TRANSCRIPT OF THE
EASTCHESTER PLANNING BOARD MEETING
JANUARY 22, 2015

HELD AT: Eastchester Town Hall
40 Mill Road
Eastchester, New York 10709
January 22, 2015 7:00 p.m.

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
ROBERT PULASKI, MEMBER
MARK CUNNINGHAM, MEMBER
PHILIP NEMECEK, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
JAY KING, BUILDING INSPECTOR

Dina M. Morgan, Reporter
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THE CHAIRMAN: Good evening. This is the Town of Eastchester Planning Board meeting of January 22, 2015. If everyone would rise for the Pledge of Allegiance, please.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: The roll call. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Mr. Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here.

Mr. Mark Cunningham.

MR. CUNNINGHAM: Present.

THE CHAIRMAN: And Mr. Bill West could not be here tonight.

Before we start the agenda, I would just like to congratulate board member Nemecek for his reappointment to the Planning Board for the term of January 6th, 2015 all the way through December 31st, 2019. We would like to thank Mr. Nemecek for the fine job he's done the past five years, and look forward to having...
you on the Board for the five ahead. Thank you, Mr. Nemecek.

MR. NEMECEK: Thank you for your kind words, Mr. Chairman, and, of course, I would like to thank the Supervisor for the reappointment as well. I promise to serve in a very diligent capacity, as I hope I have done in service to the Town over these past five years.

THE CHAIRMAN: We would expect nothing less.

The first application then is Application 15-01, 85 Maple Street.

MR. YORIZZO: Good evening. I'm Jack Yorizzo, principal for JALO Realty, which owns 85 Maple Street. I am also a 15 year resident of the town. We live on Claudet Way. We are -- I am here tonight requesting an amended site plan to the approved site plan back from, I think, 2008. We are asking for a redesign of the proposed entrance driveway and a curb cut change to the townhouse development currently under construction.

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relocated. We are planning not to relocate the pole now and shift the driveway towards the eastern section of the property or towards Route 22. This is only the entrance. It’s a one way which goes around the building.

The reason for not moving the utility pole clearly has to do with Con Ed. When we first approached Con Ed. about moving the pole, they gave us an answer of, no, the pole cannot be moved, and we won't move the pole. When we pursued it further, they came back to us and said, yes, we'll move the pole. They didn't give us a timeframe for moving the pole, and they told us the pole would probably cost about $68,000 to move the pole, not including the other utility companies, such as Verizon or Cablevision or anyone else that occupies the pole.

So we are here tonight with the redesign from John Meyer Consulting showing the driveway shifted over towards Route 22. The curb cut along the property line is approximately the same size. Obviously, the positioning is slightly different than it was before in than the original application. The entrance ran parallel to the building. It is...
now moved towards -- slightly towards the front
of the building. We have consulted with the
highway department, we have consulted very
closely with the fire department, both the
lieutenant and the chief have reviewed this.
It has also been reviewed by the town's
consultants. Based on the plan that you have
in your application, there has been a couple
minor modifications made to it to make it a
more adequate driveway, including comments from
the fire department, which you can see in red
on the plan on the easel, which shows that the
curb has been moved slightly -- even further
slightly towards the front of the building,
along with a roll up curb, which they requested
to get their full size ladder truck in there if
need be. We also got comments from the
consultant for the town that he wanted
additional signage, and that also the
MR. YORIZZO: (Indicating.)

THE CHAIRMAN: No, north or towards

22. Right. All that is all landscaped?

MR. YORIZZO: Yes. That was all part

of the original landscape plan, yes, and that

will remain that way. The only difference in

the landscaping is now you're going to have a

little less in the front and you're going to

have a little more on the western portion of

the property, which actually creates a bigger

buffer between my project and the residential

zone.

THE CHAIRMAN: Right, because that

little patch, that little triangular patch is

now --

MR. YORIZZO: (Indicating.)

THE CHAIRMAN: Got it.

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MR. YORIZZO: I have the approved site

plan here, if you would like me to put that one

up as well.

THE CHAIRMAN: Which site plan is

that?

MR. YORIZZO: This is the proposed

amendment.

THE CHAIRMAN: The approved is the one

that we did a long time ago?

THE CHAIRMAN: It's the same thing except for that; right? Oh, where was the pole, just so you can point it out there?

MR. NEMECEK: Where "is" the pole.

THE CHAIRMAN: Right, where is it?

MR. YORIZZO: (Indicating.)

MS. UHLE: That was the originally approved alignment.

THE CHAIRMAN: Perfect.

MR. YORIZZO: So the only difference is we didn't move the pole, so we shifted the driveway over to get around the pole.

THE CHAIRMAN: Okay. And then as far as the alignment of the driveway on Rescigno,

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it doesn't align perfectly anymore, but I think our consultant said that it's really a minor --

MR. YORIZZO: It's minor. The only difficult -- difficulty added is if you're coming up Maple if you're heading east, your turn into my project will be a little more of kind of a skewed angle, but they said it was fine.

THE CHAIRMAN: Right. It's a one way.

MR. YORIZZO: It's a one way in.

THE CHAIRMAN: Okay. I'm good.
MR. PULASKI: Con Ed. initially had said that your pole could be moved, and then it can't be moved?

MR. YORIZZO: Initially they said they won't move it, and then when we pursued it further, they came back to us and said, yes, we can move it, we will move it, but we want $68,000 to do it. Meanwhile, they already installed another pole right in front of the building at no cost to me in order to provide electricity to the 10 units.

MR. PULASKI: I hear you, but I, personally, see a big difference between the plan that's before us and that plan up there. That plan has a nice essentially a 90 degree turn. You come up Maple Street, you want to get into your complex, you make the left. Now you come up Maple Street, you want to get into your complex, and you're going to make about 120 degree turn. So it's just how people drive. You're used to making a 90 degree turn, and this one you have to turn beyond 90 and come around. It's a big swing. Some people aren't -- it's just not good traffic design. It may work, but -- if this were presented -- if this design were presented to me at the
beginning, I would never vote for it. I would never approve it. I approve that design. It's just not good design. It's not good traffic flow. And now we're being asked to review something based on the developer wanting to save $68,000. I understand --

MR. YORIZZO: It's going to be more than that.

MR. PULASKI: I understand $68,000 is a lot of money.

MR. YORIZZO: It's going to approach

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100,000 by the time you factor in --

MR. PULASKI: I understand that. I understand that, but this not --

MR. YORIZZO: Sir --

MR. PULASKI: -- good design.

MR. YORIZZO: And I have no answer from Con Ed. when this would happen. Zero.

I wouldn't take the time and the effort to make the presentation tonight, which took a lot of work, between John Meyer Consulting, the building department, the fire department, the highway department reviewing it, spending money to have your consultants review it again.

MR. PULASKI: I understand all those
things. That's not --

MR. YORIZZO: I understand it's not perfect, but it's completely functional according to the engineers. There's no safety issue to it according to them. If it was the exit, it would be a different story.

MR. PULASKI: I'm looking at it from a planning standpoint of what's good for this town, how should we develop properties, should...
MR. PULASKI: -- I'm just talking about this intersection, that's all. Once it's built, that's it, that's the way everybody is going to live with it. I mean, you have traffic coming up here, and to make this turn, this person is going to slow down, there's a person here waiting already for this traffic to clear, usually the traffic just flows through and now they're going to turn. So the longer this person takes to turn, the more that is, and if you get a snowy or icy condition that makes the turn a little more difficult, then it just adds to the inconvenience. My point is, it's just not good design. Will it work? Maybe it will work. It's just not good design.

THE CHAIRMAN: Any other comments here, guys?

MR. NEMECEK: My own view somewhat echoes Mr. Pulaski's, that it's -- and I think you even concede this -- this is less than optimal, but you explained why it is that you've chosen this course. It is a significant -- you pointed out that it's not only a money issues, but it's a timing issue. For me the fact that this is a one way makes a huge difference, that, and the fact that the
consultant, the traffic consultant that was retained to advise us, Maser, the town retained consultant, has signed off on it. You know, if this were a big old tree and you had to design around it, I certainly wouldn't have an issue

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with that. This is a little bit different insofar as there is a possibility of moving this, there is a cost associated with it, but I think at the end of the day I'm probably less concerned than Mr. Pulaski with the ability of the capable drivers of the Town of Eastchester to negotiate this turn, especially into a one way, and it probably isn't going to be particularly heavily trafficked. We're probably talking an average of, if there's two cars per unit, 20 total cars.

THE CHAIRMAN: There's two cars per unit? That's what I was going to ask next.

MR. YORIZZO: There's a two car garage in each unit, so --

THE CHAIRMAN: Then guests.

MR. YORIZZO: There's a few guest spots on the side.

THE CHAIRMAN: So it's 26 cars.

MR. NEMECEK: Again, less than ideal, not optimal, but I understand the decision was
made to seek this relief precisely because this
is a workaround, and it's for us to determine
if it's an acceptable workaround.

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THE CHAIRMAN: What's the timeframe
for completion of construction and occupancy;
do you know?

MR. YORIZZO: Late spring.

THE CHAIRMAN: Soon. You're that
close?

MR. YORIZZO: Yeah, we're close.

THE CHAIRMAN: Any sales?

MR. YORIZZO: I'm waiting for AG
approval, so I can't officially promote them.

That's a long --

THE CHAIRMAN: Oh, so you haven't even
started sales?

MR. YORIZZO: Correct.

THE CHAIRMAN: Oh, but you're
projecting that they're going to start -- no
move-ins, just starting sales. If they
coincide, that would be great.

MR. YORIZZO: Yes.

MS. UHLE: I actually mentioned to the
applicant just prior to the meeting, our office
has gotten quite a few phone calls asking us if
we have information about the units.
Fortunately, they have a sign on their fence

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With a phone number, so I just read the phone number to people and tell them to contact the builder. But we’ve gotten a surprising number of calls, especially recently too. It may be a good sign for you.

Mr. Nemeczek: Have you sold out the age restricted --

Ms. Uhle: I actually have a long list of people for them as well. I keep telling people that it’s unofficial.

Mr. Cunningham: This picture is depicting how it’s set up right now with the Belgian block curbing?

Mr. Yorizzo: Yes. It’s going to have to be altered slightly due to the comments of the fire department.

Mr. Cunningham: It will be pushed further east?

Mr. Yorizzo: It’s plus or minus where it’s going to be. The only difference is the curbing is going to have to be a roll up curb, and the striping is going to be changed, and there is going to be some additional signage.

Mr. Cunningham: I don’t really have a
problem being that's it's one way. I really
don't have an issue with it. It's wide. The
fire trucks can get in and out. If it was two
ways, I would have to agree with Mr. Pulaski.
Being that they go around and come out that
side, I think it's fine.

MS. UHLE: One thing if I could just
add is, initially the applicant had presented
something where the pole was sort of in the
middle of an island, and nobody felt
comfortable with that. Then they presented
something similar to this and ran some
templates of some fire trucks through -- the
fire department asked them to run the largest
truck through, so it was modified based on
that. Then it was modified slightly more based
on conversations with the fire chief. Then
they agreed to modifications based on
conversations with our traffic engineer. So I
think, even though it's not what was originally
proposed, maybe not ideal, it is designed in
the way that everybody feels comfortable in
terms of safety issues. Maybe not design
issues, but safety issues I think.
THE CHAIRMAN: It seems like the configuration of the turn is mainly controlled by the fire truck; right?

MR. YORIZZO: That is correct. That was the primary --

MR. PULASKI: But, you know, applications come before us, you know, and we look at things, we study things, and there are promises that are made, this is what I'm going to be able to build. We don't have Con Ed. come in and question Con Ed., you know, did the developer go over this, did you come to an agreement. We trust that the developer has done his homework, his due diligence and all is copacetic, and now we find that there isn't and now we have to make a change. Sometimes when we see an application and we see an issue like this, we'll try to do something about it early so that it doesn't affect us later, and I can think of a couple of applications we've done that, but the specifics aren't necessary. Here we have a situation in which, A, a less desirable condition is -- we're being asked to live with a less desirable condition. I just
don't think that that's good policy, because, you know, a lot of other developers can come to us, and I think there are other conditions that I could think of that are -- that are hardships, that are real hardships that can't be foreseen and, yes, you have to live with those, you have to make some conceptions.

I've done turns -- there's a couple of turns I can think of that are something like this, and I don't think it's a nice turn. I think it's a very unnerving turn. When you hit -- after 90 you start to swing this way, you start to worry how close is my door to this, am I centered enough in this lane, am I -- you're whole way in which you're set up to this curb is different than what you're accustomed to. It won't prohibit traffic, it's just not good design. So --

THE CHAIRMAN: No one's done a study of a car turning; right?

MR. YORIZZO: No. They used a fire truck.

THE CHAIRMAN: Well, no, I'm saying turning from the direction that Mr. Pulaski is
how tight --

MR. YORIZZO: I would imagine they have, the engineers.

MS. UHLE: Our traffic engineer said they evaluated just general traffic going through the site and felt comfortable with it.

MR. PULASKI: I don't have any denial that it will work. It will work.

MS. UHLE: I'm responding to Mr. Bonanno's question.

MR. PULASKI: All I'm commenting is it's just not good design, and that it's not good practice to entertain a change like this, because essentially a promise was made, we made an evaluation, and we agreed on a design, and we agreed on it based on what would be good for this town, and now we're being asked to make a change from that. We don't have a choice. The building is built -- you know, the permit was let, the building is built.

MS. UHLE: Can I just clarify a couple of things? Actually, every applicant has a legal right to come before this Board to ask
a choice in that you can say, no, the applicant has to move the pole. I think that when during the course of construction, especially when it takes years and years and years, and an applicant, in this case, has gone through -- regardless of the way you vote -- there's been extenuating circumstances with regard to moratoriums, expensive litigation, economic issues, so I think it's very fair for an applicant to come back and say, I'm asking you if I could make some amendments. You can certainly vote against them, but our law allows people to come and ask for amendments to site plans. Again, you can --

MR. PULASKI: I acknowledge that.

MR. TUDISCO: I just want to address, Mr. Chairman, just the one comment Mr. Pulaski made in terms of it being bad policy to entertain this type of request. The law requires the applicant to make this type of request, and the Board is required to listen to it, and you can vote any way you want, but just in terms of the legality and propriety of it, that's what this process is for. The applicant, when a significant change is being made to a plan that had been approve, they're
required to come and ask your permission to
make that change, and you are required to air
that. This is a perfectly appropriate
application and forum for that.

MR. PULASKI: I'm not speaking against
that. I'm not speaking against that. I'm just
trying to say that I'm supposed to look at
something and consider whether or not it's good
design for this town. I'm not looking at it
from a traffic engineer or an engineering capacity. Is it a good design for
this town, and I'm saying, no, it's not a good
design for this town. I'm also just making a
point in conversation that I -- about a
promise. I don't know what arrangement
somebody has with Con Ed. I don't know if
$100,000 is not an expected price that has to
get paid. As far as litigations or whatever,
that's the process of development. I don't

MR. NEMECEK: If I could add, my
bigger concern, and we've seen it -- I've seen
it in my five years on this Board, where an
applicant comes back to us after we approved

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the plan, and they've engaged in self-help and have been caught and then come back and seek after the fact to get approval of it. I have a much bigger problem with that than I do with an applicant who recognizing in this case not an impossibility but a hardship, financial and perhaps temporal hardship, in this case moving the pole. I don't think that much consideration was given at the time that the application first came before this Board, and it was -- we just heard about how I completed five years, this was before I was on the Board that this came, and it had already gone through an appellate process at that point. There has been significant litigation. I think what the applicant was most concerned with and what the community was most concerned with at the time was not to create an absolute perfect site plan, but I think they were -- the bigger concern was with the structures, with the massing, with the volume. And while I absolutely agree with Mr. Pulaski that this proposed revision to the approved plan is not an enhancement at all, it is a workaround, I don't think this fundamentally changes the application that was approved in 2008. It is a
change, and not a welcome change, but based on
the engineering report, based on the
circumstances presented, I feel it's an
acceptable change.

THE CHAIRMAN: Public hearing. So I
make a motion to open up the public hearing on
Application 15-01, 85 Maple Street.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Comments?

(No comments.)

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plan, but on the proposed one if you flip to it. I know they made it mountable for the fire truck on the north side, but the south side for someone making a turn if they don't negotiate it, would that help any?

MR. YORIZZO: You're getting close to the pole.

MS. UHLE: You don't want them to hit the pole.

THE CHAIRMAN: Oh, the pole is right there? Gotcha. No, you don't want that. I take that back. It's right there.

MR. CUNNINGHAM: You just basically enter the turn further towards 22 and you make the same turn. It's not like there's oncoming cars coming at you. The whole width of the driveway is for the one car that's going to enter.

MR. YORIZZO: Yes. There will be nothing obstructing.

MR. PULASKI: I think if there is anything that one might consider would be if this curb had a little bit of a -- more of a bulge. I don't know. That would just help somebody that swings wide a little bit, or maybe instead of bulging it just -- it pulls.
this way a little bit. I can see some
negatives in it, but it might help the car
swing.

THE CHAIRMAN: It's going to take up
more of the landscaping if you do that.

MR. PULASKI: Yeah. I said, there's
some negatives with that.

THE CHAIRMAN: Splay it out and bring
it in so it's more like that. Something more
like this.

(Indicating.)

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MS. UHLE: The curb cut is about
30 feet wide for a one way in.

THE CHAIRMAN: You could fit two cars
in there.

MR. PULASKI: And maybe it's just the
perspective looking at a plan instead of
driving it.

THE CHAIRMAN: I mean, I don't
disagree this is not as ideal as what was there
before, but considering Con Ed. might take six
months to move the pole and this is just going
to sit there for six months, that's not
something that we, as a community, want to see.
I don't really -- I just made that up. I
wouldn't be surprised if that's actually the
case. They could come the next morning, but they could also not.

MR. YORIZZO: I have no idea what they're going to do or not going to do, and that's one of the reasons I'm here.

THE CHAIRMAN: All right. So it's not ideal. I do understand the concerns of Mr. Pulaski, but I think we can, as a community, tolerate this little inconvenience for the 20 cars that are going to go in not even probably every day, it's probably 10 cars in a day.

So I'll make a motion to approve the Application 15-01, 85 Maple Street.

MR. NEMECEK: Second.

THE CHAIRMAN: Do you want to go through it? Mr. Pulaski?

MR. PULASKI: I'm going to vote no.

THE CHAIRMAN: I'm going to vote yes.

MR. NEMECEK: Yes.

MR. CUNNINGHAM: Yes.

MR. YORIZZO: Thank you all. Good night.

MR. NEMECEK: Your reasons were very well stated, and I understand where you're coming from.

THE CHAIRMAN: So the next application...
is 14-25, 18 --

MR. PULASKI: I think some of our discussions are also -- you could use it the other way of we see applications coming in to us, and we try to avoid things like this cropping up, and that's one of the reasons to discuss some of this and think about it.

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MS. MICOLI: Good evening. My name is Michelle Micoli. I'm from Kellard Sessions Consulting.

Before you tonight is Lot 2 of the Julia's Pond subdivision. It's located at 18 Eton Place Road, and it encompasses 2.6 acres. You previously approved Lots 3 and 4, and we are now going for approval for Lot 2.

The style of the house is a traditional style house with total gross floor of 3,021 square feet. It's slightly larger from the house that was approved during subdivision approval. It's about 600 square feet larger. During the original approval, there was an existing pool and then we had the proposed house, and they were going to keep the existing pool. We're now proposing to remove the existing pool and utilize it as a lawn area. There was a large 48 inch Maple that we
were trying to save, but with the driveway location and the house we just didn't find it feasible to be able to save that tree. So we're looking to plant three Sugar Maple trees in place of removing the 48 inch tree.

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The proposed driveway and house -- the storm water from the proposed driveway and house will be collected and treated in subsurface infiltration chambers. They were reviewed to ensure that the larger footprint of the house could be captured and treated within the infiltration chambers. The house is going to be serviced by the proposed or the approved sewer and water main extensions. There will be services from that to the proposed house. I think that's kind of the overview.

THE CHAIRMAN: Where is the tree? Can you point out the location of the tree?

MS. MICOLI: Here.

(Indicating.)

MS. UHLE: Actually, the engineer company worked quite extensively on trying to protect that tree, and, in fact, I think that was one of the big delays with this lot compared to the other two. Michelle met with me to show me a revised plan that may have
required even a variance to the rear yard
setback or something to protect that tree, and
even the revised plans the tree was really

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still so close, and you have all those
construction vehicles and the excavation and
stuff. One thing that really bothers me is
when everyone says they can and will save a
tree and within six months it's dead any way.
So they actually -- I do think they made a very
genuine attempt to save that tree, but it's
just located in an area that it's almost
impossible to work around and still have it be
viable.

MR. PULASKI:  The swimming pool is
going to be taken out of the ground?

MS. MICOLI:  Yes.

THE CHAIRMAN:  So this went to the
ARB, I think, and they had some comments, sort
of minor. They've all been --

MS. UHLE:  Yes. They had some very
minor comments. One was to add a window on the
second floor of the east elevation, which the
applicant did. It's not shown on the 3D
rendering, but it was shown on the elevation.
The garage door on the 3D rendering was
different than that shown on the elevation.
The ARB preferred the one shown on the 3D rendering, so they revised that on the elevation. There were some inconsistencies in the schedule of materials and finishes, so they corrected those. The ARB asked that the proposed walkway, patio and porch be constructed of stone. It's a little bit inconsistent. They labeled it in some places but not in others. So when they submit the building permit drawings, we would just ask them to make sure those labels are consistent. Then there was some discussion about the proposed lighting fixtures, and right now the applicant has illustrated lighting fixtures on the front elevation. I don't know whether they thought about or addressed other lighting fixtures at this point.

MR. CUNNINGHAM: Could we see the updated elevations, actually what's going to be built, because I'm a little confused from the rendering --

MS. UHLE: The rendering is slightly different.

MR. NEMECEK: The extra window went here; right?
(Indicating.)

MS. UHLE: That's correct, yes.

MR. CUNNINGHAM: There seems to be more house in the picture.

MR. NEMECEK: Yes.

MR. CUNNINGHAM: That's what I thought.

MS. UHLE: Well, you know, it's a weird angle for that elevation.

MR. PULASKI: I'm trying to understand this elevation and what looks like a garage door.

(Indicating.)

MS. MICOLI: The house is kind of kinked, because of the setback.

MR. PULASKI: So I'm seeing the real garage door there?

THE CHAIRMAN: I think it's head-on to the garage door.

MS. MICOLI: You come into the garage here, and then it goes back.

MR. PULASKI: Oh, now I understand. Yes. Thank you.

MR. NEMECEK: It's actually refreshing.
to see a different shape.

THE CHAIRMAN: Something not rectangular.

MR. SHIRRIEHE: I'm sorry, Margaret, if I could just interrupt. Nicholas Shirriahe, site manager for the developer.

At the ARB meeting, I think they just requested us to indicate two light fixtures on the front door; is that correct?

MS. UHLE: You know, in our notes I just had, illustrate proposed light fixtures. We indicated those are the two that you are showing. That's fine. I wasn't clear if you had others or had thought of others.

MR. SHIRRIEHE: No, not at this point.

MR. PULASKI: The siding is what?

MS. MICOLI: Is it vinyl side?

MR. SHIRRIEHE: Yes.

MR. PULASKI: You're doing that in vinyl siding?

MR. SHIRRIEHE: Yes.

THE CHAIRMAN: What are the other two; are they vinyl also?

MR. SHIRRIEHE: Yes.
THE CHAIRMAN: It's a shake.

MS. UHLE: That's the color, but they're not proposing the shake. So he's showing you the color right now, but it's more like a wood, like a --

MR. CUNNINGHAM: Well, is it wood or is it vinyl?

MS. UHLE: Vinyl. It doesn't look like the shake that he's showing there. It's more like a --

THE CHAIRMAN: It's not that vinyl siding that's extruded and --

MR. CUNNINGHAM: Well, that's a shake.

MS. UHLE: I know, but that's what we're trying to say, he's illustrating the color here. He's just showing the color.

THE CHAIRMAN: It's continuous, gotcha, and overlapping in the other direction. Got it.

So in the elevation here there's a band that's not shown here; right? There's a white trim band; is that right?

MS. MICOLI: There?

(indicating.)
trim band.

MS. MICOLI: This here?

(Indicating.)

THE CHAIRMAN: No, mid height. Right above the window. It's shown on this one. Is there one? Yes, right there. That's it. It's continuous. So it's just a continuous white trim band?

MR. SHIRRIAHE: Yes. I think that was the architect's design element.

THE CHAIRMAN: Aren't you the architect?

MR. SHIRRIAHE: Huh?

THE CHAIRMAN: Aren't you the architect?

MR. SHIRRIAHE: No, I'm not. I'm the site manager. He's not here tonight.

THE CHAIRMAN: I'm just trying to figure out where it is. It runs continuous over there. Yeah, I think that's where it is, in between there.

MS. MICOLI: (Indicating.)
there's another light fixture that's all the way on the -- the far left side of the illustration, and that's set back; right?

MS. MICOLI: I think that's the patio where you walk out.

MR. NEMECEK: Correct. Is there any intended lighting -- I don't see a fixture and nor have you mentioned fixture in the front door entrance, or is that just going to be recessed lighting or --

MR. SHIRRIAHE: Yes, it is recessed lighting.

MR. NEMECEK: Okay.

MR. PULASKI: How many square feet was this building?

MS. MICOLI: 3,021.

MR. PULASKI: It's a sizable house.

It's a sizable house in a beautiful location, I would put on Hardiplank.

THE CHAIRMAN: Even though it's
THE CHAIRMAN: I make a motion to close the public hearing on Application 14-25, 18 Eton Place.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Great. The two pillars are white I guess; right?

MS. MICOLI: Yes.

THE CHAIRMAN: All the trim is white.

Black roof? Typical black, nothing too special about it?
you're proposing has a generator?

MS. MICOLI: Yes.

MR. NEMECEK: Okay. Is it still the case that you're expecting to do the construction of all three at once; right?

MS. MICOLI: Yes.

MS. UHLE: They've actually started some preliminary field work. They have permits for the first two homes.

MR. CUNNINGHAM: Do you have all these drawings in full size on those there? The reason I'm asking, I just have a question about -- you have on the front page of the front elevation shows basic entrance to a two car garage, and then if you go to A-2 it shows -- the left elevation it shows another garage door. I'm a little confused as to where that door is going, because if you look at the planning section I don't see a -- is it a single garage door?

MS. UHLE: I think that's the perspective because of the bend in the house. That's showing this at an angle, that's why it's not --

MR. CUNNINGHAM: But this is showing the left side of the house and this is showing
the front elevation. So I know the house is askew, but what they're showing here is not the front of the elevation of the house.

MR. PULASKI: It's the side elevation.

MR. CUNNINGHAM: So is there a door on the left side?

MR. PULASKI: And then there's -- then the right side of the house bends around, so you pick it up.

MS. UHLE: It says, oblique and 80 degree angle, see front elevation --

MR. PULASKI: If you truly draw that elevation, you're going to pick up the bend in the house. It's askew so your lines are going to be tighter together.

MR. CUNNINGHAM: Okay. So you're telling me that is still the front of the house?

THE CHAIRMAN: Same door.

MR. CUNNINGHAM: Okay.

THE CHAIRMAN: The computer drew it, it's got to be right.

MR. CUNNINGHAM: And it's askew, so.

THE CHAIRMAN: Okay, good. I think it's a handsome home. Is this -- just overall, I don't remember, the other two homes, are they...
similar or is each one different?

MS. MICOLI: How? Size wise?

THE CHAIRMAN: Yes. In just the overall architecture and the roofs and all that.

MR. SHIRRI AHE: Yes.

THE CHAIRMAN: Same color?

MS. MICOLI: One is a dark gray and one was a tan color?

MR. SHIRRI AHE: Yes.

MS. UHLE: They're definitely similar but different, kind of in an appropriate way.

MR. NEMECEK: I agree. They're similar that they don't clash, but they each have a certain distinct feature to them. They're slightly different sizes, and they have slightly different architectural features. I think it's refreshing.

THE CHAIRMAN: There's just -- our consultant has to review the site plan; is that right?

MS. UHLE: Yes. Just a couple of things that I would recommend be conditions of approval. Alan Pilch has reviewed the plans, and most of his comments were similar to the Board's comments related to issues regarding...
safety and securing the site and everything that made it into the resolution for the previous two houses. He just wanted to have a little more time to look over utilities and storm water a little more thoroughly, so I would like a condition of approval to be that they have to make any modifications to his satisfaction, if any. I spoke to him today, and he doesn't believe that he has anything and definitely nothing of substance, but we would like to keep that open a little bit.

Then one thing that I had intended to include in the previous resolutions and mentioned to you that I would like to include in this one, and I indicated to the applicant that it would apply to the other two properties as well, we're going to ask that -- and they've already agreed to this and put this on notes -- but asked that once the utilities are installed, that those be temporarily staked out in the field so that when the landscape materials are planted there's no conflicts between the landscape materials and utilities. And then we would like to have a landscape architect, and I know the engineering firm, for example, has a landscape architect on staff,
plus they have the landscape architect that
prepared the plans. Again, at the end of the
process before we issue the CO just provide a
letter with a signed and sealed licensed
indicating that the plants had been located
appropriately with regard to the relationship
to the utilities, and that also the quantities
and species have been approved. We basically

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do that all the time, I just forgot to put it
in the first one.

MR. CUNNINGHAM: We do that all the
time.

THE CHAIRMAN: So those are the
conditions, along with all of the site safety
issues that he addressed at the first
application.

MS. UHLE: And those are already
there.

THE CHAIRMAN: They apply to all of
the sites.

Then we're going to read the
resolution before, after, don't? We don't have
to read it now, it's just incorporated into the
resolution?

MS. UHLE: These conditions?

THE CHAIRMAN: Yes.
MS. UHLE: Yes, that's right. We just went over them. I think it's fine. You can vote now.

THE CHAIRMAN: Any more comments?

(No comments.)

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THE CHAIRMAN: I make a motion to approve Application 14-25, 18 Eton Place.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. NEMECEK: Subject to the conditions.

THE CHAIRMAN: Yes, subject to the conditions.

MS. MICOLI: Thank you very.

THE CHAIRMAN: Thank you. Good luck.

Before we go, let's just get rid of some of the meeting minutes. Mr. Nemecek, you've reviewed all of them?

MR. NEMECEK: I'm not sure that I reviewed the September meeting, but, you know, I just couldn't find it.

THE CHAIRMAN: Let's just go with the
flow then. Everyone but Mark. So as long as we have three, we can approve, right? So then this first one is April 24th, 2014. Everyone but you, Mark, can vote on it. It should be approved. So Phil, Rob, and myself. So I'm making a motion it approve the meeting minutes of April 24th, 2014.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

MR. NEMECEK: Aye.

MR. PULASKI: Aye.

THE CHAIRMAN: Aye.

MR. NEMECEK: Subject in each of these instances to any revisions that I have submitted, and I know I did with respect to this one, April.

MS. UHLE: And we --

THE CHAIRMAN: You recall April? MR. NEMECEK: We were young back then.

THE CHAIRMAN: I'm sorry, Margaret.

MS. UHLE: Kind of like our landscape requirement, that will be a blanket statement, subject to Phil's approval.

THE CHAIRMAN: So the next one is --

wow, this like Chinese checkers -- Jim, Phil, and Mark. So, Rob, you're out.
So then I make a motion to approve the minutes of September 23, 2014.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

MR. NEMECEK: Aye.

THE CHAIRMAN: Aye.

MR. CUNNINGHAM: Aye.

THE CHAIRMAN: Okay. So the next one is --

MR. NEMECEK: I should be moving on this one, because the October 23rd, 2014 meeting I served as the acting chair.


MR. NEMECEK: I move to approve the minutes of the October 23, 2014 Planning Board meeting.

MR. PULASKI: Second.

MR. NEMECEK: All in favor.

MR. PULASKI: Aye.

MR. CUNNINGHAM: Aye.

MR. NEMECEK: Aye.

THE CHAIRMAN: The last one is December 4th, which we can't do, and we'll have to pick it up when Bill comes.

So then I make a motion to close the Town of Eastchester Planning Board meeting of
MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you.

(Meeting adjourned.)
EASTCHESTER PLANNING BOARD - 1/22/15

CERTIFICATION

STATE OF NEW YORK  )  Ss.
COUNTY OF WESTCHESTER)

I, DINA M. MORGAN, Court Reporter and
Notary Public within and for the County of
Westchester, State of New York, do hereby
certify:

That the above transcript was taken from
a videotape of the actual hearing. I was not
present for such hearing. The videotape was
taken and transcribed by me to the best of my
ability.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 6th day of February, 2015.

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DINA M. MORGAN
Court Reporter

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