16 couple of years ago I requested that we move --
17 because my children were picked up on that
18 corner too -- that we move the bus stop over to
19 the little plaza there, you know, across the
20 street, and, actually, the school bus
21 consultant came over and they said that this is
22 the best of a bad situation, that having
23 children from that side of New Rochelle Road
24 cross the street to get to that plaza was more
25 dangerous than having them stand on that

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2 corner. So that was their opinion, that's why
3 the bus stop hasn't moved.

4 I forgot to mention one thing about
5 lighting. You know, this photometric study

6 that they showed up, there was something in the
7 letter that I found interesting or troubling.
8 It said that, while you look at these plans,
9 please note that these photometric studies do
10 not take into account factors such as
11 topography, landscaping and other key elements
12 that affect light. So that tells me that this
13 isn't really an accurate rendering of what the
14 light might look like, and I would ask that you
15 guys, in fact, request, you know, when that is
16 accurate that takes all those things into
17 account. Thank you.

18 THE CHAIRMAN: Gentleman in the back,
19 please.

20 MR. PARISI: Mike Parisi, 16 Lockwood
21 Avenue. We talked a lot about lighting. Where
22 are we going to house the dumpsters on that
23 property and what kind of contained area are
24 they going to be in? Are they going to be an
25 eye sore staying out or are they going to be

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2 locked in a caged area? We haven't talk about
3 that.

4 The receptacles, the bathrooms, are
5 they going to be outside the building or are
6 they going to be inside the building? Right
7 now there's one outside the building that has a

8 light on the back and it's controlled by a key.
9 Are they going to be in the building or are
10 they going to be out of the building?

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

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2 problem. That's my opinion.

3 So these are some concerns that I
4 think should have been addressed to the public
5 from the traffic consultant on these certain
6 areas but it hasn't come up, and then also
7 about the receptacles for the compactors in the
8 gas station, where are they going to be placed,
9 and what kind of bathrooms are they going to

10 be, in the building or out of the building. If
11 they're going to be out of the building, that's
12 a place for loitering and problems to occur.
13 Thank you for your time, gentlemen.

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

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

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

25 THE CHAIRMAN: So it's enclosed on all

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2 four sides?

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

7 THE CHAIRMAN: Okay.

8 MR. PARKER: The rest was traffic
9 based.

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

12 MR. PARKER: Inside. Only inside.

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

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

25 THE CHAIRMAN: They're existing

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

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

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

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

13 THE CHAIRMAN: As part of this

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appli cation?

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

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

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

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

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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

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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.

20 Also, with regard to these cars being
21 parked vertically up against the fence, I fail
22 to see how a car coming in this way that has no
23 exit out of here has to come around this island
24 of the gas station pumps and have enough room
25 to make the turn to come back out onto

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2 Hillcrest Road. So, again, I ask all of you to
3 consider making a site visit to see exactly
4 what we are referring to.

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

15 MR. TUDI SCO: Actually, legally
16 speaking they do. Depending on the
17 circumstances, there is a certain distance that
18 they can cross over into a neighboring town.
19 Certainly, if there is an exigent circumstance
20 that they're in the process of chasing a
21 vehicle, if there's some kind of hit and run or

22 something. So it really depends on the
23 circumstance, but there are circumstances
24 especially with you said you were like one of
25 the first or second houses in Mount Vernon?

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2 MS. ROSAMONDA: First.
3 MR. TUDISCO: They would have some
4 jurisdiction to cross over minimally. That
5 does exist.
6 MS. ROSAMONDA: That's a little bit
7 reassuring. But the extended hours until
8 12:00, that proposes possibly an increase in
9 crime.
10 If I may refer to that lighting
11 diagram. I realize it has to be lit for
12 security purposes, but that is like a beacon in
13 a dark area. You are almost attracting
14 additional crime because here is a lit up area,
15 some unsuspecting person comes along and says,
16 gee, let's see what's involved in here it's so
17 well lit. So I agree that the lighting should
18 be dimmed down quite a bit.
19 Lastly, I will refer back to something
20 that was mentioned by the project planner -- I
21 believe her name is Jillian -- back in June --
22 MS. UHLE: She was, yes.
23 MS. ROSAMONDA: She had mentioned

24 about adding some fast food items such as a
25 grill for hot dogs and things of that nature.

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2 Now, if you look up the definition of a
3 convenience store, it's to sell milk, it's to
4 sell small household items, cigarettes,
5 newspaper, and candy, not to offer fast food or
6 the potential to have a grill with hot dogs.
7 You are then introducing a whole new set of
8 issues regarding vermin, rats, however you want
9 to classify it. So that's a major concern.

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

16 MR. NEMECEK: The rollers.

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

19 MS. ROSAMONDA: So, again, my emphasis
20 on the fact of a site visit. I think it would
21 be very enlightening to all of you. You are
22 very open to hearing our concerns, and as many
23 of you have expressed, the traffic is an issue
24 as well as pedestrian safety and for us
25 homeowners that live in the area. I've lived

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2 there for a good period of time and it has
3 remained an extremely nice area. Even though
4 my house is in Mount Vernon, which we all know
5 Mount Vernon certain parts of it have not the
6 best reputation, I take a lot of pride in my
7 home and how it's kept up. Certainly, if
8 something like that is going to drag down any
9 issues because a site owner needs to revamp his
10 proposal. So please reconsider that traffic
11 plan, it would be a real eye opener to all of
12 you. Thank you.

13 MR. NEMECEK: Thank you.

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

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

24 MS. UHLE: Yes. So shortly after that
25 meeting, I did send their Planning Department

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2 every item that was submitted to this board
3 from the beginning. I sent them the Zoning
4 Board resolution, I sent them everything that
5 they needed to know about the application. On
6 August 8th, I received an e-mail from them
7 saying: The Mount Vernon Planning Board
8 decided, quote, not to comment regarding the
9 504 New Rochelle Road. Thank you for your
10 cooperation in this matter.

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

16 MR. NEMECEK: If I could add a comment
17 too, and I know I speak for myself and I
18 suspect I speak for most, if not all, of the
19 other members of the board as well. I have
20 made more than one site visit to this location
21 and I'm regularly in this area. I love Elia
22 Taverna, I go to J & G, my daughter, one of her
23 best friends probably lives a couple of houses
24 up from you in the Mount Vernon side, and I've
25 been dropping kids off there for years and

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 years. So I know Hillcrest, I know the area
3 very well, and I know it's a heavily trafficked
4 area and there isn't anything we can do about
5 that. With or without an approval of this
6 application, there are traffic issues there. I
7 know you speak to the lighting. I'm sure
8 there's lighting there now and you can't turn
9 all the lighting off or it's an attractive
10 nuisance; you can't put it on full glare or
11 it's a nuisance to people trying to sleep. I
12 just wanted to clarify that we take very
13 seriously when we have an application in front
14 of us, and particularly here where there's been
15 as much of a community participation in
16 educating us about the conditions that exist,
17 we take that very seriously. I know I have
18 been to the location, I've scouted it out, I
19 want to see for myself what the issues are. So
20 rest assured, this is a very committed board.
21 Whether we should be committed is another
22 question.

23 THE CHAIRMAN: Yes, we should. Just
24 to further that, in addition to seeing the
25 site, we sit here and the audience tells us

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2 their concerns and we certainly don't brush
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3 them off, we take them to heart and try and
4 figure out what we could do to accommodate as
5 many as we can and still work with the
6 applicant. So we're working both sides trying
7 to understand your concerns as well as the
8 applicant's concerns.

9 That being said, any further comments?
10 (No comments.)

11 THE CHAIRMAN: Great. So we can close
12 the public hearing and move on.

13 So I make a motion to close the public
14 hearing on Application 13-36, 504 New Rochelle
15 Road.

16 MR. NEMECEK: Second.

17 THE CHAIRMAN: All in favor.
18 (All aye.)

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

24 MR. PARKER: 6 foot.

25 THE CHAIRMAN: It is 6 foot. That's

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2 the tallest you could put there. Okay. And
3 that's what's there now, it's a 6 foot --

4 MR. PARKER: I don't know what size it
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5 is now.

6 THE CHAIRMAN: There's no fence. We
7 talked a lot about -- we talked about the
8 lights that are turned off at night; what about
9 the other lights that are on during operations
10 and their intensity, what controls that?

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

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

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

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2 THE CHAIRMAN: Right. My point being
3 that we discussed what we could do with the
4 light levels for the lights that remain on at
5 night. Can you similarly work with the
6 department --

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

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

20 MR. PARKER: That's right. They have
21 to be moved a little bit because of the way the
22 landscaping is, but it's not going to be any
23 more intense than it is right now. I do
24 understand that there were complaints about
25 lights being left on a night and things like

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2 that. The problem is with the way the building
3 is constructed now we're talking, you know,
4 breaker panels, employees that are closing,
5 it's not just flipping a switch. So we are
6 certainly when we construct the new building
7 once we determine which lights are coming on,
8 staying on, you know, it's going to be very

9 easy for them to determine at closing or on a
10 timer --

11 THE CHAIRMAN: Right. So while we're
12 talking about turning lights off at night, I
13 think Margaret explained to me the whole
14 breaker switch thing and timers, and I'm not a
15 really big fan of timers because I have timers
16 in my house and I can't figure out what to do
17 when the time zones change and they always
18 break and I can't quite figure it out, so is
19 there a simple way that we can get the employee
20 when he leaves, he or she leaves --

21 MR. PARKER: There is. You can put
22 remote contactors basically where behind the
23 counter there is a switch that says, when you
24 close turn this off.

25 THE CHAIRMAN: Yes, do that.

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2 MR. PARKER: We can certainly do that.

3 THE CHAIRMAN: The way Margaret
4 explained it seemed like it was a little bit
5 discombobulated.

6 MR. PARKER: And the electric, I mean,
7 it's an old building.

8 MS. UHLE: The existing circumstance
9 is, but I think right now they are not on
10 timers and the switches are not readily

11 accessible for employees. So you may want to
12 discuss amongst yourself whether you think the
13 timers are a good idea because then you're not
14 relying on an employee. But on the other hand,
15 if you think there are possible snafus with the
16 timers --

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

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2 change in the flow of traffic through this site
3 and they're coming before us asking for an
4 approval of this and then they want to tell us
5 that the lighting is existing, we aren't
6 touching that, and therefore we should accept
7 it. I don't accept that. There is a lot of
8 concern here about lighting. We, as a board,
9 are very concerned about lighting because we
10 know that area of Chester Heights, that at
11 10:00 at night that area quiets down, lights go
12 off, and this is kind of like an oasis that all

13 of a sudden is brightening everything up and
14 changing the atmosphere of that neighborhood,
15 and I think the only way we're going to
16 adequately address it is with a lighting
17 design. A person came up here and talked about
18 a vapor light that I think was on this
19 property. I go to work every morning very
20 early, it's dark out, and there's a property
21 that I pass and occasionally they leave the
22 switch on and it's a vapor light and you walk
23 at it and it's not looking down like that
24 photo, it's walking this way, and this light is
25 so intense in your eyes that you can't see

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2 anything else around it, you're blinded. So
3 unless you see a lighting design that takes
4 into account what it is that we want to
5 achieve --
6 MS. UHLE: I think the applicant did
7 submit a lighting design. They submitted a
8 design that showed foot candles. I think the
9 problem is that nobody on the board has the
10 expertise to read this. So I think what we
11 were discussing previously was understanding
12 that these are not vapor lights, they're all
13 down lit, they're all shielded, that then as a
14 potential condition of approval -- and when I

15 say the Building Department, I don't mean me, I
16 mean getting a lighting consultant on board to
17 work with the applicant to make sure that the
18 intensity levels are appropriate and as low as
19 possible to ensure that security concerns are
20 addressed. What I'm concerned about is that
21 the applicant comes in with the detailed plan
22 that shows the foot candles, et cetera, we
23 still don't understand it. I do think that
24 they have been very good about showing the
25 catalogue cut sheets, the types of lighting,

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

9 MR. PULASKI: Maybe this application
10 existed for a long time and I'm not up to speed
11 on the lighting design or the light fixture
12 types and so I'm coming into it a little bit
13 ambiguous. But I do remember that that
14 application I talked about before about the
15 bank that was in this area, and I remember that
16 lighting design and you literally had circles

17 and showed the intensity that was on the
18 asphalt and you could get a sense for how that
19 light was distributing. I also get the
20 impression from the way this property has not
21 been kept up at times, that we may have a
22 difficult applicant and how is he going to
23 react after we give an approval of this site?
24 Is he going to be more than happy to adjust
25 whatever lighting that needs to be adjusted? I

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2 would suggest we do it now.

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

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

13 MR. PULASKI: I'm fine with that.

14 THE CHAIRMAN: At this point, I think
15 that's the direction we're going to go in.
16 When we're done, we're going to go through the
17 conditions and we'll list everything that you
18 just brought up. So why are you back here?

19 MS. UHLE: You had questions for him.

20 THE CHAIRMAN: Right, questions.

21 Fence, storage container, we talked about food.

22 So light during operations. As far as what you

23 said, the lights during operations are the

24 lights that existing now?

25 MR. PARKER: And we did submit a plan

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 with foot candles and, yes, that's the proposed

3 plan. It has the specs of the fixtures, it has

4 the foot candles that are proposed and that's

5 during operating times. This is more to show

6 you what we would do at night to bring it down

7 more.

8 THE CHAIRMAN: Since you're being so

9 cooperative, when we look at the lighting

10 that's going be on overnight, can we also take

11 a look at the operating light and see if we

12 could tweak that a little bit?

13 MR. PARKER: You can but that can't

14 just be an open condition. You know, without

15 having a consultant on your end, he can't just

16 say, that seems too bright, those foot candles,

17 because we can't go buy thousands of dollars

18 worth of fixtures and then figure out later

19 that, you know, that 5 foot candles wasn't too

20 bright.

21 THE CHAIRMAN: So we'll work on the
22 lights that remain on overnight but the ones
23 that are operating we'll leave as is.

24 MS. UHLE: I think you have the
25 authority as the board to say that we're going

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 to evaluate those as well. And again --

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

5 MS. UHLE: -- Everything is going to
6 be fair and reasonable. I think, yes, you
7 should look at the lighting during operating
8 hours as well as the lighting, you know, after
9 hours. I think we will get a consultant that
10 understands lighting. I will say they did
11 present the lighting plan at the last meeting.
12 I was actually the one that said I think people
13 have difficulty understanding those, that I
14 think the renderings would be more helpful, the
15 plans and the pictures at night, because I
16 think the ones that show the foot candles it's
17 just a bunch of circles and most of us don't
18 really understand stand that, but I want to be
19 clear they did submit that. That's something
20 that I could show to a lighting consultant.
21 Similar to how we hire an engineer consultant,
22 traffic engineer, we will get a lighting

23 consultant on board to review the lighting.

24 THE CHAIRMAN: Okay.

25 MR. PULASKI: Another recommendation I

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 would make is that we add a no exit sign along
3 New Rochelle Road. I see the purpose for the
4 entry and the exit on Hillcrest. If somebody
5 is coming along Hillcrest and it's opportune
6 for them to pull in, they're going to pull in
7 whether you permit it or not, but you really
8 don't want people exiting back out on New
9 Rochelle Road. So I would just suggest to put
10 a no exit sign there.

11 MR. NEMECEK: Or do not enter.

12 MR. PULASKI: We're entering here.

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

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

20 MR. NEMECEK: Correct.

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

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

23 THE CHAIRMAN: A do not exit sign
24 then.

25

MR. PARKER: That may already be on

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EASTCHESTER PLANNING BOARD - 9/22/16

2

the traffic plan because that was one of the
consultant's comments.

3

4

MR. TUDISCO: My recollection was it

5

is, that when that arrow was changed, that the

6

company signage was supposed to go with it. We

7

should probably clarify it, but that was my

8

understanding that there would be an entrance

9

only sign or no exit sign posted there with it.

10

I think there was also some kind of an arrow on

11

the pavement.

12

MR. PULASKI: I think as far as adding

13

a convenience store there, I think it goes with

14

the economic flow of these service stations,

15

that is something that you want to keep a

16

viable business and if you have old service

17

areas that you can't use and you have a piece

18

of property and you're only using two thirds of

19

it or half of it and it just behooves you to

20

try to maximize the value of that property. I

21

believe this building is not changing in size;

22

right?

23

MR. NEMECEK: The usage is changing.

24

There is a convenience store already but the

25

service bays, that area would be used for

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 convenience as well.

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

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

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

14 THE CHAIRMAN: Based on his
15 recommendations?

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

18 MS. UHLE: Phil, what did you say?

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

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

24 MR. NEMECEK: I think I've reached my
25 threshold in terms of what I could understand

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 without actually seeing the lights installed
3 and determining whether I like it or not, and I
4 think an expert -- a lighting consultant would
5 be the way to go, and I would certainly be
6 happy to delegate the discretion of this panel
7 to them.

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

22 MS. UHLE: Well, I think one of the
23 problems is, for example, when I mentioned
24 Country Markets, that was something that was
25 approved by the Planning Board. You really

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2 don't understand it until you get out onto the
3 site and see it. So I think the applicant has
4 made it very clear that they're willing to be
5 very accommodating as long as site security
6 issues are addressed, and I think we could get
7 a lighting consultant to basically help us say,
8 this is the maximum allowed light that's
9 required for security purposes but that will
10 have the minimum impact on the neighbors. I
11 think it's kind of an easy equation for people
12 that understand what they're talking about.

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

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

24 MR. NEMECEK: The fence.

25 THE CHAIRMAN: Let's go through the

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 conditions quickly.

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

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

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

11 MR. NEMECEK: That's last?

12 MS. UHLE: Yes.

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

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 something of an accommodation to the concerns
3 of the residents in the neighborhood keeping
4 that time at 11:00.

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

8 MR. PULASKI: Yes.

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

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

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 get into the traffic thing, you don't want them
3 during peak hours. So if you know you're going
4 to run out of gas and you're getting close to a
5 peak hour, you're going to want to get a gas
6 delivery before, you know, the site --

7 MR. NEMECEK: How frequently does the
8 tank run out?

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

14 MR. NEMECEK: Electric cars it may
15 decrease.

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

22 MR. NEMECEK: Typically twice a week?

23 MR. PARKER: Depends on the season.

24 MR. NEMECEK: More than twice a week
25 would be surprising?

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 MR. PARKER: It would be doing very
3 well if it was more than twice a week.

4 THE CHAIRMAN: So Margaret, you had
5 something here about snow removal?

6 MS. UHLE: Yes. I wanted to clarify
7 to the Board and to the applicant so that
8 everyone understands this, the Zoning Board had

9 a condition of approval that all snow with an
10 accumulation of more than 4 inches shall be
11 removed from the site but not to the municipal
12 right-of-way within 12 hours or as further
13 determined by the Planning Board to ensure
14 access to all parking areas and gas pumps and
15 to ensure continuously safe site circulation.
16 The concern of the Zoning Board was that
17 because site circulation and parking is tight
18 on the site, that they didn't want snow to be
19 plowed and to intrude within the circulation
20 areas. I think the applicant was just
21 concerned that, you know, we're going to be
22 down there measuring the snow every 15 minutes.
23 This does say within 12 hours of the snow
24 event.

25 MR. PARKER: It says anything over 4

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 inches removed from site.
3 MS. UHLE: Well, I think the Planning
4 Board could clarify, I think, again, if you
5 have -- see, I'm not sure -- if you have an
6 area to plow the snow that's not within any of
7 the paved areas, but I'm not sure you have
8 areas that you can plow the snow that are not
9 going to eliminate parking spaces or impede
10 with circulation. So that was the concern.

11 MR. PARKER: There is some. We could
12 push it over there or push it over there. I
13 think it's more just, you know, the wording of
14 it that if you've got a day where it snows 4
15 and a quarter inches and you can easily put it
16 in places on site and it doesn't snow again for
17 another three weeks and that snow melts, you
18 know, it's just --

19 MS. UHLE: I think the issue is as
20 long as there is no snow piled within the paved
21 surfaces. If you can get it off of the paved
22 surfaces -- but I think the Zoning Board was
23 very clear that means there's no snow affecting
24 any of the parking spaces or any of the
25 circulation areas. So if it's, you know, 3.75

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 inches of snow or 4.2 and you're moving it
3 within the landscaped areas, I think that's
4 fine. Just in a side, we already have a law
5 with regard to this, but I know last year there
6 were some issues about the sidewalks being
7 shoveled in a timely fashion and I think some
8 summonses were issued by the police department.
9 So I'm going to reiterate that in the condition
10 of approval as well, even though that is
11 already on the books that that's required of
12 property owners. Clearly if you're plowing the

13 snow, don't plow it onto the sidewalks. That's
14 the main thing, the just site needs to be free
15 of snow within the paved areas.

16 MR. PARKER: Understood.

17 MS. UHLE: And I can clarify that.

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

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

24 THE CHAIRMAN: Right, that's general
25 housekeeping. The condition of approval is the

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 general housekeeping of the wooded area and the
3 site in general.

4 MS. UHLE: Do you have anything else?

5 THE CHAIRMAN: So that's all yours.

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

10 (No comments.)

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

14 MS. UHLE: Rather than a timer?

15 THE CHAIRMAN: Yes.

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

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

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

23 MS. UHLE: Well, that's what the
24 Chairman sounds like he's concerned about too.
25 Again, readily accessible, readily labeled so

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 that people understand which switches have to
3 be turned off at that time.

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

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

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

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

15 MS. UHLE: I think also, even though I
16 do believe this was implied as part of

17 approval, but we will make it clear like the
18 gentleman had mentioned, that all improvements
19 related to the realignment of the crosswalk
20 including any poles and buttons and lights are
21 the responsibility of the applicant. So I'll
22 make that clear as well.

23 MR. NEMECEK: Your financial
24 responsibility.

25 MS. UHLE: But the financial

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 responsibility and the construction
3 responsibility or the coordination with the
4 county.

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

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

9 MS. UHLE: The relocation of the
10 crosswalk?

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

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

16 MR. PULASKI: So we're reviewing a
17 design, we like a design, but ultimately the
18 county has to bless it.

19 MS. UHLE: Well, only the relocation
20 of the crosswalk.

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

23 MS. UHLE: Yes.

24 MR. PULASKI: I hope they bless it.

25 THE CHAIRMAN: What we went through

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 just now are the conditions of approval and you
3 will summarize.

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

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

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

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

20 MR. WEST: Do you have security

21
22
23
24
25

cameras outside the area?
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

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EASTCHESTER PLANNING BOARD - 9/22/16
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 SEORA
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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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 THE CHAIRMAN: Thank you.
3 MR. PARKER: Thank you very much for
4 your time.
5 THE CHAIRMAN: Next application is
6 16-25, 6 D'Ambrosio Way. Can you just stand by
7 until Mr. Tudi sco comes back.
8 MS. UHLE: I don't think that's
9 necessary. I don't know how long he's going to
10 be and it's a single family home. I would just
11 proceed.
12 THE CHAIRMAN: Go ahead, you can go.
13 MR. DEMASI: Good evening. My name is
14 Lou Demasi, and I'm the architect on behalf of
15 the applicant for D'Ambrosio Way.
16 What we're looking to do is construct
17 a house on this subdivision. This is the
18 fourth house -- fifth house that we are
19 developing on the subdivision. It's located
20 here in this area here. There's currently a
21 road that comes here, a cul-de-sac, and it's
22 located in this area where we're constructing
23 this new house.
24 The subdivision already has a storm

25

water system in place. It's a Stormceptor that

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2

takes care of all the storm water for the whole

3

site. So there is no individual storm water

4

management for each site. It's the whole site

5

together, it's not each individual lot.

6

The house that we're proposing is a

7

shingle style house. It's going to be a

8

shingle house for the siding white in color.

9

It's also going to have Andersen windows that

10

are white; all the trim is going to be Fypon,

11

which is also white; the standing seam metal

12

roof is copper for a little accent.

13

We had some discussion with the

14

Architectural Review Board a couple of weeks

15

ago about whether or not to keep the shutters.

16

I think we're going to keep the shutters just

17

to give it a little pop, a little accent to the

18

house overall. I think it looks nice. The

19

stone that you see here at the chimney and at

20

the base is a thin stone veneer and it's called

21

a Hudson blend. I have a sample of that here.

22

The lighting that we're proposing is a

23

fixture like this located at the front door and

24

also on the side where the garages will be, and

25

I'll show you a side elevation for that. We'll

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 probably locate them here and here on either
3 side of the garage doors.

4 Pretty straightforward application.
5 I'll answer any questions if there is any.

6 THE CHAIRMAN: Yes. Can you just take
7 that down, the rendering is really --

8 MR. NEMECEK: The rendering is
9 spectacular. You could probably sell that to
10 the owner if it ends up looking like that.

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

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

16 MR. DEMASI: I'm sorry.

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

20 MR. DEMASI: We've done a couple, yes.
21 The lot that is --

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

24 MR. DEMASI: This house here is done
25 for Bill D'Ambrosio, which is his house, we

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 di dn' t do a rendering for that, but we did do a
3 rendering for thi s house and thi s house here.
4 You could snap a picture if you would like.

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

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

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

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

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

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

21 MR. DEMASI: Subdi vi si on?

22 MR. PULASKI: That property that's the
23 longest one, that di dn' t come before us; di d
24 you ever make a deci si on on that?

25 MS. UHLE: You approved the

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2 subdivision but there's no house proposed for
3 that lot yet.

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

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

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

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

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

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

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

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

24 THE CHAIRMAN: Yes, they do.

25 Let's just do a public hearing then.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 So I make a motion to open the public hearing
3 on Application 16-25, 6 D' Ambrosio Way.

4 MR. PULASKI: Second.
5 THE CHAIRMAN: All in favor.
6 (All aye.)
7 (No comments.)
8 THE CHAIRMAN: Seeing that there is
9 nobody in the audience that would like to
10 comment on this beautiful application, I'm
11 going to make a motion to close Application
12 16-25, 6 D' Ambrosio Way.
13 MR. PULASKI: Second.
14 THE CHAIRMAN: All in favor.
15 (All aye.)
16 MR. NEMECEK: We dealt with the
17 issues, the water issues. I think you have
18 a --
19 MR. DEMASI: It's a very complicated
20 system. All the water goes into in the
21 centerfuge and --
22 MR. NEMECEK: And then it all comes
23 into the town sewers?
24 MR. DEMASI: Correct, yes, and it's
25 maintain by the town as well.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 MR. NEMECEK: I think it looks
3 terrific.
4 THE CHAIRMAN: No other comments. So
5 I make a motion to approve this application,
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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
11 your time.
12 THE CHAIRMAN: You're welcome.
13 MR. DEMASI: So really quickly, there
14 is an App for phones that you could control
15 lighting if you wanted to.
16 MR. WEST: That's what I thought.
17 Even Phil could use it.
18 THE CHAIRMAN: So the next application
19 is 16-47, 181 Beech, and the one after that is
20 going to 48, 179, unless you want to go in
21 specific order.
22 MR. MAIORANO: Good evening, board
23 members. My name is Adamo Maiorano from
24 Community Designs on behalf of the applicant,
25 Peter Albano. We are proposing two single

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 family residences.
3 The first one, 181 Beech Street, I'll
4 flip to the elevation. Basically what I tried
5 to do is at first pay close attention to the
6 neighboring residences and try and draw in
7 certain design elements into the design to fit

8 in with the neighborhood but at the same time
9 giving a certain type of individuality to each
10 one of the homes. This house in particular has
11 sort of an English cottage feel as well as a
12 craftsman twist to it. The first portion of
13 the front elevation the bottom half will be a
14 rustic brick, by the door columns in the front
15 it's a thin stone, ledge stone veneer, and the
16 top portion of the residence will be cement
17 board siding, it's a shake siding, and the rest
18 of the house will be clad in fiber cement board
19 siding with a typical lap siding. All of the
20 trim and around the windows is a white AZEK
21 trim, as well as the decorative brackets will
22 be also be AZEK brackets. The roofing is
23 asphalt shingle roof, it will be a charcoal
24 color. As far as what is depicted as the
25 garage door is exactly what is shown in the

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 representation as well as the front door. The
3 lighting is shown by the garage door and there
4 is also recessed lighting in the overhang above
5 the front entry and the garage, which there is
6 a picture of the type of fixture in the key
7 legend.

8 To go back to the drainage, we did
9 perform deep hole tests and percolation tests,

10 and what we have proposed is storm water
11 management on site with CULTEC dry well units.

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

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

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

23 MR. MAIORANO: Sure.

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 about the site plans. So the CULTECs are in
3 the rear and in the front?

4 MR. MAIORANO: And in the front,
5 exactly.

6 THE CHAIRMAN: And the rest are in the
7 front?

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

11 THE CHAIRMAN: And they pick up

12 gutters plus --

13 MR. MAIORANO: Exactly. They're
14 proportioned to whatever percentage of leaders
15 are going to the rear units and whatever
16 percentage of the surface area going to the
17 front units, and that's why sometimes there's a
18 few more in the back or a few more in the
19 front, and there is also a footing drain
20 segregated to a single unit.

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

23 MR. MAIORANO: Yes, there is a trench
24 drain in the driveway which will go to the
25 front dry well units. So the area of a portion

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 of the front of the house and the driveway is
3 leading to that front system and the rear
4 portion, the patio is leading to the rear
5 system.

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

10 MR. MAIORANO: Yes.

11 THE CHAIRMAN: Any landscaping around
12 the perimeter or --

13 MR. MAIORANO: There is a landscape

14 plan in the application.

15 THE CHAIRMAN: Do you have it there?

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

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

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

25 (No comments.)

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 THE CHAIRMAN: So we're going to open
3 the public hearing on this and then we'll move
4 to the next application.

5 So I make a motion to open the public
6 hearing on Application 16-47, 181 Beech Street.

7 MR. NEMECEK: Second.

8 THE CHAIRMAN: All in favor.

9 (All aye.)

10 THE CHAIRMAN: Comments? Please.

11 MS. THOMPSON: Good evening. I'm
12 Alice Thompson, 185 Beech Street. My house is
13 right next to the proposed houses on Beech
14 Street. I'm here to talk about two things, two
15 issues with you this evening.

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 important -- it's important to note that the
3 worst water problems seem to occur after the
4 winter thaw in March or April. Any of these
5 proposed homes could affect the sensitive water
6 table in this area.

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

10 There is a tremendous history that I
11 just want you to be aware of. I was born at 98
12 Highland Avenue. I'm just saying this because
13 I know this area very well. My family owned 98
14 Highland Avenue, which became the D'Ambrosio
15 property. Behind the house was a shed, and
16 especially during that very delicate period
17 from February, March, April, that shed would
18 fill up with water in the basement, the
19 basement of the shed, 2 or 3 feet of water. In

20 the middle part of the property -- and as you
21 know 98 High and is a very deep property --
22 there was a problem with mud. I remember my
23 husband's car getting stuck in the mud up to
24 the top of the wheels and we had to get a winch
25 to get it out.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 Very serious was when I built my
3 house, which is right next to these homes at
4 185 Beech Street. I also abut the D'Ambrosio
5 property. We had a terrible time because we
6 couldn't pour the cement in the basement. It
7 kept filling up with water. The water was
8 coming from the D'Ambrosio property and we had
9 to keep pumping it out. My architect was Bob
10 Stanziale. Bob Stanziale was also a member of
11 the Eastchester Planning Board. He put
12 together a plan for me whereby we put a foot of
13 gravel under my house embedded with PVC pipe
14 connecting to a large open dry well behind my
15 house, which in the dry well was a pump and PVC
16 pipe to take the water to the sewer. I also
17 have a covered dry well connecting to the big
18 dry well behind my house, and there's another
19 small dry well in the front. You get the idea
20 this was very serious. This has worked pretty
21 well.

22 The Di Leo homes behind 100 Highland
23 Avenue also had serious problems and they would
24 divert water down the driveway, and at one
25 point it flowed so fast and furiously down the

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 driveway that it literally broke the garage at
3 the Koblack (Ph.) home at 104 Highland Avenue.
4 My friend Debbie Koblack Goldman testified to
5 this in 2003, and Debbie is here with me
6 actually this evening. Doctor Webber had
7 trouble at 183 Beech Street where the houses
8 are going to be built. She regularly used a
9 pump, I know that. I remember her son getting
10 very worried and he bought a backup battery for
11 the pump. She also had serious ponding behind
12 her house.

13 When I came to the Planning Board in
14 2003, I was very, very worried about water and
15 how the houses would affect my house given the
16 circumstances, and I was a very lucky lady
17 because the Planning Board -- Bob Pulaski, I
18 think you were on the Planning Board at that
19 time -- I was a very lucky lady because the
20 Planning Board and Bill D'Ambrosio listened to
21 me, they heard what I had to say, and instead
22 of keeping the water on the property, they put
23 together a system where the water is taken off

24 the property. I have to tell you, this has
25 worked quite well. I see quite a difference in

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 my own property. But now I'm concerned about
3 water with the new homes. I'm not comfortable
4 with the dry wells. I really would rather see
5 something else. I did not know what the
6 D'Ambrosio property used. So I did do some
7 research and I came up with storm water
8 detention tanks, and the tanks are fitted with
9 a special valve that will slowly release water
10 into the storm water drains over time and
11 prevent flooding. This type of system was also
12 used with the houses at the bottom of Tuckahoe
13 Avenue --

14 MR. PULASKI: DeBenedictis.

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

22 I understand that the use of detention
23 tanks is reserved for only extreme
24 circumstances. The D'Ambrosio project
25 certainly represented an extreme circumstance.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 I believe the Beech Street project, given the
3 scope of the water problems surrounding it,
4 especially including my home, also represents
5 an extreme circumstance. So I come before you
6 again now and I ask for your help as well as
7 the help of Pete Albano certainly.

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

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

13 MR. PULASKI: The dry well would work.

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

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

18 THE CHAIRMAN: That was an application
19 we saw?

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

25 MR. PULASKI: There were a lot of

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 people that got up and spoke on the D' Ambrosio,
3 talked about flooded basements and everything.

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

6 MS. UHLE: Perhaps the applicant can
7 address some of the issues. So the board
8 members are aware, our engineering consultant
9 was planning to be here tonight. He had a last
10 minute emergency, so, unfortunately, he
11 couldn't make it, which it would have been
12 helpful for him to hear what you had to say.
13 He did evaluate both of the proposed storm
14 water plans. He had a number of comments, but
15 he did give me a call yesterday and say he
16 didn't want the Planning Board to be concerned
17 about the number of comments, that they were
18 all easily addressable in terms of his
19 satisfaction. I did tell Ms. Thompson and I
20 have no problem referring her memos to the
21 engineer and even having her talk personally to
22 him about it. Obviously they're two completely
23 different design scenarios.

24 MS. THOMPSON: Thank you.

25 MR. PULASKI: I think if I were to

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 interpret what she's saying when we go from
3 winter to spring is that if you have a wet soil
4 and it's frozen 4 foot down and the top starts
5 to thaw, it gets mushy and that water has
6 nowhere to go, it can't drain down and it just
7 sits there. You wouldn't see that in a
8 percolation test done in the springtime or the
9 summer.

10 MS. THOMPSON: Exactly.

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

14 MR. NEMECEK: I do recall
15 specifically, because Joe Cermelle the
16 consultant was here in May I believe it was,
17 our May meeting, and I remember because we had
18 dealt with -- I think I even commented at the
19 time -- we had dealt with the Deerfield homes
20 just a few years earlier and water was a
21 significant issue there. I was surprised,
22 quite frankly, that he had indicated that based
23 on the deep hole testing that he had done, that
24 he was not -- and remember this is a neutral
25 though and this is someone who's an expert in

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2 the field -- I expressed to him my surprise
3 that that was the result, but he said that was
4 the result.

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

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

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

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

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

15 MS. THOMPSON: I have one more issue.

16 THE CHAIRMAN: We'll get back to you.

17 MR. MARK MAIORANO: Good evening,
18 board. My name is Mark Maiorano. I'm the
19 engineer of record. I designed the storm water
20 system. We did perform the percolation test in
21 March. We're using a 50 year storm, 7 inches
22 of rainfall. We did have a rainfall event that
23 morning. Actually, Mrs. Thompson had seen me
24 out there when we performed the perc test and
25 deep holes. So what I'm getting at is our

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 credit in terms of infiltration was during the
3 worst circumstances -- one of -- not the worst,

4 but not favorable, meaning a dry day in March,
5 and that's what we're using for our
6 calculations in designing this system. We're
7 using Westchester County best management
8 practices, which looks for a dry well condition
9 to be used if you have suitable soil
10 conditions, and as the engineer from Kellard
11 Sessions had indicated, we do have suitable
12 conditions. The soils are sandy. The
13 percolation tests even on the rear side even
14 adjacent to Mrs. Thompson's house were the
15 higher numbers and favorable, better rates of
16 infiltration, and they're being taken into
17 account in our calculations.

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 My basement of my house when I built it started
3 in September, the house somehow got delayed,
4 there was nothing. All of a sudden in
5 February, March -- excuse the expression -- all

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

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

13 MR. NEMECEK: 183 isn't before us.

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

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

22 MS. THOMPSON: I know the tree well.
23 The little boys in the neighborhood used to
24 like this tree, and they would burn the inside
25 of the tree because they liked to use it as a

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 hut. Every once in awhile, smoke would come
3 from the tree and neighbors had to call the
4 fire department. I'm just trying to tell you
5 the tree has had a rough time.

6 In 2007, I had reason to have a limb
7 cut from the tree because it was coming over my

8 deck, and I was shocked to see that the whole
9 inner core of that limb was rotten. There are
10 pictures of that in your packet on the
11 left-hand side. I then called Robert
12 D'Ambrosio Tree Pathologist to do a report on
13 the tree, and he did a very complete report. I
14 draw your attention to number -- you can read
15 it yourself, it's in your packet -- I draw your
16 attention to number 5 of his findings where he
17 says: All that being said, this tree is a
18 hazard to life and property and should be
19 removed.

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

25 MS. UHLE: You had relayed this to me,

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 I did relay that to the applicant, and they
3 have agreed to remove the tree.

4 MS. THOMPSON: Pardon me.

5 MS. UHLE: The applicant has agreed to
6 remove the tree. You had relayed this
7 information to me in the past and I relayed it
8 to the applicant, and they have informed me
9 that they are planning to remove it.

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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

12 need a backup plan to compliment the D' Ambrosio
13 plan. Again, you could see what has happened
14 with my house. I mean, I live right next to
15 the houses that are going to be built and I
16 know what has happened. So far I'm doing okay
17 because of what has been done on the D' Ambrosio
18 property, but now you add three more houses and
19 you don't have a backup to --

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

23 MS. THOMPSON: Three new houses with
24 three new foundations. It will be total of
25 three new homes.

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 MR. NEMECEK: A net plus a change of
3 two.

4 THE CHAIRMAN: Take a step back here.
5 So now D' Ambrosio has done a good job draining
6 the area, you said it affects your house, maybe
7 this area is affected too and some of the
8 drainage is being taken over there. The amount
9 of rainfall that is being put into the soil
10 really doesn't change because the impervious
11 surfaces or what goes into the tanks and then
12 that goes into the soil. So right now you've
13 got pervious surfaces on the site, that rain

14 goes into the soil. The same amount of water
15 is going into the soil now as it did before.

16 MS. THOMPSON: I'm with them on the
17 same --

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

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

23 THE CHAIRMAN: I could say it all I
24 want but at the end of the day you believe what
25 you believe. Sorry, I have to understand the

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 way this whole dry well thing works and where
3 it is above the water and what it has to do
4 with the perc test. So can you just step away
5 and let me ask the man who designed it?

6 MS. THOMPSON: Anyway, that's my
7 request.

8 THE CHAIRMAN: What are we doing with
9 the tree?

10 MS. UHLE: They already agreed that
11 they're going to take it down.

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

15 MS. UHLE: Well, she just did.

16 MR. TUDISCO: I just have a question
17 in terms of procedure. Are you calling both of
18 the applications together or are you calling
19 them separately one after another?

20 THE CHAIRMAN: Yes.

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

23 MR. NEMECEK: Correct.

24 THE CHAIRMAN: So could ask about the
25 design of the dry well to the engineer? I

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 would like to speak to the engineer behind you.

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

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

10 MR. MARK MAIORANO: One of the perc
11 holes which is furthest away from the Thompsons
12 did have some water in at the initial -- what
13 we do is the holes do get filled and we time
14 and rate the actual infiltration of water into
15 the ground. That rate then gets converted and
16 we determine a volume from the impervious areas
17 from an overall calculation, which is the 7

18 inch storm, and we deduct the infiltration that
19 the ground water will take. Each location,
20 each tributary area for, say, the front half of
21 the house, that perc test and those volumes are
22 accounted for in that calculation, as you do
23 the rear. So it's realistic for that location
24 where the dry wells are located. So we're
25 taking numbers from that soil in that location

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 as it does vary throughout, and that's what we
3 use in determining what we have to contain in
4 terms of how many dry wells. So the unit
5 itself is a dead storage as soon as it gets the
6 initial flow of water and that takes in the
7 first intensity of the storm as it comes in
8 from your liters or your drains and whatnot,
9 and then from there it ends up percolating into
10 the ground and that's what the calculations
11 show the rate of percolation and how much could
12 we utilize from the ground conditions that are
13 there. We're using the worst case scenario for
14 our calculations in terms of a credit of how
15 well this ground -- if we had done this on a
16 dry day, I would have gotten better percolation
17 results. So I'm using a slower factor, meaning
18 I'm having to put more dry wells because I'm
19 not getting that credit.

20 THE CHAIRMAN: So if I were to ask if
21 you were to go out there right now and dig a
22 hole, where would you strike water; could you
23 tell me or that depends on the season?
24 MR. MARK MAIORANO: No, you couldn't,
25 no.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 MS. UHLE: I think the purpose of the
3 deep hole test is to ensure that you're not
4 hitting water within 2 or 3 feet.
5 MR. MARK MAIORANO: Correct.
6 MS. UHLE: I think the purpose of the
7 deep hole test is to get an idea if the water
8 table is high, and then the percolation test is
9 to see how quickly the soil absorbs the water.
10 So the level of the water table helps -- the
11 deep hole test helps to determine how deep your
12 dry wells can be, and then the percolation
13 tests are how quickly the soil absorbs the
14 water.
15 MR. MARK MAIORANO: And it's also used
16 to classify your soils as you go deeper.
17 MR. PULASKI: Right. On your first
18 page, you provided a chart of your findings.
19 It says, field test results, deep tests, and
20 you had initial top soil, and 6 inches down you
21 had a sandy loam, and then below that you got

22 into a sandy clay mixture, which is not going
23 to give you good percolation, but then about
24 36 inches down you got into a mixed sand with
25 some rock, which is going to give you a very

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 good percolation. So you could have a
3 situation where during a rain it's going to
4 pond because your ground level is fairly level
5 and you have this loam and you have this clay,
6 but once you get below that into the sand, you
7 should be able to get rid of the water provided
8 there aren't other conditions, and I think
9 that's what you're doing, that you're spotting
10 that your dry well is going to go into this
11 mixed sand and rock area.

12 MR. MARK MAIORANO: Correct, yes.

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

17 MR. MARK MAIORANO: They're above.
18 It's not in the water.

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

22 MR. MARK MAIORANO: At the furthest
23 one -- well, the morning of was a rain event,

24 it rained that day, so having a hole there it
25 does invite water. Water takes the path of

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 least resistance.

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

5 MR. MARK MAIORANO: Yes.

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

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

11 THE CHAIRMAN: It's down 3 feet. It's
12 35 deep.

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

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

25 MR. MARK MAIORANO: Right. As

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2 Margaret had said, it was the side areaway
3 drain for the bottom of the steps. That's the
4 lowest invert.

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

8 MR. MARK MAIORANO: Right. Although
9 adjustments have been made, you know, to the
10 dry wells in terms of he has allowed us to --
11 the under drain around the pipe around the
12 perimeter of the house which carries any water
13 around the footing of the house, along with the
14 drain for the side steps could be sent to an
15 independent dry well on their own. So it was a
16 question asked to him. So there were some
17 small invert elevations that were adjusted from
18 what you see there.

19 THE CHAIRMAN: Thank you.

20 MS. UHLE: I think with regard to Ms.
21 Thompson's concerns, we could certainly ask our
22 engineer whether that's a more appropriate and
23 more feasible solution. I could say, as Mr.
24 Pulaski said, that in theory there's a lot of
25 concern about adding to the existing storm

1 EASTCHESTER PLANNING BOARD - 9/22/16
2 drainage system because that's really what adds
3 to flooding issues in town is what's coming
4 from the storm water systems in the street. So
5 the whole purpose of requiring dry wells is to
6 minimize the potential for flooding, but I
7 understand what Ms. Thompson's concerns are.
8 So I think that's a conversation with both our
9 highway superintendent and our engineer. I
10 will have to say, applicants love to be told
11 they can tie directly into the storm drains,
12 it's much easier. It's not like there's a
13 conspiracy by applicants that they want to
14 install dry wells. The love being able to tie
15 directly in. They're typically not permitted
16 except under extenuating circumstances like Mr.
17 Pulaski said. So I think that under any
18 circumstances you'll need to defer to our storm
19 water consultant, engineering consultant, but
20 as I said, I'm happy to pass the correspondence
21 on to him and to have Ms. Thompson talk to him
22 personally, and then he could evaluate the
23 situation.
24 THE CHAIRMAN: So that's what we'll
25 do.

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 MR. PULASKI: I also remember when we
3 did D'Ambrosio, that must have gone on for like
4 seven or eight meetings. There was a lot of
5 discussion that went on.

6 THE CHAIRMAN: Please come back.

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

10 MR. PULASKI: Not necessarily.

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

24 MR. PULASKI: So far that can't be
25 substantiated by this report and that's what

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 they have to go by. I did say before my own
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3 opinion based on what they found when they dug
4 the hole, that you have a loamy surface and
5 some clay below that and that will pond water.
6 You also have a very flat topo in that area, so
7 that has a tendency to pond water. If you get
8 below that, they got down to 36 inches, and all
9 of a sudden they found sand. So if you dug a
10 hole in your back yard and you dug it 36
11 inches, then chances are when water would flow
12 into that hole it would get into the sand layer
13 and start to run away.

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

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

20 MS. THOMPSON: It just might.

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

25 MS. THOMPSON: It has helped.

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 MR. NEMECEK: Yes. Also, and I will
3 point out because I remember being fascinated
4 by this a few years ago, it seemed every

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

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 three more houses, and I would like to see the
3 same success continue since I live right next
4 to these homes. I think it would be safer for
5 everybody.

6 MR. NEMECEK: What level is your house
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7 relative to the three properties?

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

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

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

15 THE CHAIRMAN: Can we wrap this up?

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

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 at all.

3 MS. THOMPSON: Thank you.

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

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

8 THE CHAIRMAN: Right.

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

13 MS. UHLE: You could.

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

16 THE CHAIRMAN: Let's close this one.

17 MR. NEMECEK: Fair enough.

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

21 (No comment.)

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

25 MR. NEMECEK: Second.

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 THE CHAIRMAN: All in favor.

3 (All aye.)

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

8 MS. UHLE: The condition is the storm
9 water management plan is subject to the review
10 and approval of our engineering consultant, and

11 we will refer Ms. Thompson's concerns to them
12 both.

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

16 MS. UHLE: Yes.

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

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

22 MR. NEMECEK: Second.

23 THE CHAIRMAN: All in favor.

24 (All aye.)

25 THE CHAIRMAN: Next application is 179

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 Beech, 16-48.

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

8 MR. WEST: Same inspiration for the
9 design?

10 MR. MAIORANO: Yes. Obviously, the
11 community. Again, I live in the community so
12 I'm very into that and would like to let these

13 houses, you know --

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

16 MR. MAIORANO: Yes.

17 THE CHAIRMAN: You are. Okay.

18 MR. MAIORANO: Office is in
19 Eastchester and --

20 THE CHAIRMAN: I know the office is
21 there.

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

25 So with that said, this house has sort

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 of that craftsman feel. It is going to be a
3 stone veneer, a real stone veneer on the first
4 level. The second portion of the house again
5 is a fiber cement board shake siding and
6 partial straight edge lap siding along the rest
7 of the house. The accents and the soffits will
8 be an AZEK white as well as the accents. The
9 roof is an asphalt shingle roof, it's a pewter
10 gray. The lighting is similar to the last
11 house, there's going to be a soffit light above
12 the garage door as well as next to the front
13 door. The garage and the front door is as
14 depicted in the elevation.

15 This is basically what it looks like.
16 This is the street-scape with the house we just
17 proposed. Next door there is a vacant lot --
18 two vacant lots next to this residence. Same
19 similar principles with the site as well with
20 this house.

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

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 which is good. You don't want to see
3 repetition.

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

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

10 MR. MAIORANO: Exactly.

11 THE CHAIRMAN: Public hearing. So you
12 know the drill. Hang on. So I make a motion
13 to open the public hearing on Application
14 16-48, 179 Beech Street.

15 MR. NEMECEK: Second.

16 THE CHAIRMAN: All in favor.

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(All aye.)

(No comments.)

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.

(All aye.)

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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

19 demolished but it's actually situated on both
20 181 and 183. It's a fairly large house, so it
21 sits on both of those lots.

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

25 MR. MAIORANO: Figured you would ask

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 that.

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

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

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

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

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

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

20 MR. MAIORANO: About 2350 each house,
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21 so 70 --

22 MR. NEMECEK: It's not quite three
23 times, maybe two and a half times?

24 MR. MAIORANO: Exactly, spread out.

25 MR. NEMECEK: You're also introducing

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 a drainage plan that was previously not
3 existing.

4 MR. MAIORANO: Yes.

5 THE CHAIRMAN: I have no other
6 comments.

7 MR. WEST: No comments.

8 THE CHAIRMAN: So subject to the same
9 conditions as the previous application, I'll
10 make a motion to approve this application.

11 MR. NEMECEK: Second.

12 THE CHAIRMAN: This application is
13 16-48, 179 Beech.

14 MR. NEMECEK: Second.

15 THE CHAIRMAN: All in favor.

16 (All aye.)

17 THE CHAIRMAN: Great. Thank you.

18 MR. MAIORANO: Thank you for your
19 time.

20 MR. NEMECEK: Do you know when you'll
21 be back with 183 Beech?

22 MR. MAIORANO: Exactly, yes.

23 MR. NEMECEK: Next month or a couple
24 of weeks?

25 MR. MAIORANO: The next meeting.

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1 EASTCHESTER PLANNING BOARD - 9/22/16

2 MR. NEMECEK: Okay. Got to get it
3 through those discerning folks at ARB?

4 MR. MAIORANO: Exactly.

5 THE CHAIRMAN: What can we approve?

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

9 MR. WEST: Important comments.

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

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

16 MS. UHLE: Absolutely.

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

19 MS. UHLE: You cannot vote on the
20 June.

21 MR. WEST: But May I can.

22 MS. UHLE: May you can.

23 THE CHAIRMAN: When was the May
24 meeting?

25

MS. UHLE: May 26th, 2016.

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2

THE CHAIRMAN: So then I make a motion

3

to approve the meeting minutes of June -- I'm

4

sorry, May 23rd --

5

MR. NEMECEK: May 26th.

6

THE CHAIRMAN: May 26th, 2016. Just

7

say yes.

8

MR. NEMECEK: Second.

9

THE CHAIRMAN: All in favor.

10

(All aye.)

11

THE CHAIRMAN: Then I make a similar

12

motion to approve the meeting minutes of

13

June 23rd, 2016.

14

MR. NEMECEK: Second. Bill, you can't

15

vote on this one.

16

THE CHAIRMAN: All in favor.

17

MR. PULASKI: Aye.

18

THE CHAIRMAN: Aye.

19

MR. NEMECEK: Aye.

20

THE CHAIRMAN: Let's close this. I

21

make a motion to close the Planning Board

22

meeting of whatever today's date is,

23

September 22nd --

24

MR. NEMECEK: 2016.

25

THE CHAIRMAN: Thank you. Second.

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1 EASTCHESTER PLANNING BOARD - 9/22/16
2 MR. NEMECEK: Second.
3 THE CHAIRMAN: All in favor.
4 (All aye.)
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6 (MEETING ADJOURNED.)
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EASTCHESTER PLANNING BOARD - 9/22/16

C E R T I F I C A T I O N

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

I, DI NA M. MORGAN, Court Reporter and
Notary Public within and for the County of
Westchester, State of New York, do hereby
certi fy:

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.

DI NA M. MORGAN
COURT REPORTER

DI NA M. MORGAN, REPORTER

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CORRECTION SHEET

PAGE	CORRECTION
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