EASTCHESTER PLANNING BOARD - 9/26/19

THE CHAIRMAN: Good evening. This is the Town of Eastchester Planning Board meeting of September 26, 2019. If everyone would rise for the pledge of allegiance, please. 

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: I'll take attendance here. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here.

Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham could not be here this evening, but I'm sure he's with us in spirit. I would apologize for the delay. It's Phil's fault. We were on the same train together.

Our first application is 19-19, 157 Montgomery Avenue.

MR. MAIORANO: Good evening, board members. My name is Adam Maiorano from Community Designs and Engineering. On behalf of the applicant and owner, Michael DiSisto, we are proposing site alterations and improvements to 157 Montgomery Avenue.

The site is located in a general business zone, but it's also abutting a residential district along the north and east side of the property. It's improved with a multi-family dwelling and a contractor's construction yard for storage of construction materials occupying the rest of the site. This is where most of the action takes place.

What we are essentially doing is, we're proposing four storage container units. They will be hunter green in color. Right now there are two that exist on the property. They will be relocated to the proposed position that's next to the multi-family dwelling, and then two additional ones will be added in place and they will be again the same color. Those will be also in the same area as -- there's an existing large non-permitted shed that exists in that area that will be removed as part of this application. What these storage containers ultimately will allow for is the

DINA M. MORGAN, REPORTER

2

EASTCHESTER PLANNING BOARD - 9/26/19

storage of material to be in an enclosed structure instead of sort of spread out amongst the property. They will also allow for a designated storage area of material behind these units. So the units will help sort of hide that area for material to be stored, as well as existing landscaping that sort of shades and blocks that area on Montgomery Avenue that's located sort of south of the storage units.

Lastly, there's a rack storage area that's designated on the east side of the property as well, so we're trying to orientate certain areas that, you know, these sort of items can be positioned and stored cohesively on the site.

As far as the entrance to this construction yard, the entrance area will be repaved with new asphalt, there will be a new gate that will be consist of gray slats instead of the existing that's green. The remaining fencing, trash enclosure along Dunwoodie Street will be all painted a neutral gray color to match the new gate.
In regards to landscaping on the site, I did have Tony Accella, landscape architect, come out to see what would be the best effect to survive and sort of give a good screening to area. We are proposing eight Arborvitae along the existing stone retaining wall on the north side of the property and a neighboring wood picket fence, those would go in between. There are two existing pretty mature trees in between those. We're proposing two Littleleaf Viburnums. Then lastly, we're proposing some flowering bushes along Montgomery Avenue as well, just to sort of soften up the front elevation of the concrete porch. This area is sort of used by the tenants of the multi-family dwelling.

Other than that, I think that kind of summarizes overall what we're trying to do. Any questions?

MR. PULASKI: You make a note that the storage containers are temporary; what constitutes a temporary container versus a container that doesn't move, and therefore, after awhile you think of it as permanent?

DINA M. MORGAN, REPORTER

They wouldn't be considered temporary, but they do have the ability to be easily moved off the site. But when it's positioned in a certain spot, it's not exactly temporary.

MR. NEMECHEK: Because it's not permitted to be a permanent structure, is that the --

MR. MAIORANO: Yes.

MR. NEMECHEK: It's effectively going to stay there but it's not a permanent structure?

MR. MAIORANO: Yes.

MR. NEMECHEK: Like you said, it could be moved if needed.

MR. MAIORANO: Yes, exactly.

MR. PULASKI: Isn't there a part of this application that you're going to maintain those containers in good condition? I know there's a comment that you're going to paint them hunter green.

MR. MAIORANO: Exactly. That's to create some consistency. Again, there's residential housing abutting this property, so

DINA M. MORGAN, REPORTER

we're trying to make it sort of consistent and sort of blend in a little to the green landscaping of the property as well.

MR. PULASKI: I'm concerned that we're going to paint them as a part of this permit, but then three years down the road they -- what happens if they start to show rust, are we going to repaint them?

MR. MAIORANO: Just like anything, it should be up kept, just like, you know, the house and property should be.

MR. PULASKI: It should be.

MS. UHLE: I actually have that in my notes as well as a potential condition of approval.

MR. PULASKI: My concern is it's a yard, it's a construction yard, and as a construction person I look at things in a construction yard differently from a residential yard. This application has to acknowledge that the yard existed before the area really became more residential, and it's being allowed to continue to exist but it has to exist now on a different level, a level that

DINA M. MORGAN, REPORTER

fits better with the residential area.

MR. NEMECHEK: In fact, there's a representation in your letter dated September 19, 2019, and I quote from it, "The applicant is aware that the site maintenance and trash disposal needs to be managed and maintained effectively moving forward." It's a site maintenance issue, and I'm not exactly certain what conditions we can place on any approval that we were to give that would ensure that you will be living up to this pledge.

MR. MAIORANO: Sure.

MR. PULASKI: Another observation that I have is, very often on gates and the posts of the gate itself when you have heavy equipment vehicles moving in and out, very often the posts get hit sooner or later or the gates get hit sooner or later. One possible way of improving on that construction to hold up better is to go with a larger diameter heavier gauge post. You sometimes see them on construction sites nowadays where you have sliding gates. You need that structural support.

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MR. MAIORANO: We could propose maybe a bollard in front of it potentially. I mean, the gate is fairly large for any of the vehicles not to --

MR. PULASKI: I'm not questioning the size, but if you go there and you look at this gate right now, it looks like a construction area gate, which is in, out, all over the place. I'm just trying to keep your site presentable. So if that post right now is 2 and a half and you made it a 4 inch post or whatever increments -- I'm not specific on that -- I think that the whole gate will be huskier and it could take a slight impact and still maintain it to be vertical.

THE CHAIRMAN: Do we have anything on the gate?

MR. MAIORANO: Nothing specific. Just the catalogue cut of the color.

THE CHAIRMAN: Is it in here?

MS. UHLE: Right now what you're proposing is to keep the existing fence and gate, correct, but then weave the gray vinyl through?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

MR. MAIORANO: Exactly. Paint the rest of it -- well, fix it up and paint the rest of it all to match instead of being green and gray and a bunch of different colors.

MR. PULASKI: Do we have any photos with us that show photos of the gate?

MS. UHLE: The proposed, but none of the existing I don't believe.

MR. MAIORANO: We can replace it entirely.

THE CHAIRMAN: So what do you propose to do with that?

MR. MAIORANO: The green slats, we're going to replace them with gray. Fencing along this side and fencing along the street will also match with this.

MS. UHLE: I had recommended that they replace the gate and the fence. That was my recommendation.

THE CHAIRMAN: Can the height of that gate look like it's about 4 feet.

MR. NEMECEK: Adamo, grab the mic.

MR. MAIORANO: It's a minimum 6 foot high gate.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

THE CHAIRMAN: Okay. Solid or something substantial looking, aesthetically pleasing.

MR. MAIORANO: If there's no cost involved, yes.

THE CHAIRMAN: I propose that the gate be changed.

MR. PULASKI: I agree. I think it should be 8 foot. I think the Building Department should see what they're going to make this. It should be a husky gate. Again, it's because of the difference of location. You're locating in an area that is partially residential. It's not an out and out commercial area where this type of thing is done at a lesser level.

There's a fire escape on the side of the building and there's a ladder that comes down from that fire escape. I don't know what the code says. I know that you could get from the ladder to the ground, and at that point are you okay or do you have to be able to get out of the yard? If you have to be able to get out of the yard, how do you get out of the yard if

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

the gates are locked?

MS. UHLE: The Fire Department has been out there a few times, and actually went out there relatively recently with our code enforcement official just to make sure there were no current code violations with regard to fire safety issues and there are not. I could certainly clarify that question with the Fire Department.

MR. PULASKI: Possibly, if there has to be an exit, there is a part on the plan where you have a back set because it looks like you have a side exit.

MR. MAIORANO: There's an entrance there into the basement area.

MR. PULASKI: Maybe this thing here could be made into a one way gate, a gate with a spring on it. But that would be next to the building. If the building was on fire, that wouldn't be a good place to have it. I don't know what the code is.

THE CHAIRMAN: It's what the code is. You're the architect, you know what the code is.

DINA M. MORGAN, REPORTER
MR. NEMECEK: I think Margaret's suggestion to have the Fire Department just double check --

MS. UHLE: So far I know that they have complied because they've been out there a few times.

MR. PULASKI: A couple of other things. Are there hours that you're committing to that you will not exceed as far as bringing vehicles in and out?

MS. UHLE: There's no zoning restrictions on that. They're permitted to store vehicles and equipment and materials, they're not permitted to fabricate things.

There is not like an hour of construction time.

MR. PULASKI: There is something else that very often happens with construction yards, and that is that a vehicle gets started up in the morning, particularly when it gets cold, you don't have to drive it yet, you could start it up so that the oil gets warm and whatever it's a diesel and it just runs.

It runs for an hour before an operator gets in and does something. I don't know if there is any town restriction on that, but I know I've been on job sites where there have been community restrictions to running buses or any vehicle more than about 15 minutes before you have to shut it down.

THE CHAIRMAN: Idling times.

MR. PULASKI: Now that's environmental. But this is not a job site, it's a residential community and people will be arriving at a construction yard at 6:00 -- 5:30, 6:00 in the morning to get going. I would like to have a commitment that the vehicles would not be allowed to idle for more than 15 minutes.

THE CHAIRMAN: What's the nature of the work; what are the hours that they work there?

MR. MAIORANO: No work is allowed to be permitted on the property. It's only, again, storage of construction vehicles and material.

MS. UHLE: You're permitted to store construction vehicles and equipment on the site, but you're not allowed to actually do

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EASTCHESTER PLANNING BOARD - 9/26/19

THE CHAIRMAN: So you start the vehicle, pull it out, start the work day?

MR. MAIORANO: Yes.

MS. UHLE: Actually, even though this is a pre-existing non-conforming use, we get requests for those types of places all the time because a lot of contractors don't have places that they could leave their equipment overnight or within town. That would serve that purpose.

MR. PULASKI: I think we have to acknowledge that there are certain hours that construction typically works, and I would say that something starting up at 6:00 in the morning would not necessarily be unusual for certain construction purposes and ending somewhere around 7 or 8:00 at night wouldn't necessarily be unusual either. Bringing something in at 11:00 at night or starting at 5:00 in the morning starts to become excessive times. If the applicant can agree to an item like that, I think it would be good for working within the community.

MS. UHLE: The only comment I would make is, we have not received complaints about excessive traffic. I can't speak for residents, but I just personally have not received that. We do have a noise ordinance that the Police Department enforces if there's any excessive noise. If the purpose is to be able to drop off and pick up construction vehicles, it may be complicated and difficult to enforce maintaining hours of operation because it's a little bit different than a business that has specific hours of operation. I'm not sure if that's been a problem, but again, I can't speak for neighbors.

MR. PULASKI: I understand. Unless the applicant agrees to --

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EASTCHESTER PLANNING BOARD - 9/26/19

MR. TUDISCO: Just to kind of enlighten the Board, Margaret and I have been working for quite some time with the owners of the property, and some of the issues have arisen with respect to policing the site, the overall maintenance of the site, and the specific structures that were on site that were either unapproved or, you know, things that were going on on the site. I understand where
that request and concern is coming from, but I do think in terms of enforcement it becomes problematic, and it's not necessarily a concern that have been raised. There were setback issues that were addressed by the owners, the issues involving some of the structures that are not supposed to be there have been addressed as part of this plan, but I don’t know if there was really traffic issues or noise issues from vehicles as much as fabrication that shouldn't have been going on on the site, the structures that were unapproved or inappropriate for the site, and some issues generally in terms of clean up and setback requirements for construction materials.

MR. PULASKI: I'm aware of a lot of that. I read through the literature. I understand that there are some things that are before the court at the moment. I see basically what the applicant is doing, and they have addressed a lot of things, but they have come before us and as a planner I'm just looking at it and saying, you know, leaving the

DINA M. MORGAN, REPORTER

1 gate the way it is, you know, it could be polished up. As far as hours, if we can't come to an agreement over it and there's nothing that we could hold you to, I'm fine with that. I'm just raising it in case -- because I think that the applicant should limit themselves to certain hours even if there isn't a restriction for it. I have some experience in this, and I'm just trying to relate things that I've run into on other projects.

THE CHAIRMAN: Just two more questions. The landscaping that's being proposed, could you just point it out?

MR. MAIORANO: Excuse me.

THE CHAIRPERSON: Is landscaping being proposed?

MR. MAIORANO: Yes.

THE CHAIRMAN: Could you just point it out on the plan?

MR. MAIORANO: So basically it's here in this area to help screen the neighboring residence on Woodruff Avenue. There's eight dark American Arborvitae, some Littleleaf Viburnum in between the large plants. It's

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

1 EASTCHESTER PLANNING BOARD - 9/26/19
2 trash enclosure on the right of way?
3 MR. MAIORANO: No. I believe recycle
4 is stored here, and then on trash days it's
5 brought to the street.
6 MS. UHLE: I'm sorry, where are the
7 recycles stored?
8 MR. MAIORANO: Behind this picket
9 fence area.
10 MS. UHLE: Within the right of way.
11 MR. MAIORANO: Yes.
12 MS. UHLE: I did talk to the Highway
13 Superintendent about how comfortable he was
14 with the trash enclosure being within the right
15 of way, and I know that he was comfortable with
16 it being there because that makes it easier for
17 them to pick it up, but I'm not sure that the
18 recyclables and the trash are supposed to be
19 kept there except for the days that they're
20 picked up. So that needs to be stored on site
21 and then moved to that location on pick up
22 days. That was one of the things that were was
23 expressed at the ARB meetings, that the trash
24 was sort of remaining within the right of way
25 and sometimes would get messy and blown around.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

1 EASTCHESTER PLANNING BOARD - 9/26/19
2 THE CHAIRMAN: So then I make a motion
3 to open the public hearing on this application,
4 19-19, 157 Montgomery Avenue.
5 MR. NEMECZEK: Second.
6 THE CHAIRMAN: All in favor.
7 (All aye.)
8 THE CHAIRMAN: Please come forth.
9 MR. SWEENEY: Good evening. Frank
10 Sweeney, 22 Lakeview Avenue, representing the
11 two adjoining property owners of the property
12 directly behind the yard. Basically what
13 they're looking at, and possibly maybe you've
14 had an opportunity to look at -- I'm just
15 trying to determine since we last met, have any
16 of the board members done an on-site review of
17 the yard itself?
18 MR. PULASKI: Yes.
19 MR. SWEENEY: The reason we're kind of
20 focusing in on the aesthetics of what the yard
21 looks like, it's important you understand
22 what's there now and how it's being maintained.
23 You can take all the pictures you want, you can
24 do all your telephones, but to visit the site
25 as being run as a business is really key to

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

1 EASTCHESTER PLANNING BOARD - 9/26/19
2 your decision on how you go forward. The two
3 property owners that basically represent the
4 backup situation to the north side of the
5 property are the ones that are facing the
6 movement of the trucks, movement of the
7 aesthetics around the building itself, and the
8 idea is that I'm trying to determine who owns
9 the containers and who are the containers for;
10 are they for the building owner or the
11 contractor?
12 MS. UHLE: I don't think it matters
13 because, again, they're allowed to store
14 materials and equipment, either their own
15 materials and equipment or a contractor's
16 materials and equipment there. So I imagine --
17 again, the applicant can address that better
18 than I can -- it may be their materials or it
19 may belong to another contractor that has some
20 kind of agreement with them.
21 MR. SWEENEY: Does the contractor own
22 the containers or does the property owner have
23 the ownership and whether he can or cannot move
24 them? I'm concerned that the contractor can
25 come in and say, I want to move this container

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

over 10 or 12 feet and they have no control
over it.

MS. UHLE: If they receive site plan
approval for the containers to be in this
location, they would have to maintain the
containers in that location. They would be
required to stay there, otherwise they would be
in violation of the site plan approval.

MR. TUDISCO: I also want to address
one of the other comments that was raised.
There are two issues here that are going on
with the property essentially. One is the
aesthetics of the property, how it's being
maintained based upon complaints that we've had
from the community, the overall demeanor of the
property. The other issue from an enforcement
perspective is how the property is being run
and what is taking place and is it a permitted
use for what's going on there. From an
enforcement perspective I can tell you that I'm
the one that prosecutes these, there has been
an ongoing case in court based upon trying to
work with the property owners so that they
understand what they're allowed to do and what
DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

way of town. That sets a precedent that I'm
not very comfortable with because now you've
extended the property out so he could now
release his garbage or his refuse, whatever the
case may be, beyond his property line. It's
not going to be behind the fence, it's going to
be out of the side of the fence. If you took a
look at it this morning, I passed by around
6:30 this morning, I don't know who puts his
garbage out in paper bags, maybe a raccoon got
at it or something, it was a mess, absolute
mess. I don't know who the property owner is,
but if you can't afford a $10 garbage can, you
are going to have more serious problems trying to
manage it.

The other issue is that right of way,
that should be behind the fence line for him to
put out the garbage. If you pass by there
tonight, does he understand the refuse pick up
in town? I don't believe so. He's got garbage
sitting out there now that's not going to be
picked up until Monday. My two property owners
that face into that are going to see that for
the next three days. Why?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

they're not allowed to do.

The second piece of that is the
aesthetics of the property from the community's
perspective what they see, and what we are
concerned about as a town about the potential
dangers to some of the equipment that we stored
there, where it was stored and so on. So for
the purposes of what this Board is looking at	onight is really the aesthetics and the site
plan itself.

The other issues, as they materialize,
and if there are additional complaints, you are
certainly free to bring them to my attention or
to Ms. Uhle's attention because that is also a
concern that we have to maintain.

MR. SWEENEY: The other issue is that
one of the things he just indicated, and it was
kind of brought up by the Board itself, is they
are going to put up a new fence that basically
is going to hide the refuge behind it, which
are the trucks and the construction pieces of
material that they use every day. Currently,
now they've built out a buffer zone where the
garbage is now placed outside in the right of
DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MR. TUDISCO: From an enforcement perspective, to the extent that they -- I believe the statute requires sundown the night before the garbage pick up. If the garbage is going out on the public right of way earlier than it’s supposed to under the statute, if you alert us, the Highway Department doesn’t just try to get compliant, they will also issue summonses. I prosecute those. I will tell you, certainly you should have the neighboring landowners or just members of the community that are concerned about that, to bring it my attention.

MR. SWEENEY: I think it’s important you should take a look at the two houses that back up to this piece of property. They’re crystal clear. They’re maintained to the nines. They are maintained to the nines, let me tell you. They’re really nice homes. I’m not against the issue of having the yard there. I’m more concerned about the condition of how it’s being maintained, what’s being done there, and what we could do to make it better. That’s

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

more -- that works better with the community, as well as complying with code. That’s why I stress certain things about the gates and idle times and in and out times. I understand fully what Robert has said, that the items that made this yard look really despicable appear to be addressed in this design.

THE CHAIRMAN: Any more comments from the public?

(NO COMMENTS.)

THE CHAIRMAN: So I think on the other applications we’ve made site visits, see what goes on out there, make a closer observation of the yard then maybe we have from the street. As Margaret put forth, do other members of the Board think that we should leave this open, take a visit to the site, take a closer look at what’s going on there, come back with our findings, and reconvene and address anything else.

MR. PULASKI: I would certainly concur with that. I think if we were going to do that and agree to do that, perhaps the applicant can come back with a better plan as to more

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

all. I agree with the new fencing, possibility that it’s a neutral color or whatever the case may be. No more free cake walks here.

THE CHAIRMAN: We’re concerned with the same issues you are. Thank you for pointing it out that we should go see the operations there. I don’t think any of have within the site.

MR. SWEENEY: I do appreciate your time.

THE CHAIRMAN: Thank you.

MR. PULASKI: I think that relative to what Robert was saying before, that this application has addressed a lot of the -- I think they’ve addressed all of the concerns that I’ve read about in the paperwork of how this yard was being maintained and the junk in it and the vehicle maintenance and there’s a lot of overgrowth of weed trees and whatever, and this plan basically shows that that stuff is being addressed. I went in and my comments just had to do with more things that I see that I think could be included in this package because the intent is to make something that is

DINA M. MORGAN, REPORTER
This is a condition that’s coming up, but I think the Board was going to talk about ensuring that there is no storage on top of those containers, nothing placed on top of the containers. We had talked about maintaining the containers so that they don’t get rusty so that they’re maintained in good condition. The Board had talked about rather than just painting and keeping the existing gate, having something that’s more solid and up to 8 feet high, which actually is permitted in the GB district. That’s the only district that would permit an 8 foot high fence. Maybe being clearer about how trash is disposed of and where it’s disposed of and how that’s going to function and work. Let me see. In the meantime, I could have the Fire Department also look at the issue with regard to the fire escape and gates, etcetera. We need to think about some of Bob’s comments about the idling vehicles and limiting hours that vehicles could come and go. Those were the things that were discussed tonight.

I do think it’s a good idea, even though I agree, I think the applicant has done a very good job of organizing the site, cleaning it up and clearing it out, it is a very unique site in terms of its location and the topography and how the adjacent residences relate to that site and the view from the street is different from the view from the neighbors, it’s very high up, so I think it would be a good idea to go just to get a little bit of different perspective. It delays it one more month, and I know that applicants are getting frustrated and residents are probably getting frustrated, but I think overall it’s probably worth it to do that.

MR. PULASKI: Before we make that vote, this location on the plan right outside the gate, it says, wood picket fence around trash enclosure, that is where the trash is being kept?

MR. MAIORANO: No. It’s essentially being kept right behind the -- there’s a trash enclosure that’s totally enclosed, and it’s supposed to be brought out into that area on trash days. It’s right behind the dwelling.

MR. PULASKI: Okay. That’s brought out and just put on the curb?

MR. MAIORANO: Yes.

MR. PULASKI: If that’s being done and it’s being done just before the day of the trash pick up, the night before the day of the trash pick up, that should suffice, unless there’s a lot of trash, in which case it would be nice to have some kind of enclosure on it.

THE CHAIRMAN: As Margaret said, we will redress the trash.

MR. PULASKI: I just wanted to clarify that. Are we going to vote on this?

THE CHAIRMAN: No. We’re leaving it open.

MS. UHLE: Adjourn to the October 24th meeting.

THE CHAIRMAN: You will arrange for a visit?

MS. UHLE: Yes. I will coordinate with everybody early week.
EASTCHESTER PLANNING BOARD - 9/26/19

full commercial kitchen, ADA toilet facilities,
storage both on the first floor and in the
basement for dry goods. The site and building
has been plagued with debris, garbage that they
use a compactor in the back, which I believe
has caused issues with the neighborhood, and my
client has already procured a contract with a
carting company to have his own dumpsters,
which will be locked, for refuse and recycling
in the back area. We don’t want to get
involved in any of the current issues that the
building has with the other tenants.

The kitchen will also have a Type 1
hood over a line of commercial cooking
equipment, and it’s a small little place. No
exterior changes other than new signage, which
will go on to the existing facade and just be
refreshed with the same white color. That’s
pretty much it.

MR. PULASKI: I have a couple of quick
comments, questions. I saw, Margaret, that the
various items of heating, ventilating, air
conditioning, hood exhaust all conform to what
we currently have in our regulations?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

MS. UHLE: Well, they’ll conform to
the New York State Building Code Regulations.
I think you maybe want to discuss that because
I did say that was something you would be
interested in.

MR. PULASKI: We could discuss that in
a moment.

The other item is where you’re going
to put the 3 yard container. I certainly
understand your concern and why that might be
best for the public to have a separate 3 yard
container, but do we have any designer looking
at that saying that there is sufficient space
for traffic to pass by the 3 yard container and
not interfere with the parking? It’s a very
congested area. It’s very funky back there.
You could see it’s like a V, it starts to
narrow down. My druthers tells me that a 3
yard container isn’t very big and should fit in
there. You also have to be able to get a truck
in there to pick it up.

MR. FERNANDEZ: They’re on wheels
also, they could roll those out.

MR. PULASKI: That was my principal
DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MR. PULASKI: I've got one further question. Is there a property owner that owns this whole thing?

MS. UHLE: It used to be a number of property owners. I think it's two now. Including Dunkin Donuts, I think it's two. A few years ago, it was four or five different owners. Right now it's two different owners. The Dunkin Donuts portion, the former Mr. Moses' portion I think is owned by one company and the remaining is by another, I believe.

MR. PULASKI: In other words, what I'm trying to add is we're looking at it from a town planning standpoint, whereas if a property owner has this, the property owner should be saying something about it because he's got to guarantee to these other people that he's providing access to are being satisfied, being accommodated.

MS. UHLE: With regard to?

MR. PULASKI: Traffic in and out.

MS. UHLE: I think if you look at the catalogue --

MR. WEST: There's like two stores by

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

MS. UHLE: If you look where they're proposing to put the dumpster on the site plan, the dumpsters are 6 feet long by 3 and a half feet wide, if you had two of those together, that's 7 by 12, that's less than the size of a parking space. I see if they were directly behind the space, that could be a little tight, but it looks like where they're proposing them there's sufficient room.

MR. PULASKI: I've been back there and, yes, they've picked the widest point.

MR. NEMECEK: Tell me a little bit about the exhaust system and the kitchen hoods because this is an issue that's becoming increasingly prevalent with the introduction of new restaurants.

MR. FERNANDEZ: So we're sensitive to that, and we've done quite a few in town already. The exhaust will be directed towards Mill Road and White Plains Road. There is residential beyond the site behind that parking or slash refuge area, so we want everything to kind of just go out towards the street. We did

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MR. NEMECK: I'll comment on that too because I believe the next application, which is for 324 White Plains Road --

MS. UHLE: Actually I think it's different.

MR. NEMECK: Is that a different one?

You're right, it's 575 White Plains Road.

MR. FERNANDEZ: That's my address.

MR. NEMECK: I'm sorry, it's 324; right?

MR. FERNANDEZ: Yes, that's the next application.

MR. NEMECK: Wait, the Pizza Barn, right, the Beverage Mart?

MR. FERNANDEZ: I'm not involved in that project. Just the building, not the specific project.

MR. NEMECK: The building site here has been the subject of complaints from local residents about some of the odors coming out of one of the food establishments there. In fact, we received an education six months, eight months ago from an individual who's a neighbor or the son of one of the nearby

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

dumpsters back there, we've never had a problem with regard to noise or when it's being picked up. It's been more that the dumpsters are overflowing or haven't been properly closed or maintained.

MR. PULASKI: I guess they probably do it after those stores are closed and they could get in there and nobody has to move anything.

All right, I guess I talked myself into this.

THE CHAIRMAN: I think whoever is being hired to dump the dumpsters will figure out how to do it.

MR. PULASKI: Okay.

THE CHAIRMAN: So then I'm going to close the public hearing.

MS. UHLE: Could I just ask one question or make one comment? Joe, you confused me a little bit with your answer with regard to the exhaust system. I think what we've been stressing in previous applications, we actually want to minimize odors to the maximum extent possible regardless of which direction they're heading. So if you could explain what you're proposing.

DINA M. MORGAN, REPORTER
beaten, I don't believe, any other complaints about that particular --

MR. UHLE: No. Joe, can I just clarify something?

MR. FERNANDEZ: Sure.

MS. UHLE: There were complaints about that particular space because it did not have the proper ventilation system, but then the Board did request a certain type of ventilation system be used that minimized the odors to the maximum extent possible, which Mr. King did quite a bit of research on because we didn't want it to be exorbitantly costly, etcetera.

So I'm still confused about what -- are you proposing the exact same kind of exhaust system that was proposed for that deli or is it a different type?

MR. FERNANDEZ: It's the same type hood and it's the same type directional fan. It basically dissipates everything into the ozone and you don't smell it. They have a lot of spices they cook with there, and you would definitely smell like that.

MR. NEMECEK: You're talking about the DINA M. MORGAN, REPORTER

THE CHAIRMAN: I think the public hearing is still open, So I'm going to close the public hearing. So I make a motion to close the public hearing on this application, 19-25, Meat the Greek, 8 Mill Road.

MR. PULASKI: Second.

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MS. UHLE: That they may have to increase it or they would have to -- well, it means that we could say that they're in violation of the site plan approval, and we could require that they either increase the number of pickups or that they increase the number of dumpsters. I mean by "we" the Building Department. There would be no reason for them to come back to you.

The other thing is, I do want to make sure that the hood has the same filtration system because I think even if it's not as close to residential areas, there are still concerns about potential odors.

THE CHAIRMAN: So you're saying that we confirm that the one called out here is -- MS. UHLE: Is the same as the deli with regard to the filtration system.

MR. NEMECEK: Because we looked at it in some detail. Not that that is the standard, but I know that there was a recent application where we really focused on that and we are familiar with it.

MR. FERNANDEZ: That was mine.

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

interior project.
We also looked at the dumpsters and
their location. We provided site lines from
the side road there, I believe, to show based
on highway standards the open vision so that it
wasn't blocking anything. There are some
existing town trees that are on the, I guess,
adjacent property to us, and the dumpsters
actually back up to that. So they're not seen
from essentially anywhere except for White
Plains Road where you see the side of the
dumpsters.

MR. NEMECEK: What is going to be the
color of the new facade and the new --
MR. FERNANDEZ: I didn't bring
samples, but I had brought them to the
Architectural Review Board. They're gray, like
a dove gray.

MR. NEMECEK: In the illustration,
it's certainly very gray, but then again, so is
the individual in the picture. It seems like
there's no color at all.

MR. FERNANDEZ: Gloomy day. If you
look at the section, you'll see that there are

DINA M. MORGAN, REPORTER

lights that are going to wash the existing
brick that's there which will just be painted
to the match the upper facade, and then there
will be some lighting just where the signage
is. Those will all be on photocells, etcetera.

MR. PULASKI: I think that even though
you're addressing your mansard because of roof
construction modification, I think it suits the
whole facade better. I think the colors and
the look kind of go with adjustments that are
being done up north of you. So I applaud what
you're doing, and just dressing it up and
cleaning it up, I think all of that is good. I
do look at a couple of details and I would like
to mention some of those.

MR. FERNANDEZ: Sure.
MR. PULASKI: One is, I had read the
comment about the concern with light spillage,
and I understand what you're saying that your
mansard is going to be 17 inches taller and
that should give you sufficient light cut off.
I would recommend that as part of the
conclusion to this, that we say that if that's
not sufficient, then you'll come back and put

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

MR. FERNANDEZ: No.
MS. UHLE: I had one other comment, too, that I think Jay and I spoke to you about.
I'm not sure whether the HC accessible parking spaces, those as shown on this plan still don't meet the New York State Building Code for HC accessible spaces, so those have to be revised.

MR. FERNANDEZ: They meet ANSI 117.
MS. UHLE: They're required to meet the New York State Building Code requirements.
MR. FERNANDEZ: Which the 2015 ICC says you have to go by ANSI 117.
MR. KING: They look to the New York State supplement. They don't accept that 5 foot access aisle.

MR. FERNANDEZ: They want 8 foot.
That's fine. We have space. We could revise that.

MS. UHLE: Actually, what we require is two 9 foot spaces with an 8 foot wide aisle.
MR. FERNANDEZ: 9 foot?
MS. UHLE: That's our zoning law and 8 foot wide aisle.
MR. FERNANDEZ: 20 foot long, Jay?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

MR. FERNANDEZ: The wall?
MR. PULASKI: Your fencing going east/west is in good shape, but just as you make that corner the fencing is in terrible shape.

MR. FERNANDEZ: It's called out to be repaired.

MR. PULASKI: Those are my comments.
THE CHAIRMAN: The ARB also noted something about existing HVAC having some noise mitigation?

MR. FERNANDEZ: There are several units on the roof that are existing. I don't know what we can do. They've been there with these businesses. That's the old side of the building. That's the Beverage Mart. There is one unit that's directly across from his bedroom, it's probably 20 feet, 25 feet away, that if this Board deemed so we could move.

THE CHAIRMAN: You could move it?
MR. FERNANDEZ: It would a cost to the owner, but, I mean, that would be something that I'm sure we could get them to agree to.

THE CHAIRMAN: Is there a roof plan?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 9/26/19

MS. UHLE: 18 foot is fine.
MR. FERNANDEZ: We could revise that.
MR. PULASKI: I read something that they wanted the back of the facility painted, but it looks like the back was painted.

MR. FERNANDEZ: It was painted. I think it was brought up as an issue in the ARB meeting, but it was already painted white. I don't believe we had a picture in our application but we put it into this one.

MR. PULASKI: There is a but to that, and that is that there is a section on your northeast that looks like they added some masonry block above and that's not painted.
MR. FERNANDEZ: There's been no work that's been done there for many years, and I think it's only painted on the gentleman's property.

MR. PULASKI: What I'm driving at is I think it should be painted.
MR. FERNANDEZ: I hear you.
MR. PULASKI: Then right next to that there's also some fencing that sitting on top of --

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

EASTCHESTER PLANNING BOARD - 9/26/19

1 conditioning. You said that there was a
2 complaint that was brought at the ARB meeting?
3 MR. FERNANDEZ: It was.
4 MS. UHLE: And the ARB did -- and I
5 indicate this in my notes -- that that was less
6 of an aesthetic issue than a site plan issue,
7 so they deferred that to you.
8 MR. NEMECEK: Okay.
9 MS. UHLE: They did ask the applicant
10 to consider ways that they could mitigate
11 noise.
12 THE CHAIRMAN: It would move further
13 towards the center of the roof plan?
14 MR. FERNANDEZ: That would be the only
15 option. There would be a substantial cost
16 because there might be other structures that we
17 may have to do to support that unit as opposed
18 to where it lives now. That's the only thing
19 I'm concerned about, and I don't know that
20 answer.
21 MR. PULASKI: Sometimes when they talk
22 about mitigate, they're considering that a lot
23 of units are becoming more energy efficient,
24 more noise quiet, so it's just a matter of
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EASTCHESTER PLANNING BOARD - 9/26/19

2 coming in with a more updated unit rather than
3 trying to structurally move it.
4 MR. FERNANDEZ: I did mention at the
5 ARB meeting that these units are all -- at
6 least that particular unit seems as though it's
7 coming up to its life cycle, and I'm sure that,
8 who knows, in a few years or so maybe it will
9 have to be changed. It's a big expense for the
10 owner to do all that. Once you move something
11 that's that old, it's probably going to break
12 and then they're going to pay twice.
13 MS. UHLE: I think Mr. King had wanted
14 to make a comment.
15 MR. KING: Could I suggest putting a
16 sound attenuating blanket or surround around
17 that unit?
18 MR. FERNANDEZ: We did look into that.
19 The unit is very close to the edge, and the
20 problem was anything that we found was going to
21 hang over the edge. I just thought that that
22 was probably not the best solution because it
23 was just going to cause other issues.
24 MR. KING: Instead of moving that unit
25 20 feet to the center, even if you moved it in
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EASTCHESTER PLANNING BOARD - 9/26/19

1 a foot or 2 feet, maybe you could get a sound
2 attenuation around that.
3 MR. FERNANDEZ: You could, but it's
4 going to cost them probably the same amount of
5 money to move it a foot and then more to put
6 the sound attenuation around it, as opposed to
7 moving it the 20 feet. I don't know if it's
8 going to need more structure or not, that's
9 another whole issue. I just think it's a lot,
10 and I think that the unit is, from what I could
11 see, tired. It probably doesn't have a lot of
12 life left. I can understand that he has an
13 issue when it turns on or whatever, but the
14 businesses are closed at night. His bedroom
15 window is like right there. You could see it
16 in some of the pictures, but, again, it's
17 daytime stuff. I mean, most people are going
18 to work or they're out and about.
19 THE CHAIRMAN: Did we do a public
20 hearing? No. Let us open the public hearing,
21 please.
22 MR. FERNANDEZ: Sure.
23 THE CHAIRMAN: I make a motion to open
24 the public hearing on this application, 19-27,
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EASTCHESTER PLANNING BOARD - 9/26/19

2 Beverage Mart, 320 White Plains Road.
3 MR. NEMECEK: Second.
4 THE CHAIRMAN: All in favor.
5 (All aye.)
6 (No comments.)
7 THE CHAIRMAN: I make a motion to
8 close the public hearing on this application,
9 19-27, Beverage Mart.
10 MR. PULASKI: Second.
11 THE CHAIRMAN: All in favor.
12 (All aye.)
13 THE CHAIRMAN: Do we have conditions?
14 MS. UHLE: Correct me if I'm wrong, I
15 think one of them was to make sure the entire
16 rear facade was painted white, and the other
17 was to ensure the fence was repaired where it
18 needs to be.
19 MR. TUDISCO: Are you considering
20 anything with respect to the air conditioning
21 or no?
22 MS. UHLE: It didn't sound like they
23 were --
24 THE CHAIRMAN: We haven't decided yet.
25 MR. NEMECEK: I don't know what can be
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EASTCHESTER PLANNING BOARD - 9/26/19

1 done. I tend to agree with the applicant on
2 this, that putting the applicant through the
3 potentially significant expense of having to
4 move this unit based on a complaint of a
5 neighbor who's not here today to tell us about
6 it -- I mean, I'm not doubting that the world
7 would be a better place for that neighbor if
8 the air conditioning were quieter, but --
9 THE CHAIRMAN: It's not a condition
10 that's been created by this application. It's
11 an existing condition.
12 MR. NEMECEK: And the building was
13 existing beforehand. Look, I had a problem
14 with my own air conditioning around the 4th of
15 July, it was getting very loud, and then it
16 broke. It was a motor problem. Guy came in,
17 charged me money to put in a new motor, and the
18 thing was instantly quiet again. I noticed it.
19 I'm certain my neighbor noticed it. That was a
20 maintenance issue. That was on me. I should
21 have probably had somebody in earlier before it
22 broke. I don't know if there's an analogy
23 here. I don't know if there's something that
24 can be done to inspect the unit more carefully,
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EASTCHESTER PLANNING BOARD - 9/26/19

1 moving it away from somebody's direct line,
2 it's still going to --
3 THE CHAIRMAN: You have to put a
4 screen around; right?
5 MR. FERNANDEZ: I think you're still
6 going to hear the noise, potentially, because
7 you're going to be in the same line.
8 THE CHAIRMAN: You would have to put
9 an enclosure around it.
10 MR. FERNANDEZ: If that was a
11 condition.
12 THE CHAIRMAN: That would be the
13 solution. Moving it isn't going to solve the
14 sound problem.
15 MR. PULASKI: I know when Mrs. Greens
16 came before us, we had the ability to do that
17 because their application was different.
18 MR. NEMECEK: I think we seem to be in
19 agreement. I don't know what --
20 THE CHAIRMAN: What more can done.
21 MR. NEMECEK: Certainly from a
22 maintenance end of it I don't know what we
23 could do to attenuate that noise, but I don't
24 know that we're going to make it a condition.
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EASTCHESTER PLANNING BOARD - 9/26/19

1 I look to a very learned Chairman.
2 MS. UHLE: With the understanding that
3 when and if it's replaced, it's most likely to
4 be more efficient, and therefore, more quiet.
5 MR. PULASKI: I also think in the case
6 of Mrs. Greens, that the neighboring property
7 came with readings, noise readings.
8 MS. UHLE: Actually, the Planning
9 Board required that they do noise readings.
10 MR. PULASKI: I remember those. Maybe
11 that's entirely different and I don't want to
12 make it something that it isn't.
13 THE CHAIRMAN: This is the condition
14 that's there and it's staying the way it is.
15 So then I make a motion to approve
16 this application. Conditions? We don't have
17 anything; right?
18 MR. NEMECEK: That's a condition of
19 approval, that the appropriate striping be done
20 and that the handicapped spaces be done in
21 accordance with the town.
22 THE CHAIRMAN: Are you re-striping
23 everything?
24 MR. FERNANDEZ: Yes, the whole parking
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1 EASTCHESTER PLANNING BOARD - 9/26/19
2 lot because the parking is being re -- not
3 resurfaced but reconditioned to fix some
4 patches and then kind of sealed. So once you
5 do that, you have to re-stripe everything, and
6 that also triggered us to put in ADA spots.
7 THE CHAIRMAN: We didn't have anything
8 else for conditions?
9 MS. UHLE: Painting the whole building
10 and repairing the fence -- I'm sorry, the
11 entire rear wall and then repairing the fence.
12 THE CHAIRMAN: So subject to those
13 conditions, I make a motion to approve this
14 application, 19-27, 320 White Plains Road.
15 MR. PULASKI: Second.
16 THE CHAIRMAN: All in favor.
17 (All aye.)
18 THE CHAIRMAN: Thank you.
19 MR. FERNANDEZ: Thank you.
20 THE CHAIRMAN: Next application 19-15,
21 38 Lee Avenue.
22 MR. IANNACITO: Good evening. My name
23 is John Iannacito, I'm an architect, and I'm
24 representing Mr. and Mrs. Franklin, the owners
25 of the subject property.

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1 EASTCHESTER PLANNING BOARD - 9/26/19
2 Let me go the plans. So the scope of
3 work on this project will include repairing and
4 reconstructing an existing covered porch at the
5 front of the existing residence, removal of an
6 existing detached garage at the rear of the
7 property, construction of a one story attached
8 garage at the side of the property, and removal
9 of a portion of the driveway back here at the
10 rear and the patio, reducing the coverage on
11 the property.

So this application was presented to
12 the Zoning Board and the following area
13 variances were granted on June 11, 2019:
14 The first was for the front yard
15 setback to the existing covered porch, the
16 second was for the front porch width along the
17 front facade, and the third was for the front
18 yard setback to the new attached garage.
19 MR. PULASKI: And that was because
20 they were legal non-conformities; right?
21 MR. IANNACITO: I'm sorry.
22 MR. PULASKI: They were legal
23 non-conformities?
24 MR. IANNACITO: Correct. The porch
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1 EASTCHESTER PLANNING BOARD - 9/26/19
2 was built exactly the same distance away from
3 the line, and the garage was brought forward
4 but it is further back than the porch. It's
5 still closer than 30 feet to the front.
6 So quickly go through the plan. So
7 here is the first floor plan showing the
8 reconstructed porch in the same location and
9 the new attached garage. The front facade
10 showing the new covered porch and the attached
11 garage. Then we have the side elevation and
12 the rear elevation.

Here is a rendering showing the
13 exterior materials. So the wall surfaces will
14 be a vinyl siding in a gray finish. The roof
15 surfaces on the house will remain, and the new
16 porch and garage will match existing and be
17 asphalt shingles. The new windows on the
18 garage will be vinyl clad in a white finish to
19 match existing. The trim boards on the entire
20 house will be AZEK painted white. The columns
21 on the porch will be AZEK painted white. The
22 new railings of the porch will be composite in
23 a white finish. The gutters will be aluminum
24 in a white finish. The overhead door will be

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2 fiberglass in a white finish.
3 This application was presented to the
4 Architectural Review Board on September 5th,
5 2019, and was approved with two conditions.
6 The first was to show light fixtures on the
7 elevations, so we did that. We added light
8 fixtures at every door along the elevations.
9 The second was to add a note to the material
10 list for the finish on the existing foundation
11 along the building, and that will be a painted
12 foundation to match the siding.
13 I have samples of the materials if you
14 would like to see them. I'm happy to answer
15 any questions.
16 MR. PULASKI: Do your samples look
17 like your photo? I think there was a time it
18 was a little bit off.
19 MR. NEMECEK: You're not going to keep
20 the blue bottom?
21 MR. IANNACITO: No.
22 MR. NEMECEK: No. Okay.
23 THE CHAIRMAN: I think it's a very
24 handsome design, as always.
25 MR. NEMECEK: I really like the porch

DINA M. MORGAN, REPORTER
EASTCHESTER PLANNING BOARD - 9/26/19

1 quite a bit. It really pops out in a way that
2 it doesn't here.
3
4 MR. IANNACITO: In the back yard, it
5 frees up a lot of space by pushing the garage
6 forward. It gives them a really nice back
7 yard.
8
9 MR. PULASKI: I'm always happy to see
10 when somebody adds a two car garage instead of
11 a one car garage. Bringing that garage
12 forward, you complete a facade and a bigger
13 play space in the back.
14
15 MR. NEMEC: What did the ARB have to
16 say about this?
17
18 MR. IANNACITO: Just the two comments
19 to add light fixtures and then add that one
20 note that was missing on the material list.
21 Otherwise, everyone had good things to say
22 about the overall project.
23
24 THE CHAIRMAN: The stone that's being
25 added on the porch.
26
27 MR. IANNACITO: That's going to be a
28 granite. So it's a gray granite.
29
30 THE CHAIRMAN: Real granite. That's
31 nice.
32
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EASTCHESTER PLANNING BOARD - 9/26/19

1 (All aye.)
2
3 THE CHAIRMAN: If there are no further
4 comments, I make another motion to approve this
5 application, 19-15, 38 Lee Avenue.
6
7 MR. PULASKI: Second.
8
9 THE CHAIRMAN: All in favor.
10 (All aye.)
11
12 MR. IANNACITO: Thank you.
13
14 MR. WEST: John is still up.
15
16 MR. IANNACITO: Good evening, again.
17
18 John Iannacito, I'm an architect, and I'm
19 representing Mr. and Mrs. Pinkas, the owners of
20 the subject property.
21
22 The scope of work on this project will
23 include a second story addition over the
24 existing footprint, which is highlighted here.
25 We're also proposing a new portico over the
26 existing front door, and then repairs to the
27 existing front porch including a new railing on
28 the porch.
29
30 Here's the proposed second floor,
31 which will consist of three bedrooms, two
32 bathrooms, and a couple of closets. Right now
33 it's a Cape Cod house and has two bedrooms and
34
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EASTCHESTER PLANNING BOARD - 9/26/19

1 one bath on the second floor. They'll end up
2 with three bedrooms, a small office, and two
3 bathrooms.
4
5 Here is the facade. The second story
6 addition over the existing footprint, the new
7 entry portico, and then the new railing along
8 the front porch. Side view of the second story
9 addition, and then the second story addition at
10 the rear and left side.
11
12 Here's a rendering of the proposed
13 facade showing the materials. It's very
14 similar to the other application. The siding
15 is going to be a vinyl siding in a gray finish.
16 The roof surface will be asphalt in a charcoal
17 black finish. The windows on the second floor
18 will be vinyl clad in a white finish to match
19 the existing windows on the first floor. The
20 shutters will be composite in a black finish.
21 The gutters and leaders will be aluminum in a
22 white finish. The railing will be composite in
23 a white finish. The portico over the entry
24 door will be standing seam in a black finish.
25
26 This was also presented to the
27 Architectural Review Board on September 5th,
28
29 DINA M. MORGAN, REPORTER
2019. The only comment was to add a note to the material list. I was missing a finish for the roof over the portico, the metal standing seam black roof, so I added that to the material list.

I'll be happy to answer any questions.

MR. NEMECEK: Is there any lighting?

MR. IANNACITO: There will be a light in the ceiling of the portico. The remaining lighting, there's a door in the back from the kitchen and the family that has some fixtures on it.

MR. NEMECEK: Anyone have any questions? Do you want to open the public hearing?

THE CHAIRMAN: I don't have any questions.

I make a motion to open the public hearing on this application, 19-28, 38 Forbes.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(No comments.)


DINA M. MORGAN, REPORTER

MR. NEMECEK: Second.

THE CHAIRMAN: No comments.

MR. NEMECEK: All in favor.

(All aye.)

THE CHAIRMAN: Did we approve it?

MR. NEMECEK: No, we haven't yet.

Thankfully Pulaski and I are still awake.

THE CHAIRMAN: I make a motion to approve this application, 19-28, 38 Forbes.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. IANNACITO: Thank you.

THE CHAIRMAN: You're welcome. Have a nice night.

The next is 19-32, Jack's Bar and Restaurant, 219 Main. Good evening.

MR. PULASKI: Do you want to introduce yourself?

APPLICANT: Sorry, I'm little nervous here.

THE CHAIRMAN: Don't worry, we're friendly.

APPLICANT: The architect couldn't...
EASTCHESTER PLANNING BOARD - 9/26/19

APPLICANT: Yes, it's all remaining.

The hood is remaining in place.

MR. PULASKI: It was the unit on top on the roof that's the filter that does a lot of the work, from what I understand how these systems work.

MS. UHLE: Jay, do you know if that's the same filter, the entire system is staying the same?

MR. KING: The existing is staying.

MR. NEMECEK: I will note it was a Greek restaurant most recently.

MS. UHLE: I will say, in that location we never did receive any complaints about any odors.

MR. NEMECEK: What type of food will be prepared? Not Greek; right?

APPLICANT: Not Greek, no. Just typical Irish/America bar restaurant like Mickey Spillane's.

MR. PULASKI: It says it right on the plan, that he's not making any changes to the existing.

THE CHAIRMAN: So nothing is being 

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EASTCHESTER PLANNING BOARD - 9/26/19

APPLICANT: We may consider doing the same thing if it's busy on the weekends, valet parking.

MR. NEMECEK: There are a number different restaurants and establishments around here. This previously has gone through a couple of different iterations as a restaurant. It seems to me that whatever the parking issues are, they're going to be no worse than they were when the last place was there. My preference is decidedly to have an occupied restaurant rather than an empty one.

MR. WEST: The old place is not there because they didn't have enough people to have a parking problem.

MR. NEMECEK: Did you ever go there?

I did. It was pretty good. A little pricey.

Not good enough for me to go back a second time.

THE CHAIRMAN: Oh, it's pizza. It's a pizza barn.

MR. NEMECEK: People watch this show that we put on.

THE CHAIRMAN: I make a motion to open 

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EASTCHESTER PLANNING BOARD - 9/26/19

changed.

APPLICANT: Everything stays as is.

MS. UHLE: Actually, one thing that makes this a little different, had the ownership changed over more rapidly they wouldn't need to come before the Board. Because it has not operated as a restaurant for more than six months within a one year period, that's why they had to come before the Board.

MR. NEMECEK: It seems pretty straightforward.

MS. UHLE: Like I said, had they had the opportunity earlier, they wouldn't even be here.

MR. WEST: The parking is in the rear still?

MS. UHLE: Parking? They have variances from long ago where no parking is required. You don't have any parking on site, do you?

APPLICANT: No parking on site. There is meter parking outside, that's all it is.

MR. PULASKI: They had valet that used to help find parking spaces.

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1 EASTCHESTER PLANNING BOARD - 9/26/19
2 here. I'm not quite sure what the confusion or
3 issue was because they did submit an
4 application for this agenda. So we'll just
5 adjourn them. There may have been
6 miscommunication on their team. I'm not sure.
7 MR. TUDISCO: Does there need to be a
8 vote?
9 MS. UHLE: Make a motion to adjourn it
10 to the October 24th meeting.
11 THE CHAIRMAN: As Margaret said, I
12 make a motion to adjourn Application 19-34,
13 Siwanoy Country Club, to the October 24th
14 meeting.
15 MR. NEMECEK: Second.
16 THE CHAIRMAN: All in favor.
17 (All aye.)
18 THE CHAIRMAN: Any minutes?
19 MR. NEMECEK: I have not gotten
20 through the minutes, Margaret.
21 MS. UHLE: You do, yes. You could
22 hold those off. I actually just discovered
23 recently, and this does not make sense to me,
24 but you can actually vote on minutes for
25 meetings that you have not attended. We can
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1 EASTCHESTER PLANNING BOARD - 9/26/19
2 leave that up to you. That's not how we've
3 been doing it. So we'll wait. You can do the
4 June 27th minutes.
5 MR. NEMECEK: I was about two thirds
6 of the way through that.
7 MS. UHLE: So we'll hold them.
8 THE CHAIRMAN: There's been no
9 comments, so we will just wait with bated
10 breath.
11 MR. WEST: We can do those.
12 MR. NEMECEK: I do have some minor
13 revisions.
14 THE CHAIRMAN: I make a motion to
15 close the Planning Board meeting of September
16 26th, 2019.
17 MR. PULASKI: Second.
18 THE CHAIRMAN: All in favor.
19 (All aye.)
20 THE CHAIRMAN: Have a good night.
21
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2 CERTIFICATION
3
4 STATE OF NEW YORK )
5 ) Ss.
6 COUNTY OF WESTCHESTER)
7
8 I, DINA M. MORGAN, Court Reporter and
9 Notary Public within and for the County of
10 Westchester, State of New York, do hereby
11 certify:
12 That the above transcript was taken from
13 a videotape of the actual hearing. I was not
14 present for such hearing. The videotape was
15 taken and transcribed by me to the best of my
16 ability.
17 And, I further certify that I am not
18 related to any of the parties to this action by
19 blood or marriage, and that I am in no way
20 interested in the outcome of this matter.
21 IN WITNESS WHEREOF, I have hereunto set
22 my hand this 17th day of October, 2017.
23
24 DINAM. MORGAN
25 Court Reporter

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