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ACTING CHAIRMAN NEMECEK: First of all, my apologies for delaying the meeting. I was caught up at work.

Without further waste of time, I call to order the town of Eastchester Planning Board meeting of October 22nd, 2015. Let’s do the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was said.)

ACTING CHAIRMAN NEMECEK: Let’s do the roll call. My name is Phil Nemecek. I’m the Acting Chairman today in the absence of James Bonanno, who is our part-time Chairman. All right, he’s officially the Chairman, but this is his second straight missed meeting, that will be on the record.

Rob Pulaski.

MR. PULASKI: Present.

ACTING CHAIRMAN NEMECEK: Bill West.

MR. WEST: Present.

ACTING CHAIRMAN NEMECEK: Mark Cunningham.

MR. CUNNINGHAM: Present.

MR. CUNNINGHAM: Present.

MS. UHLE: Those have all been forwarded to Ms. Morgan.

ACTING CHAIRMAN NEMECEK: Okay. I have some revisions to -- I think it’s all of two minor revisions to the June transcript, which I was not at, but I would like to submit them anyhow. Can we do June?

MS. UHLE: You can’t vote on June.

You can forward your revisions to me, and I’ll forward them to Dina.

ACTING CHAIRMAN NEMECEK: That’s fine.

Can we approve those minutes?

MS. UHLE: We’ll need Jim to be here for the June minutes.

ACTING CHAIRMAN NEMECEK: Actually,
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MR. PULASKI: Aye.

MR. WEST: Aye.

ACTING CHAIRMAN NEMECEK: I have a few
minor revisions to the September 24th Planning
Board meeting, which I will submit to Margaret
7 to forward to Dina.

MS. UHLE: Sure.

ACTING CHAIRMAN NEMECEK: Subject to
those revisions, I move to approve the minutes
of the September 24, 2015 Planning Board
meeting.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in
favor.

MR. WEST: Aye.

ACTING CHAIRMAN NEMECEK: Aye.

MR. PULASKI: Aye.

ACTING CHAIRMAN NEMECEK: Move on to
the business of the day. The first item --

there are only three items on today's agenda.
The first is Application 15-51, which is the
Scarsdale Animal Hospital at 741 White Plains
24 Road; the second is 15-34, 22 Maple Street; and
the third and final application that we'll hear

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today is Application 15-61, 225 Park Drive.
There is an adjourned item which will be not be
heard today, Application 15-36, which is 104
Highland Avenue.
So first up, Application 15-51,
Scarsdale Animal Hospital.

MS. SHUSTER: My name is Anna Shuster,
and basically I would like to do the murals on
the walls of Scarsdale Animal Hospital, and
that's how it's supposed to look when it's
finished. That's this little corner over here
and this area is here. The plan is to make it
look very natural in realistic style and colors

15 to make it match the environment around us to
make it more organic. We're actually matching
17 to the trees behind the building.

ACTING CHAIRMAN NEMECEK: Can we see
what the building looks like presently?

MS. SHUSTER: Okay. Sure. This is
the picture of the building. That's the
22 corner. This is the other side if you look
over the bushes and these are the buildings

around the business. That's Lord & Taylor

across the street, this is the building behind,

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our building, and this is the view from White
Plains or Post Road.

MR. PULASKI: You're proposing to put
the mural on the front face of the building?

MS. SHUSTER: Yes.

MR. PULASKI: And the sides of the
building? Along the sides of the building or
just the front face?

MS. SHUSTER: This side.

ACTING CHAIRMAN NEMECEK: It wraps
around the corner.

MR. CUNNINGHAM: It turns the corner.

MS. UHLE: Well, I think that center
sketch is a little deceiving, because I think
that's the front facade and then it --

MS. SHUSTER: This is just the side.

MS. UHLE: It minimally wraps around
the side. So they're proposing the entire
front facade and then just a minor kind of wrap
around on the side facade.

MS. SHUSTER: We have some greenery
over here, the little girl will be sitting over
here, and that will be the corner.

MS. UHLE: With regard to the side

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facade, that's very minimal. So it's really
all the front facade.

MR. PULASKI: Now, the ARB reviewed
this; did they have any comments?

MS. UHLE: Could you show --
MR. CUNNINGHAM: Show us the building
and just show us where those doors are that are
on the mural side. The drawing up --

MS. SHUSTER: Over here?

MR. CUNNINGHAM: Yes. Where is that
actually in this?

MS. SHUSTER: It's going to be here
like this side, and it's going to go actually
come all front to this side. So from here to
over here. Originally when we came for the
meeting, we came up originally we were hoping
to --

MR. CUNNINGHAM: The doors are in this
elevation?

MS. SHUSTER: Only this door because
this is a service door.

MR. CUNNINGHAM: The doors that are
shown on the top right-hand corner are on this
elevation?

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MS. SHUSTER: Yes.
MR. WEST: Where is the main entrance?
MS. SHUSTER: The main entrance is over here.
MR. CUNNINGHAM: Is here?
MS. SHUSTER: Yes.
ACTING CHAIRMAN NEMECEK: We received in our package --
MS. SHUSTER: The samples. Originally you asked if there were any comments. Originally we were going to do panels, here and here, and the comment was they wanted it to be more organic. They wanted to have a continuation. So we expanded it to -- I can show you how it was on the other side if you give me a moment. So originally we were just going to do one side and the other side. When we came for the original meeting, they recommended to expand it to make it more with the environment. Over here you can see samples of work, final work that has been done by this company.
ACTING CHAIRMAN NEMECEK: What Mr. Pulaski asked before about the reception that DINA M. MORGAN, REPORTER

you got from theARB, the Architectural Review Board earlier this month when you presented this application to the ARB, can you explain -- one thing apparently they suggested was that you link the two larger facades together?
MS. SHUSTER: Right. Right. That's what I'm saying. Originally, we were like only planning to do two separate murals, but the recommendation was to expand it and make sure it's connected. So that's why we added on. Going higher, that was added. This side was added.
MS. UHLE: The applicant met before the ARB on two different occasions. I think the first comment was really the applicant showed two separate murals but didn't really show it in context of the entire building. So really their primary comment was: Can we just see how these worked together, and then they also did make a suggestion that maybe there's a way to integrate them more. So when the applicant returned to the second meeting, they showed the murals in the context of the entire building and also more integrated with each.

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mind if I showed it to you?

ACTING CHAIRMAN NEMECK: Sure. Sure.

Is it by the same company?

MS. SHUSTER: It's not by the same company.

MR. TUDISCO: Just identify yourself.

ACTING CHAIRMAN NEMECK: Identify yourself and your interest.

MS. BARISH: I'm sorry, I didn't hear you.

MR. TUDISCO: Just identify yourself.

ACTING CHAIRMAN NEMECK: And what interest do you have?

MS. BARISH: I'm Sally. The name of my company is painted pieces.

ACTING CHAIRMAN NEMECK: What's your last name, Sally?

MS. BARISH: Sally Barish.

ACTING CHAIRMAN NEMECK: Okay.

MS. BARISH: I don't do the art work, but I have a staff of artists that do work for me. So I've been with Anna each time that these meetings have taken place. Originally, we were only doing -- per Anna's request -- we...

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MR. PULASKI: Do you have any photograph of a building similar to what -- to the extent that you're looking to do this one where it's going from one end of the building to the other end of the building and the front? I've seen a lot of murals where something goes on the side or it goes to the upper portion of the side, or a portion of the side, but I've never seen them on the front of the building, nor have I seen them going from one end to the other.

MS. BARISH: I have pictures, not with me, they're on my iPad, actually, in the car, but I do have pictures of buildings that we've done on Long Island from end to end.

MR. PULASKI: I would like to see some of those.

MS. UHLE: The ARB had actually requested that on two different occasions, and we did recommend that that be submitted as part of this package. I do understand that we have this smaller, but there seems to be a reluctance to give us a photograph of a building.

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MS. BARISH: What is it that you're looking for?

MS. UHLE: Again, a picture of an entire building that has murals --

MS. BARISH: I never heard that, because certainly I could have picked it up and brought it.

MS. UHLE: We keep hearing that it's on your iPad. We've asked for it a number of times. But I think that's why Anna submitted this, because this is showing an exterior mural.

MS. BARISH: That was just a piece of the building. I don't have a picture of a building that goes end to end that's a garden scene. Again, I could certainly submit --

MR. PULASKI: One of my concerns is just trying to evaluate whether something becomes overpowering. I know the building is not very high, but people are traveling down White Plains Road and they'll really focus on this. The photos that you show are Wells Fargo, and I know in Eastchester in the southern end of Eastchester there was a very

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nice mural painted on the side wall of a Wells Fargo.

MS. BARISH: That one does not go end to end.

MR. PULASKI: And it wasn't the front. It's also a scene that tries to tie into the town and show some of the history of the town of Eastchester.

MS. SHUSTER: I don't know, I'm just going to take my chance, the whole idea started out basically was the relationship of people and nature and that's why the whole idea is of interaction. We didn't want it to be -- it's not an advertisement. It's a relationship where man is basically taking care of the dog and the woman. Like people taking care of the nature. I didn't intend to make it overwhelming. In the middle of a very beautiful neighborhood our building looks white, like white.

MR. PULASKI: When I use the term "overwhelming," I'm not trying to say that it -- there's different ways of looking at that word. Typically you look at a building and you

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expect to see some stucco, you expect to see some brick, you expect to see --

ACTING CHAIRMAN NEMECEK: A door.

MR. PULASKI: -- wood. Now you have a mural. It's not something that you typically see in a lot of places, including Eastchester. So when you see it from one end and it's the full width, it's not on the side, it's not a portion of the front, but from one end to the other end, it is whelming. Whether it's overwhelming -- I don't think it's under whelming.

MS. SHUSTER: I understand. It's kind of a continuation of the surrounding nature. There are trees around it. It's not foreign to what is around the building. And honestly, I agree with you, Eastchester has its own qualities. I came from another world. I understand. I came originally from Russia, and I used to live in a town and there was an earthquake and the town was completely destroyed. When they rebuild it, they rebuild it with a lot of mosaic and stuff like that, and the town just blossomed. It was gorgeous.

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It was happy. It was something -- it was not as traditional as it was because in the town they used to have like very similar structures to what my building looks like right now, but it didn't make it look worse at all, and I guess that's where my idea sort of came from. A lot of the mosaic was that representation of nature or life because it came out of ruins, you know. The whole town was totaled. So, I don't know, I guess that's what I was trying to -- but I understand.

MR. PULASKI: We also put murals on buildings from end to end and then there's other murals that could go on buildings that might not be blending into nature.

MS. SHUSTER: I understand.

Originally, we were trying to do two separate. It was not my original idea. It was a recommendation of the Board to kind of connect it. Once again, I will accept whatever --

ACTING CHAIRMAN NEMECEK: I certainly can identify with your desire to spruce up the appearance of the building. It's very plain looking right now. It's a light building with

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dark lettering on it, which identifies what it is. That said, I do have concerns that the mural is overwhelming in the traditional sense that Mr. Pulaski was perhaps unwilling to go as far, particularly when put in the context of the neighborhood. I think you're right across the street from a large, very traditional looking Lord & Taylor store that is basically all white with the Lord & Taylor signage on it, and the town does have signage laws. This mural is not a sign, and as you correctly pointed out it doesn't strike me as being an advertisement either, but the town does have very strict signage rules and the trend is to making the signs smaller and, you know, focusing on the lighting on them, making them more uniform and perhaps more subdued. This goes in the opposite direction. It doesn't have the very bright colors, as you pointed out, more subdued colors particularly in the background, but my own opinion is I don't think it works for this part of town.

MS. SHUSTER: Okay. Okay. Thank you.

MR. WEST: I like it.

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ACTING CHAIRMAN NEMECEK: Do we have a public hearing on this?

MS. UHLE: We do. You can discuss it first if you want, unless you want to open the public hearing first.

ACTING CHAIRMAN NEMECEK: Let's open the public hearing. We can always come back to further discussion, but to the extent there may be someone out there who can enlighten us, I'm happy to consider that.

So I move to open the public hearing for Application 15-51, Scarsdale Animal Hospital.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

ACTING CHAIRMAN NEMECEK: Anyone out there to comment on the animal hospital?

(No comments.)

MR. PULASKI: We can leave the public hearing open.

ACTING CHAIRMAN NEMECEK: The public hearing can remain open.

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MR. PULASKI: Mark, any comments?

MR. CUNNINGHAM: Yes. I'm still trying to -- I think the work is beautiful, so I don't want to be mistaken here for what I'm going to say next, but I'm trying to understand -- I have to agree with Bob, it seems very overwhelming that when you drive up the street this is a huge piece done here, a piece of artwork on the middle of a very busy road. So I would love to see an elevation of the real building in real time with this on it so I could understand it more. That's why I asked before when you had the other piece open, because I don't see this piece on what the building really looks like. The doors disappear. The front of the building disappeared. These are supposed to be windows. I'm not sure what I'm looking at. So I want to be able to --

MS. SHUSTER: It is here.

MR. CUNNINGHAM: I know we're going to go back to that one, but if you go back to the original one that you had up which shows the actual building on it.

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MS. SHUSTER: It's right here. The man is over here. The woman is right here.

MR. CUNNINGHAM: But there's landscaping in front of it, there's a parking lot in front of it; right? There's depth of it? I mean, Margaret had mentioned that she would like to see this drawn on an actual rendering of the front of the building.

MS. UHLE: Well, I think when the ARB initially asked for when the applicant had sort of two separate pieces, they had a hard time understanding what it looked like on the entire building, so they did ask for either a 3D rendering, a computer elevation, architectural elevation. This was submitted in response to that to show the mural in context of the entire building.

MR. CUNNINGHAM: I understand what the intention is. It's not like I don't know what I'm looking at. I'm just trying to understand what that building really looks like.

MR. PULASKI: What was the process that we went through with the Wells Fargo mural? That went through a couple of meetings;
right? There were a couple of renderings and
we had to -- I remember voting on whether it
should be a stronger color or more of a water
color.

MS. UHLE: Actually, it went through a
very similar process to this. It appeared
before the Architectural Review Board at least
a couple of times, and then it came to you and
you did discuss not only content, because they
were utilizing some historic photos, but also
sort of the color paillet as well.

ACTING CHAIRMAN NEMECEK: I recall
with that as well it was a significant point
that it was facing nothing.

MR. PULASKI: But I think this was
also Wells Fargo going into communities and
saying, we want to be a part of your community,
we want to show items that come from your
community. So it's a different focus.

MS. UHLE: I think the main
difference --

MR. WEST: I drive by the building
almost every day and this is an upgrade. It's
nicer. It's nicer than it is with the mural.

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2 If you don't drive by it, go drive by it. It's
3 nicer. It's not a large building, it's small,
4 there's bushes in front.
5 MR. PULASKI: It's very low to the
6 ground and you could almost miss the building
7 as a consequence.
8 MS. UHLE: I think the only difference
9 with the Wells Fargo application, which made it
easier to respond to, was because they had done
10 so many of the exact same things in other
11 communities that they had photographs of
12 essentially the exact same mural only with
13 different images. I think that's the only
14 difference.
15 MR. PULASKI: You were able to go and
16 see them.
17 MS. UHLE: Also a smaller scale.
18 ACTING CHAIRMAN NEMECEK: I think that
19 was a huge difference as well. It was a
20 smaller scale in a portion of a parking lot
21 that was really not going to really affect
22 anyone. I think this affects and bleeds out
23 into the surrounding area more than I would
24 like it to.

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2 MR. WEST: Phil, if you look at the
3 area, it doesn't. It's in the corner. It's
4 right on the street. There's the Verizon
5 building right next door and Trader Joe's, the
6 a cleaner is next door to it. It makes the
7 area look nicer.
8 ACTING CHAIRMAN NEMECEK: I disagree.
9 MR. PULASKI: Hold it.
10 MR. CUNNINGHAM: I would just like to
11 see it in it's real context.
12 MR. PULASKI: There are certain items
13 that we're accustom to seeing on a building.
14 They're brick, they're paint, they're stucco,
15 wood, metal, and glass. These are items that
16 we see day in and day out and we're accustom to
17 that and we're accustom to working with it and
18 seeing it blend into the community.
19 ACTING CHAIRMAN NEMECEK: They could
20 be manipulated in a way --
21 MR. PULASKI: Now we're looking at a
22 painting. There really isn't paintings
23 elsewhere. I think it's another paillet,
24 so-to-speak, that we would be venturing into
25 with paintings. Now we've seen murals and

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2 murals are -- I'll reference Wells Fargo where
3 it's on the side and it takes up a portion of
4 that side, and so, you don't have to really
dwell on it. You can look at it and see it and
6 move on. I think on a project like this if we
7 wanted to do something with it, I think we
8 could see on one of these faces a portion of it
9 painted as a mural instead of the whole end to
10 end and see how the -- and see the reaction
11 that we get from the community in trying to
12 measure it as do other applications that might
13 come before us asking for something similar.
14 ACTING CHAIRMAN NEMECEK: I don't have
15 a problem with the artwork itself. I just
don't like it on the exterior of a building.
17 MS. BARISH: I would like to offer a
18 little bit of my two sense for a moment.
19 First, on Long Island the artwork is
20 very well received. People talk about it. It
21 enhances most buildings that are a bit plain
22 and a little boring. Sorry, Anna.
23 We were originally only going to be
24 doing the large portion to the right, right
25 around where the door was, and then just a

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1  little bit across the top on the left. We were
2  then asked to show what the entire building
3  would look like. So it was originally my
4  recommendation just to do one portion and some
5  leaves across the top on the left side, and
6  then when we were asked to show what the whole
7  building would look like, that's how it came.
8  MS. UHLE: I just want to clarify
9  something. I think there was a little
10  misunderstanding there, because I think the
11  question was similar to what Mr. Cunningham is
12  saying, is what was originally presented only
13  showed a portion of the building, so they
14  wanted to see what you were proposing on the
15  entire building. Not meaning that they
16  expected a mural to be on the entire building.
17  What was presented to them originally was two
18  separate pieces, so they wanted to see how
19  those fit --
20  ACTING CHAIRMAN NEMECEK: How it fit
21  on --
22  MS. UHLE: -- on the entire facade.
23  But they didn't -- I don't think that their
24  expectation was or their requirement was that
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1  it be the entire facade.
2  MS. BARISH: Certainly we could white
3  out the rest of the artwork.
4  The other thing was, we were clearly
5  asked, if I'm correct, to have the greenery go
6  all the way up to the top on the right, because
7  we had had it cut off where the soffit was, and
8  then we were asked to put it all the way up to
9  the top.
10  MS. SHUSTER: That's why I was filling
11  it in right when it was requested. I filled it
12  in during the meeting because that's what they
13  requested.
14  MS. BARISH: Our artwork was not up to
15  the very top, and it was requested that we go
16  higher. So that's why on of the renderings
17  shows --
18  MS. SHUSTER: That was the original,
19  by the way.
20  MS. UHLE: So what was presented
21  originally -- again just to clarify -- those
22  two photographs there, the center one and --
23  MS. BARISH: Those were the two that
24  were --
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1  MS. UHLE: The one on the center and
2  the one on the lower left-hand corner. What
3  the Board said was: We just don't understand
4  how those work together on the building facade,
5  please show us those on the building facade.
6  You're right, they did say where it was cut off
7  at the roof line there to extend it up.
8  MS. SHUSTER: If it's possible, I
9  don't mind removing this completely. I don't
10  know if there is even an option or if you're
11  uncomfortable, then it doesn't make any sense
12  for us to --
13  ACTING CHAIRMAN NEMECEK: I'm one
14  person. My personal preference is that it's
15  not in character with the neighborhood. My
16  esteemed colleague, Mr. West, disagrees with
17  me.
18  MS. BARISH: I mean, it could also be
19  that we paint one portion of the building and
20  then if you like it, we continue, or we don't
21  continue.
22  ACTING CHAIRMAN NEMECEK: That would
23  become separate applications.
24  MS. UHLE: I mean, let's just try to
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piece of building construction as opposed to what we have commonly seen; glass, metal, brick, stucco, paint, wood, and this is a mural. A mural is a different item.

MS. BARISH: We could make the building look like brick.

ACTING CHAIRMAN NEMECEK: It sounds to me -- and I don’t want to put words in anyone’s mouth -- that the application as presented is not going -- I would not approve it and I don’t think -- Bob, correct me if I’m wrong, it doesn’t sound like you would approve the application as presented?

MR. PULASKI: No. Correct.

ACTING CHAIRMAN NEMECEK: I think we have one of two options then: We could vote on it and it’s not going to get approved as presented, or you can go back to the drawing board. I don’t want to mislead you. I don’t like the concept, and I’m still going to be here, I’m intending on being here. I can tell you that I’ve spoken with the Chairman, Mr. Bonanno, about this application as well, and he -- again, I’m not willing to put words in...

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his mouth, but he wasn’t -- he seemed to share my sentiments more than, say, Mr. West’s sentiments. I don’t want to mislead you and have you go further. It seems like you’ve already done additional work on the belief that it’s what the Architectural Review Board wanted. As I said, when I spoke to one of the members of the Architectural Review Board, the sense I got was that the approval process that the ARB had given was tepid at best. They had concerns. So I sort of leave it to you as to how you want to proceed.

I don’t know if we vote and reject the application, do they have to wait a certain period of time before they can resubmit an application if they want to do that or if they wanted to withdraw the application before we voted on it? What’s the proper procedure?

MS. UHLE: Well, it actually depends on how the vote goes. If it’s a 2-2 under certain circumstances -- I’m going to have to go back and review the law -- that’s just considered a non-decision, in which case they could come back when Mr. Bonanno was here. If...

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it’s a 3-1, that’s a denial, actually, or an approval depending on which way it goes.

ACTING CHAIRMAN NEMECEK: Correct.

MS. UHLE: Did that answer your question?

MR. TUDISCO: I did have a question.

It seemed to me, and we should probably be very clear for the record, that at least one of the board members was either requesting or asking to see additional information, and I think you have to make a decision as to whether or not you’re planning to vote now or you’re asking for that additional information; visuals, colors, whatever. Just for the purposes of clarity, make that decision.

ACTING CHAIRMAN NEMECEK: Correct.

What I’m trying to do, just to be fair to the applicant because I don’t want you to put more work into this under the mistaken belief that once we do what the Board tells us to do, once we come back, they’re certainly going to approve it. I don’t want you to delay you. I think I would be hard pressed to see how this could be salvaged in my vote, from my vote.

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I’m only one vote. So that’s why I’m --

MR. TUDISCO: I totally understanding of what you’re saying. I think, though, that if a member of the Board is asking for additional information, I think whatever your vote is and whatever you all agree to vote on either is going to take place before you get that information, do you want that additional information? That’s a decision that you have to make before you move forward in any event.

MR. CUNNINGHAM: I’m the one who asked for the additional information. Typically that’s how we do it. We look at something and if our opinion is I don’t completely -- I won’t say I don’t understand the concept, I just want to see more information. I want to see the building -- basically what we usually see is a rendering, a front shot of the building, and then most folks then have a rendering of what the building is going to look like afterwards. This is a lot going on here. I believe that you’re showing this as a full flat wall across here, and then I have a little picture at the bottom which is showing me that this is a wall...

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that is turning so I should be looking at that.
So I want to understand it before -- well,
that's what that is showing there. This is
showing me a side of a building with a woman
and the animals there and that would end up
being like that.

MS. UHLE: Which is not how it is.
MR. CUNNINGHAM: I want to understand
it. So my vote right now is if you could bring
it back to me and show me the shrubbery that's
in the front of the place and a real rendering
of it and all this done on the building, I
would have a different take on it. I wouldn't
say I would vote it down. I really want to
understand it. To me, with no shrubs in front
of it, with no screening in front of it it's
very overpowering, you drive up and that's what
I'm more concerned about, that it's just going
to be --

ACTING CHAIRMAN NEMECEK: Does anyone
have any request for information, because I
would like to leave it to the applicant to
decide whether you want to -- we could adjourn
this to the next meeting to permit you to come

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with, for example, the information that Mr.
Cunningham just requested and perhaps
addressing certain of Mr. Pulaski's concerns,
we can do that, and then you would come back
here next month. At some point you're going
to --

MR. CUNNINGHAM: If I could interrupt.
One of the reasons I'm saying this, because I'm
sitting and talking with Bill and we were
having like a little side bar, and he's telling
me that, you know, there is quite a bit of
shrubbery in front of this that sort of screens
this big open piece of artwork I'm looking at
right now.

MS. BARISH: I just want to make it
clear if we continue what it is that we're
doing, because I don't want to waste your time
either. If we took a photograph of the
building --

MR. CUNNINGHAM: That's correct,
that's what I'm looking for.

MS. BARISH: -- and did the artwork on
a photograph, would that be a better --

MR. CUNNINGHAM: I want to compare

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apples to apples here. I want to compare the
front of the building as it exists now and the
front of the building with the artwork on it.
That's what I would like to see.

MS. BARISH: Okay.
MR. WEST: Go across the street to
Lord & Taylor's sidewalk there by the bus stop
and shoot your building. Get the full effect
of what people would see going this way, close
up, from that side, and then --

MR. CUNNINGHAM: Give it to us.
MR. WEST: -- give us something to
compare it to.

MS. BARISH: Would you also -- I'm
sorry, Mr. Pulaski?

MR. PULASKI: Yes.

MS. BARISH: Would you also like to
see the artwork with just a part of it done?

MR. PULASKI: Yes. More of a mural
with a fairly large border around it so it's
taking one of the ends and --

MS. BARISH: So like a frame around it
so it looks more like it's a --

MR. PULASKI: Yes, a painting. It
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the street so it shows it in context for people
3 passing by on Route 22. For some reason I
4 think this corner was confusing people that
5 aren't familiar with it. So that's one option,
6 to show the entire proposal; and then the other
7 option is to show something on a more modest
8 scale.
9
10 MR. PULASKI: On one portion of the
11 building, fairly large border around it so it's
12 more like a painting. I
13 Would like to add to that, that if the
14 applicant or the artist has any photos of other
15 applications, they could send them to you,
16 e-mail them to you and you could e-mail them to
17 me, I'll look at them. There is one photo
18 here, but I don't think it's a very good
19 representation of what you -- of what that
20 looks like.
21
22 MS. UHLE: I think again, just to be
23 clear, I think what the Board would like to
24 see -- at least I thought we had asked for
25 before -- just literally you said there's a
26 number of buildings on Long Island that have
27 exterior murals that have held up well that
28
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look attractive, so we would actually like to
3 see pictures not of a close-up of the murals,
4 but across the street of the entire building
5 with a mural on it. Again, that was the one
6 difference between -- well, one of the
7 differences between this application and the
8 only other mural we have in town, which is a
9 Wells Fargo, in that they had numerous
10 buildings with very similar murals. So there
11 wasn't this sense of, we're not sure what this
12 is going to look like. They had a pretty good
13 sense of what it was going to look like based
14 on other examples. People seem to think this
15 looks lovely, it's just sort of still in a
16 sketch format so it's hard to see what the
17 finished product is going to look like. So I
18 think if we could see some other examples that
19 your firm has developed --
20
21 MR. CUNNINGHAM: I think, from my
22 perspective -- this is the next application --
23 we have pictures of an existing home, it's
24 landscaped in front, what the building looks
25 like, and here's what the new one looks like.
26 It's very visual, very easy to see, okay, this
27
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is what it is. From an architectural
3 standpoint, from an aesthetic standpoint that's
4 what I'm looking for. I'm looking to see,
5 okay, here's what I have now, here's what I'm
6 going to see later on.
7
7 MR. TUDISCO: Also, I just want to
8 clarify something else. You had mentioned,
9 Margaret, earlier about bringing in photographs
10 of some other buildings, hard copies of
11 photographs; is that something that the Board
12 is requesting? Is that something that you
13 would like to see?
14
15 MS. UHLE: That's something I'm
16 requesting on behalf of the Board.
17
18 MR. TUDISCO: Okay, then you should be
19 clear about that.
20
21 MS. UHLE: I thought that I made that
22 clear.
23
24 MR. PULASKI: To me, they don't have
25 to be hard copies. PDF's are great.
26
27 MS. UHLE: Actually, for submission to
28 my office --
29
30 MR. PULASKI: I understand that.
31
32 MS. UHLE: -- they do need to be hard
33
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1. hearing is open.
2. Mr. Pulaski: I would leave it open.
3. Acting Chairman Nemeczek: The option is yours as to whether you want to return. If you do return, you should be mindful of the requests that the Board is making. Okay?
4. Thank you very much.
5. Ms. Shuster: Thank you so much. I apologize.
6. Mr. Pulaski: No apology. No apology.
7. Acting Chairman Nemeczek: Next, Application 15-34, 22 Maple Street.
8. Mr. Maiorano: Good evening, board members. My name is Adamo Maiorano on behalf of the owner, Mr. Louis Osso.
9. We are proposing a one story addition over an existing one and a half story split level residence. Basically the addition is going to be on the right side and the rear of the building. It's a split level, so we're going to go up a half story to the front to a study, and the rear is going to be a den and master bedroom and master bath. Basically the materials of the house.

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1. Mr. Pulaski: Could you maybe put that there so the public can see it, and then just describe the colors?
2. Mr. Maiorano: Basically the siding is going to be Victorian gray, and the roof is architectural grade.
3. Acting Chairman Nemeczek: One of the photographs on page A-2, section 1 you have up there -- one of the photographs of the existing house shows a rear elevation with a whole lot of cluster, items; how is that going to be cleaned up?
4. Mr. Maiorano: It's chairs.
5. Acting Chairman Nemeczek: Is that all just adjacent to the exterior or is some of it underneath? I can't really tell.
6. Mr. Maiorano: There is some stuff underneath because there is an overhang there.
7. Acting Chairman Nemeczek: Will there still be an overhang there?
8. Mr. Maiorano: Yes.
9. Mr. Pulaski: Can you use the mic so that --
10. Mr. Maiorano: We're going to build on top of that. That's going to remain. It does look like they're storing some stuff. There's patio furniture and I'm not sure exactly what else.

Acting Chairman Nemeczek: Is there a patio in the back there?

Mr. Maiorano: There is a patio on the right-hand side, yes, small, concrete patio. Those chairs are actually on the patio, you just can't see it, and then there is some stuff underneath the structure, which will remain, we're just going to obviously build up on top of it.

Acting Chairman Nemeczek: You said there are going to be two air conditioning units at separate locations?

Mr. Maiorano: Same location just next to each other.

Acting Chairman Nemeczek: Oh, next to each other.

Mr. Maiorano: They're on the right-hand side of the house where the existing one is now. It's actually screened in. There's landscaping. There's a fence in the

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1 front so you can't see it from the street, but
2 there's landscaping on either side of the unit.
3 MR. PULASKI: Margaret, does this
4 structure need more drainage; more dry wells?
5 MS. UHLE: Did you increase the
6 building footprint?
7 MR. MAIORANO: We didn't, no. We're
8 going up on the existing.
9 ACTING CHAIRMAN NEMECEK: There is no
10 increase in impervious surface.
11 MR. MAIORANO: No increase in
12 impervious surface.
13 ACTING CHAIRMAN NEMECEK: This
14 required one variance from the Zoning Board?
15 MR. MAIORANO: It did. The front
16 setback, yes.
17 ACTING CHAIRMAN NEMECEK: It was
18 already non-conforming, so that's why you
19 needed it; right?
20 MS. UHLE: They're just following that
21 non-conformity.
22 MR. MAIORANO: Yes.
23 ACTING CHAIRMAN NEMECEK: And the
24 Architectural Review Board's comments were
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1 largely confined, as you said, to the air
2 conditioning unit, as well as the landscaping?
3 MR. MAIORANO: Yes, to show the
4 existing kind of like -- because the existing
5 landscape on the elevation kind of gives it a
6 little more -- it's a little more appealing
7 instead of just seeing the house there. So
8 they weren't sure, are you removing the
9 landscape, but they're going to keep the
10 landscape existing.
11 ACTING CHAIRMAN NEMECEK: They can be
12 sticklers on windows. Did they have any
13 comments on windows?
14 MS. UHLE: They didn't.
15 ACTING CHAIRMAN NEMECEK: Okay.
16 MR. MAIORANO: They didn't. I mean,
17 you know, expense wise too there's a budget.
18 We would like to add the dividers on the
19 existing windows as well, like the clip-ins.
20 It's going to be on inside. The proposed
21 windows will have the clip-ins. We'll
22 obviously have to add the clip-ins to the top
23 double hung windows of the existing.
24 MR. PULASKI: Open the public hearing.
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There's plenty of nice vinyl out there, but I think for dollar return on a house you'd probably do better with Hardie, but it's up to you.

ACTING CHAIRMAN NEMECKE: I guess we can give the applicant the option of using that --

MR. MAIORANO: It's an expense.

ACTING CHAIRMAN NEMECKE: We're not going to require you to do that.

MR. CUNNINGHAM: Close the public hearing.

ACTING CHAIRMAN NEMECKE: I'll move to close the public hearing on Application 15-34, 22 Maple Street.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECKE: All in favor.

All aye.

ACTING CHAIRMAN NEMECKE: Any further comments from this Board?

MR. CUNNINGHAM: No. Very well done.

ACTING CHAIRMAN NEMECKE: So I move to approve Application 15-34, 22 Maple Street.

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new stone walls at the driveway and a new walkway.

MR. PULASKI: And your pallet of colors? You don't have one?

MR. IANNACITO: Here are the existing elevations. One and a half story --

MR. PULASKI: I'm sorry.

MR. IANNACITO: One and a half story cape with two dormers at the front and one dormer at the rear and an existing wood deck which will be removed.

These are the elevations, which include the two story addition at the front with a new entry portico. On the sides you'll see the second story addition over existing, and then the two story addition at the rear with the open wood deck.

Exterior materials. On the wall surfaces we are proposing a HardiPlank siding in a cobblestone finish. The roof over the main portion of the house will be asphalt shingles in a more black finish, and the roof over the entry portico will be a copper finish.

The windows will be vinyl clad in a white finish.

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Mr. Pulaski: Second.

ACTING CHAIRMAN NEMECKE: All in favor.

All aye.

MR. MAIORANO: Thank you.

ACTING CHAIRMAN NEMECKE: You're welcome.

Application 15-61, 225 Park Drive.

Eastchester's own John Iannacito.

MR. IANNACITO: My name is John Iannacito. I'm an architect, and I'm representing Mr. and Mrs. Cinnion this evening. We are proposing additions and alterations to the existing single family residence located at 225 Park Drive.

The proposed scope of work will include a two story addition at the front and rear of the existing residence, which are highlighted on the site plan here. It also includes construction of a second story addition over the existing footprint, construction of a new entry portico at the front, construction of a new open wood deck at the rear, and some site alterations including:

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finish, trim boards will be painted AZEK in a white finish, gutters and leaders aluminum in a white finish. The front entrance door and overhead door for the garage will be a stained mahogany, and the railings at the deck will be vinyl in a white finish.

The application was presented to the Architectural Review Board on October 1st and they had -- I was approved with three recommendations:

The first was to show the air conditioning units on the site plan. Those would be located right behind the wood deck at the rear of the property.

The second recommendation was to show the locations of leaders on the elevations, and we did add the leaders at all the corners on all the elevations. The leaders will be tied into a subsurface drainage system with two dry wells. The actual calculations on the property require .8 dry wells and we're adding two; one in the front and one in the rear, so the leaders at the front of the house and back of the house can go into their own dry wells.

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The third recommendation was to provide a cut sheet for the exterior lighting, which I included in the package.

MR. PULASKI: I see you're expanding the width of the driveway. So you're moving --
MR. IANNACITO: Very, very little. So we're going to take down the existing retaining walls, widen the driveway I believe it's only --
MR. PULASKI: So those are stone retaining walls?
MR. IANNACITO: Right now I believe it's concrete.
MR. PULASKI: Okay.
MR. IANNACITO: And they will be stone to match the stone on the facade.
MR. PULASKI: Okay. That sounds good.
MR. IANNACITO: We can't expand the driveway too much because of the limitations of the site and the front entrance.
MR. PULASKI: They have stone work at the beginning of that driveway? Stone in the -- cobblestone?
MR. IANNACITO: We can put an apron --

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Much of a wall. It's more like wall and dirt so you get gaps between the rock. I'm sorry, it said rock and dirt, but I am concerned about how far back the addition is being made to the house and the distance between that and the irregularly shaped rock, dirt area and what impact that might have with that pressure and water upon that area.

So I'm concerned about excavation, the water, and the property line or that wall. So I haven't been to one of these hearings before. I just got the notice, and I wanted to make sure it wasn't going to have any negative impact if that was included. On the plans, I can't read that stuff, but does it take into consideration the slope, the grade for my property at the edge its the property? I don't know if an official survey was done because I can't really tell where those rocks are, how far on my property they are or something else, so I wanted to make sure the distance between my property and the new addition was something --

ACTING CHAIRMAN NEMECEK: Is it Mr.

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O'Leary?
MR. O'LEY: O'Leary.
ACTING CHAIRMAN NEMECEK: You're address again is what?
MR. O'LEY: I'm 96 Fairway, and the lot --
ACTING CHAIRMAN NEMECEK: If you're looking at the applicant's -- the applicant's home from Maple, your house is behind it; Is it to the right or the left? Park. I'm sorry, Maple is the last one. Park Drive.
MR. O'LEY: Fairway Drive is along the perimeter of Leewood. If I look --
MR. PULASKI: You're on the golf course; right?
MR. O'LEY: Right. Most of the house abuts my property.
ACTING CHAIRMAN NEMECEK: So yours is the larger lot than either of your two neighbors? Yours is the double sized lot.
Yes, I see it. So if you're looking at the applicant's home from Park Drive, your house is back to the left?
MR. O'LEY: Right.

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2 ACTING CHAIRMAN NEMECKE: What is
3 right now at the property line; is there a
4 retaining wall there or is it just a slope?
5 MR. O'LEARY: The map survey says it's
6 a retaining wall. It's not a retaining wall.
7 It's some stone and then there are large gaps
8 and it's just dirt. It's not shrubbery. It's
9 dirt and stone. In that area they're not huge
10 stones. They're relatively small, moderate
11 sized stones.
12 ACTING CHAIRMAN NEMECKE: If you could
13 have all of your wishes fulfilled with respect
14 to the property line, what would they be?
15 MR. O'LEARY: I'm sorry, I didn't hear
16 you.
17 ACTING CHAIRMAN NEMECKE: If you could
18 design the property line between your house and
19 225 Park Drive, the applicant's, what would it
20 look like? If you could submit a wish list to
21 me right now, what would your solution be to
22 this sort of broken up retaining wall, slope
23 that you're describing? What do you want to
24 do?
25 MR. O'LEARY: I'm not an architect. I
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2 you know, drainage problems as a result of the
3 application, etcetera, and I did give Mr.
4 Iannacito a little bit of a heads up that that
5 was his concern. So I don't know if John could
6 address that in terms of dealing with drainage
7 and things like that.
8 ACTING CHAIRMAN NEMECKE: You have a
9 CULTEC unit in the back of the house which will
10 be attached to the leaders, which is something
11 that's not existing there right now, which will
12 presumably trap some of the precipitation.
13 Maybe Mr. Iannacito has some thoughts as to --
14 step up to the microphone.
15 MR. IANNACITO: Currently, the leaders
16 just fall out to grade and the water just
17 spills out. So our intention is to take every
18 leader that's coming off the house and tie it
19 into the two dry wells.
20 MS. UHLE: They're actually --
21 MR. PULASKI: Currently, there is no
22 dry well?
23 MR. IANNACITO: No dry well.
24 MS. UHLE: They're only required to
25 provide the dry well for the increase in
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2 don't have any solutions or suggestions. I'm
3 simply asking to confirm that there's not going
4 to be any negative impact, whether it's the
5 slope itself, the erosion of soil and rock and
6 the shifting of those materials.
7 MR. PULASKI: Presently, is there any
8 problems in that location?
9 MR. O'LEARY: If there is a
10 significant storm with a lot of rainfall. I
11 mean, it's not like it's a river, but you
12 know, on occasion you get a significant
13 storm --
14 ACTING CHAIRMAN NEMECKE: But that's
15 natural; you're down slope.
16 MR. WEST: You're at the bottom of the
17 hill; right?
18 MR. PULASKI: It's not the condition
19 now, it's if the condition changes to something
20 else that could be negative?
21 MR. O'LEARY: Right.
22 MS. UHLE: The gentleman came in and
23 looked at the application earlier, a week or so
24 ago, and my understanding was he just wanted to
25 make sure that there wouldn't be any future,
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MR. IANNACITO: The intent was to take it off site.

MR. PULASKI: So it's not to raise the grade?

MR. IANNACITO: Well, if we did raise the grade, we would have to build a retaining wall.

MR. CUNNINGHAM: So there is no intention of raising the grade?

MR. IANNACITO: At this point, we weren't planning on building a new retaining wall or raising the grade.

MR. PULASKI: Sometimes that happens. MR. IANNACITO: Sometimes it does. MR. PULASKI: It's a great way to take care of soil.

MR. IANNACITO: If it does come up, I think we can build a retaining wall along the property line, but right now it's not in the plans.

ACTING CHAIRMAN NEMECEK: I specifically asked Mr. O'Leary what his ideal solution would be, and it just sounds like you just don't want things to get worse, that's

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ACTING CHAIRMAN NEMECEK: I

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So I just don't know if the proposed addition and the proximity to that irregularly shaped lot's call it a retaining wall, which it's not really, whether that's going to have any impact. I'm not here to try and cause -- to argue against the improvement of the neighbor and the house will certainly look a lot better with the proposals, nor to cause additional cost, it's just I want to make sure that -- the house is getting pushed back, if it's 9 feet back or something else, and I don't know where the property line ends vis-à-vis that irregularly shaped retaining wall and whether those measurements, you know -- so where exactly the 25 foot back is for the house and then the porch or whatever is like 19 feet proposed away from -- away from what? I don't know whether it's, you know, 19 feet with a few feet beyond the beginning of that retaining wall or the opposite way. I just don't know. So I don't there is -- the survey says like a tree with a nail in it or something like that. I don't know exactly where the official

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property line is. I don't know where that
house is going to end up or the deck is going
to end and whether it's going to look like
19 feet or 25 feet.

MR. PULASKI: Well, I think you
described where the end of that house is.
There's an existing --

MR. IANNACITO: There's an existing
deck there now and --

MR. PULASKI: Park Avenue does slope
from Park Avenue to Fairway, it slopes down.

ACTING CHAIRMAN NEMECEK: Park Drive.

MR. O'LEARY: 225 Park is relatively
flat, but in the back there is a pretty
significant slope on the back of his property,
the non-built area, the yard itself.

ACTING CHAIRMAN NEMECEK: Does that
slope go straight back or does it tilt?

MR. IANNACITO: You could see from one
of the photographs that I submitted of the back
of the house, you could see it does stay flat
for a little bit and then it drops off.

MR. PULASKI: What are the neighbors
doing or what have the neighbors done?

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MR. IANNACITO: All the neighbors have
done exactly the same thing.

MR. PULASKI: Same thing. They just
built on slope.

MR. IANNACITO: Yes. I just think
everything slopes back down toward the golf
course as you get beyond Park Drive and
Fairway.

MR. O'LEARY: When you talk about
slopes, the slope of 225 and the slope of the
property directly on either side of it, they're
relatively flat, there's a mild slope, but then
from that irregularly shaped rock retaining
wall that's it's called, to my property it
becomes a very significant and different slope,
which I don't know if it's has been shown in
any of the drawings. It's a different parcel,
so I guess it hasn't been. I just don't know.

MS. UHLE: I think in looking at your
property, it looks like the rubble wall that
he's talking about is right on the property
line. It's not shown on the applicant's survey
but on the adjacent neighbor's survey it showed
a rock wall directly on the property line.

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that could simply be done by just staking the
property and then you'll know where it is for
your concerns.

MR. IANNACITO: I'd probably recommend
6 to the owner to stake the property. We're just
7 about a little over 25 feet from the setback of
8 addition, to get that line in place before we
9 build the addition.

MR. CUNNINGHAM: Absolutely. Exactly.

This way everyone will know where it is.

MR. IANNACITO: At some point, it will
be staked out, the rear property line, before
they start digging.

MR. PULASKI: Sometimes you could
approximate it from your own house survey.

Usually your house is located by distances from
the property line. So if you reverse that, you
start at your house and you measure out.

ACTING CHAIRMAN NEMECEK: You're
right, though, it becomes more difficult if
it's on a sloped property. Have we at least
given it a good effort at answering the
concerns that you?

MR. O'LEARY: So it will be staked

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words, I think the applicant has done
everything within its power to minimize the
effect and actually probably even lessen the
effect of rain water intruding on your
property. They've done everything that they're
required to do under the code, and it looks to
every member of this board, and we've all
served on this board for some number of years
and have heard many complaints about rain water
and -- a little less so now, we did have for a
period of time a number of very significant
storms back to back to back, but we've heard
them before and we've seen these types of
devices. The CULTEC systems work reasonably
well. Since you're going from nothing to
having a dry well and you're having a small
increase in the impervious surface here,
nothing else is being affected, I think the
applicant has gone above -- has done everything
and then some to address whatever concerns you
might have.

MR. O'LEARY: Okay.

ACTING CHAIRMAN NEMECEK: Any other
members of the public?

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out, and I will be able to talk to you and see
what it is?

MR. IANNACITO: It will be 25 feet
from the property line.

MS. UHLE: With the applicant staking
out the property line, which they have to do in
any case because they're going to have to do a
foundation survey to make sure that the
proposed addition is within that 25 foot
setback, so by staking out the property line
that will simply give you a better visual idea
of where the property line is. It won't affect
their application at all because they're
required to maintain a 25 foot setback for the
house and a 19-foot setback for the deck.

They're both required and allowed to do that.

In terms of the drainage, they're
consistent with all the requirements of the
zoning law as well. In fact, they're even
above and beyond that. I think by staking out
the property line, that will give you a better
idea of where the property line is. Do you
understand what I'm saying?

ACTING CHAIRMAN NEMECEK: In other

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(All aye.)

MR. IANNACITO: Thank you.

MR. PULASKI: I notice you're using the HardiePlank.

MR. IANNACITO: We are using HardiePlank.

ACTING CHAIRMAN NEMECEK: If you put a HardiePlank and you put a stone apron, Bob Pulaski is a happy man.

MR. IANNACITO: A high end vinyl, the cost are not that different. A good vinyl siding and a HardiePlank the costs start to get pretty close.

ACTING CHAIRMAN NEMECEK: I hate to cut you off, but I move to close the town of Eastchester Planning Board meeting of October 22, 2015.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

ACTING CHAIRMAN NEMECEK: Thank you.

(Meeting adjourned.)

DINA M. MORGAN, REPORTER

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 10th day of November, 2015.

DINA M. MORGAN
Court Reporter

11/12/2015 05:05:09 PM