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ACTING CHAIRMAN NEMECZEK: All right.

I would like to call to order the town of
Eastchester Planning Board meeting of
October 27, 2016. Let's begin patriotically
with a Pledge of Allegiance.

(Whereupon the Pledge of Allegiance
was said.)

ACTING CHAIRMAN NEMECZEK: As you may
have noticed, there are only three of us, not
our traditional five. The Chairman, Jim
Bonanno, could not make it today, and,
therefore, I, Phil Nemecek, am serving as the
Acting Chairman today.

Let me do the balance of the roll
call. Mr. Pulaski.

MR. PULASKI: Present.

ACTING CHAIRMAN NEMECZEK: Mr. Cunningham.

MR. CUNNINGHAM: Present.

ACTING CHAIRMAN NEMECZEK: Mr. Bill
West has indicated that he will not be here.

So the next item of business -- and we
do have a pretty full schedule today, we have
six items, six applications before the board.

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1 hoping to amend the plan accordingly.

2 ACTING CHAIRMAN NEMECEK: Why don't
3 you tell us a little bit about -- because I
4 think you were before us in March, I happened
5 not to be at that meeting but I did read the
6 minutes of the meeting thereafter, but since we
7 do have a very sizeable viewing audience both
8 here and at home, I'm sure everyone wants to
9 know what's going to happen here; what's your
10 plan.

11 MR. VILLANI: Sure.

12 ACTING CHAIRMAN NEMECEK: What's there
13 now and what's changing?

14 MR. VILLANI: Presently there's a
15 service station with a small office space
16 that's -- you could say the building is -- my
17 client has already made improvements to make it
18 a little more attractive than it was
19 previously. They pretty much have an open
20 paved area, fully paved area with gas pumps
21 that are --

22 ACTING CHAIRMAN NEMECEK: This has
23 been a gas station for some number of years.

24 MR. VILLANI: Yes.

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1 I could do an FAR drawing that I could include
2 with the amended drawings to show how
3 everything was measured to dictate that.

4 MS. UHLE: You're just going to
5 clarify it?

6 MR. VILLANI: Yes, to clarify it.

7 It's actually 1,072, which is dictating 8
8 spaces, 7.15 spaces which we're bumping up to
9 8, and we're able to fit that on the site so we
10 don't need a parking variance.

11 ACTING CHAIRMAN NEMECEK: What are the
12 current hours of operation of the service
13 station?

14 MR. VILLANI: Well, the service
15 station is not operating. Actually, they're
16 just pumping gas right now.

17 ACTING CHAIRMAN NEMECEK: I'm sorry,
18 the gas pumps.

19 MR. VILLANI: I believe from 7 or 8 in
20 the morning until 11 or -- 11 is the latest? 6
21 to 10.

22 ACTING CHAIRMAN NEMECEK: Okay. And
23 what are the intended hours of operation of the
24 convenience store?

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MR. VILLANI: I don’t believe there’s a change. You’re not presenting a change? 6 to 12 or, I mean, that’s up to --

MS. UHLE: The applicant is proposing 6 to 12, so that is something you could discuss.

MR. CUNNINGHAM: I believe one of the bones of contention though of the community was that 10:00 because all of the other stores in the area, that would be something they were looking for.

MS. UHLE: I don’t think we heard from this community. That was for the service station that was --

ACTING CHAIRMAN NEMECEK: There was a similar application for a gas station in the Chester Heights area of Eastchester that, after considerable input from the community, we did approve it but one of the major concerns was the hours of operation. That’s one of the reasons I’ve brought it up here, because I don’t want there to be any hidden problems here. Let’s get everything out front.

MR. VILLANI: Sure.

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ACTING CHAIRMAN NEMECEK: I think the main -- the two main issues here are the conversion of the building into a different use as a convenience store and right now it’s really not being used for anything. I don’t think -- the service bays, for example, haven't been used as service bays, so you couldn’t even use them as service bays right now if you wanted to without getting approval from this board.

MR. VILLANI: Correct.

ACTING CHAIRMAN NEMECEK: So that’s the first issue. And the second issue, which goes hand and hand with it, is if we were to approve the use of the building as a convenience store, what implications would that have for traffic flow, in particular, parking, and the continued use of the site as a gas station as well. It is on a busy road. It has, as you said, been used as a gas station for some numbers of years to this point. I can’t remember a time before there was a gas station there, and I’ve lived in this town for 50 years. So let’s --

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MR. VILLANI: The entry of the store will be in the middle, glass storefronts flanking either side to an open space with gondolas selling small package goods, coolers in the back for obviously beverages, a handicapped bathroom, mechanical closet, as well as a counter for the cashier, and a coffee area. There is no cooking or anything presented.

ACTING CHAIRMAN NEMECEK: Will you have any of those hot dog roller things?

MR. VILLANI: Umm --

ACTING CHAIRMAN NEMECEK: Particular peeve of our --

MR. VILLANI: Not as of yet, no.

ACTING CHAIRMAN NEMECEK: Okay. And again, the proposed hours of operation?

MR. VILLANI: 6 to 10.

ACTING CHAIRMAN NEMECEK: To 10?

MR. VILLANI: I'm sorry, 6 to 12.

ACTING CHAIRMAN NEMECEK: 6 to 12.

6:00 a.m. to 12:00 midnight.

MR. VILLANI: Just so we're clear, that other project was 6 to 10, the Chester

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12 Heights project?

MS. UHLE: It was approved at 6 to 11.

MR. VILLANI: 6 to 11.

ACTING CHAIRMAN NEMECEK: I think they had sought 6 to midnight. I think there had been other commercial operations in the area that seemed to all close at around 10. So for what it's worth.

Why don't we hear from the traffic experts.

MR. VILLANI: Sure.

ACTING CHAIRMAN NEMECEK: Traffic consultants.

MR. O'ROURKE: Good evening. My name is Michael O'Rourke. I'm with Adler Consulting. We're traffic and transportation engineers based in White Plains.

We did perform a traffic study, as Mr. Villani mentioned, collecting traffic data, turning volumes in and out. We then performed capacity analysis on the anticipated operations with the convenience store using standard trip generation. Our analysis indicated that there would be no change in levels of service and

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operations at either of the driveways. They would operate at acceptable levels of service C, which is generally considered to be acceptable operations. Essentially there would be minimal traffic volume increase and essentially no changes in operational conditions at the driveways.

In response to one comment from Mr. Grealy about potentially changing the operations so that we operate one driveway in and one driveway out, it is our opinion that since the driveways now both currently operate with two way operations and there would be just a minimal change in traffic volume and they would be expected to operate at acceptable levels of service, we do not see a reason to impose one way operations. The current two way operations are adequate and sufficient.

ACTING CHAIRMAN NEMECEK: How many gas pumps are there again here?

MR. O'ROURKE: It's a total of four nozzles. It's two pumps, two sides and that does not change.

ACTING CHAIRMAN NEMECEK: I know it's

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a full service, it's not a self serve facility right now. I've actually bought gas there.

MR. O'ROURKE: Full service.

ACTING CHAIRMAN NEMECEK: Is that going to change?

MR. O'ROURKE: I don't believe so, no.

ACTING CHAIRMAN NEMECEK: Okay. So what is the anticipated increase in the volume of traffic over what exists right now with just the gas station open should your application to open a convenience store be approved? You said it's a minimal operational difference. Tell me what that means, operational as opposed to -- there presumably would be an increase in volume unless you're counting on no additional business other than from gas purposes.

MR. O'ROURKE: There would be a slight increase in traffic volumes. It's expected that there would be approximately -- there would be approximately 13 new trips in the a.m. peak hour and our analysis indicates that there would be approximately 35 new trips in the p.m. peak hour. As I said, even with those trips it's expected that the driveways would operate

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at acceptable level of service C conditions
both now and in the future.

ACTING CHAIRMAN NEMECEK: What are your peak hours of operation that you identified?

MR. O’ROURKE: We did identify the peak hours that we observed based on our traffic counts were 7:30 to 8:30 in the morning and 5:15 to 6:15 in the evening on a weekday.

ACTING CHAIRMAN NEMECEK: Are there any other issues in terms of curb cuts, in terms of -- I think there was a concern over the length of the planting bed; are those issues that you were in a position to address?

MR. O’ROURKE: Actually, those are site design and Mr. Villani. We did make some recommendations. He did accommodate that. We did recommend that he shorten that planting bed to facility entrance and exit, and I believe the current plans show that.

ACTING CHAIRMAN NEMECEK: Okay. It was my belief that that was traffic motivated, that's why I asked that.

MR. O’ROURKE: It was. It was.

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ACTING CHAIRMAN NEMECEK: Do you guys have any other questions concerning traffic?

(No questions.)

ACTING CHAIRMAN NEMECEK: Anything else you want to comment on before I ask Mr. Grealy to comment?

MR. O’ROURKE: No.

ACTING CHAIRMAN NEMECEK: Just be available should we have any questions. Mr. Grealy.

MS. UHLE: Just to clarify, Jonathan, I don't believe that the board has received an amended site plan yet. They're agreeing to do things. Also, I think it's partially because I had comments, plus they're going to hear the comments from Phil Grealy, plus you may have comments so it will come back; is that correct.

MR. VILLANI: The final amendments.

MR. GREALY: Good evening. Philip Grealy, Maser Consulting. We reviewed the traffic study prepared by Mr. O'Rourke. We confirmed the traffic volumes in the study. The peak hours that he referred to on White Plains Road passing this site you have.

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somewhere in the order of 1100 up to almost 1500 vehicles total both directions passing these driveways. That's what he shows in the reports. His counts were done in June. We did some counts in September just to make sure and confirm. Also compared that with New York State DOT counts since this is a state highway. So the base traffic counts on the roadway were consistent.

In terms of the traffic generation at the site today, because the garage is not operational, the volumes are lower than what you would typically calculate for this site.

In terms of the projected volumes that Mr. O'Rourke stated, we calculated them slightly different, you know, methodology. He followed the standard procedures ITE but there's a couple of different categories. Whether you look at it as a service station with convenience store or the pumps doesn't make a big variation. The types of increases that he was talking about up to 35 trips, maybe a few more than that, but not drastically different. They looked at accidents. Most of

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acidents that occurred at Leewood Drive at the signal were turning accidents, left turn accidents, as you had you would expect.

Because this is a state highway, I think the board or the town has referred it to state DOT who usually weighs in on these applications, so they may have some comments.

In terms of the results of the study in terms of traffic exiting, we agree with his analysis what's classified as a level of service C. You do get some gaps in this section of road because of the signal there and the signals to the south, which is beneficial.

We prepared a memo October 20th that went through our comments on the traffic study, but we had numerous comments relative to the site plan, circulation. There will be more traffic on the site, so the important thing is to get them onto the site and to circulate efficiently so that there are no effects on the highway.

I'll just go through those quickly, and then if you have questions I could respond to them. So right now --

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ACTING CHAIRMAN NEMECEK: Just one issue that has already arisen. We heard Mr. O'Rourke say they had considered your suggestion to have, I guess, one in and one out, and, again, we're talking about four gas pumps here, and I know that there's always an issue whether your car has the tank on the left or the right and that causes cars to endlessly circle to try to get the proper pump, but in this instance we're also talking about full service, we're not talking about pumping yourself so --

MR. GREALLY: Correct.

ACTING CHAIRMAN NEMECEK: -- there's a quarterback, there's somebody who's directing traffic and maybe that could help. So keeping that in mind --

MR. GREALLY: Absolutely. Let's start with that, and then there's some other, you know, minor issues I think, you know, in terms of the fuel deliveries he identified turning tracks, you know, to cut down on that planter to make sure that that can function properly, that's fine.

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In terms of the circulation pattern, the reason why or one of the main reasons why we're suggesting that as opposed to what occurs today is with the increased traffic and also the site is pretty tight and the parking is around the rear of the building most of it, so it's logical to make a one way circulation pattern because you don't want to create other conflict points. So if you kept it two way, then do you keep the circulation around the back of the building two way? One of the concerns is that the width of the drive aisles between the building and the guide rail on the south side, let's say, of the property -- so there's a dimension shown from the property line to the building at the tightest point of 15 feet but you have the guide rail, so now, you know, it's really tight for two way traffic. So our thought was that should be one way circulation around the building. It also will allow people to get into their parking spaces behind the building more easily, possibly just angle them slightly so that if you came in a counterclockwise direction you

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would be on the south side of the building, you would pull into your space, come do your business, when you leave you exit on the north side. So with that in mind, the circulation up front kind of begs the question: Why not look at making that a one way circulation? So the area I'm talking about is, you know, on the plan, so here's the two access drives which are currently two way and, you know, you have the pump islands here with fueling on either side that if you look at this area -- this is where that 15 foot dimension is -- so to be able to circulate around there and if these spaces could be angled slightly you would be able to get in and pull out more easily, just a soft, you know, angle.

ACTING CHAIRMAN NEMECEK: Anyone who has used a drive-through is familiar with this concept.

MR. GREALLY: Yes. Absolutely.

There's not a lot of parking space, but, again, it just -- you know, people will be walking, there is a walk along this side of the building, so the other reason to make this one

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which side of your car your pump is on. It's
not like you're scrambling for four different
sets of pump islands. It also allows some
ability -- there's a vacuum and air pump in
this portion of the property, by making this
one way it would allow you to stripe this area
out so when there is someone there using those
facilities, there's more -- you're not trying
to handle two way traffic in the remaining
pavement section, you would be able to just
deal with one way entry. So if there is a car
stopped here, someone entering would be able to
get around. Also, when the cars pull up to the
pumps, as you can see in the diagram, you know,
the fueling position is here but the vehicle
actually extends pretty far in some cases when
they're at the pump island. So when having
traffic exiting and entering at the same time,
you could see you start losing area.
So that's the rationale behind the one
way circulation pattern. I think DOT will have
something to say about it, but for a cleaner
flow on the site and considering that traffic
will be now coming, you know, around the back.

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of the building, it just, you know, seems to be
a better pattern. It gives better ability to
control traffic movements.

MR. TUDISCO: On that issue, I don't
know if the Police Department has weighed in on
that, but because the site is unique to other
gas stations in that it is adjacent to the
school, I know that from an enforcement
perspective there are a number of issues at or
about that site on White Plains Road in terms
of school buses and drop off and pick up, as
well as entering into the school area. I think
if you limit the direction of the traffic in
there -- I don't know if the Police Department
has weighed in on this yet -- I think that is
definitely an issue that you may want to kind
of reach out to them about.

ACTING CHAIRMAN NEMECK: If you limit
it, is that good or bad?

MR. TUDISCO: I think it would be much
better because you have instead of potentially
four directions of traffic on either side of
the driveways, you have now one on one side and
one on the other.

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ACTING CHAIRMAN NEMECEK: But if it's --

MR. GREALY: -- some of that may be within the right-of-way of the state highway. If it is, then it could be pruned. I'm not saying remove any vegetation because once you pull forward, you can see up to the traffic signal at Leewood Drive. But, again, it's somewhat overgrown onto the sidewalk and, you know, you'll see in the photos or in the field that possibly some pruning would enhance that to make it better visibility for traffic entering and exiting and also just seeing any pedestrians walking along there to have a better visibility of pedestrians. Looking to the south is wide open, you can see very clearly.

ACTING CHAIRMAN NEMECEK: Looking to the north is presumably a lesser concern because the traffic is coming from the south, the vehicular traffic would becoming from the south. The concern would be, I guess, a kid on a bike. A pedestrian, I'm assuming, isn't moving that fast that they're going to create a problem in that short area where the driver is making a right turn and should be able to see at least the distance that a pedestrian would cover within a short period of time. Since the traffic is coming northbound at that point, the driver would be looking to his or her left and would presumably see the traffic that would be likely to hit them. If there is somebody driving the wrong way, well, you know, that's --

MR. GREALY: The point was that even when you're exiting if you're making a left turn out to head south on 22, that the traffic heading southbound coming from the Leewood Drive direction --

ACTING CHAIRMAN NEMECEK: That's obstructed as well?

MR. GREALY: -- that's where you would get some benefit for the vehicular traffic to see. Again, it has to be just identified where the right-of-way is because you're not going to go on the private property to do this, but it could be just some minor clearing and it would increase sight distance probably 100 feet.

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MR. PULASKI: I concur with that, but I'm just thinking about the southbound traffic they might not see the pavement markings as clearly. I mean, coming north it's just a natural thing that you pull in on the first driveway. So I'm thinking of some kind of a standing sign that would say, you know, one way enter and the other way one say do not enter.

MR. O'ROURKE: There could be one way signs installed concurrent or in the same direction, same vain as the pavement markings so that they're visible from both directions and motorists would see them as they approach from either direction.

MR. PULASKI: That would be my recommendation, but I thought perhaps the engineers have some experience with this, have made some recommendations, and then the applicant would know what to put on the revised application.

MR. TUDISCO: There is a similar site further south on Route 22, the True Value Hardware Store, it has a one way sign as you come in. It's only a restricted way to go in,

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MR. VILLANI: Around the building you mean? To go that way and around the building?

MR. PULASKI: Right. When it's raining or when there's snow down, you won't always see the -- if you're going to put it on the pavement, you put it up nice and big and that illuminates with headlights, that's fantastic.

ACTING CHAIRMAN NEMECEK: Usually the pavement works pretty good, I think. You have a big arrow on the pavement. Most people know what that means. All right. Public hearing?

MS. UHLE: Yes. I just have one quick question for Jonathan too. Right now there's no storm water management facilities on the plan.

MR. VILLANI: There is no proposed disturbance to the existing impervious surface that's there.

MS. UHLE: There's no increase. But I thought in one of your cover memos you did indicate that you would be providing some storm drains.

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there is a one way sign there, and from the opposite way I believe there's a do not enter coming from the other way. Clearly, it's not always followed, but there is very clear signage as to the direction of the traffic flow going through there because that's another very tight spot.

MR. VILLANI: I was hoping to maybe just because of the final decision on that if we could do the one way sign in and one way sign out would be ideal as opposed to do not enter.

MR. TUDISCO: I think what you're going to need to do is the Police Department has to get involved with that, and because it's a state road, the state may also need to weigh in.

ACTING CHAIRMAN NEMECEK: Maybe enter only and exit only. Again, I'm not sure -- and I think Bob was asking the same question -- what's the best way to do this.

MR. PULASKI: I also think that there would probably be a benefit of a vertically oriented sign at the corner of the store so as

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MR. VILLANI: The analysis is we're not going to be scraping any existing -- we're not proposing any drainage.

MS. UHLE: Okay. That's still something you may want to consider if you want them to try to accommodate something.

MR. PULASKI: Why would we need --

MR. CUNNINGHAM: Is there an issue now?

MS. UHLE: I think just in general for all new construction you provide storm water management facilities because there is a problem just in general regionally with storm water management, so it's an opportunity. I'm not saying you should. The applicant actually indicated they were going to do, which is why I was following up with that question. With regard to our zoning law, you're not required to accommodate --

MR. VILLANI: Only an increase over a certain amount.

MS. UHLE: Only an increase, yes.

MR. PULASKI: So right now anything that's falling on that pavement is making its
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way to Route 22?

Mr. Villani: It's actually pitched towards the back of his property and there's actually a mitigation -- a natural mitigation behind his property because there's a buffer roughly 40, 50 feet behind him of vegetation.

Mr. Pulaski: And that's all your property back there?

Mr. Villani: Yes, correct.

Acting Chairman Nemecek: All right, let's move forward. There was no public hearing on this. I'm going to move to open the public hearing for Application 16-14, 600 White Plains Road.

Mr. Pulaski: Second.

Acting Chairman Nemecek: All in favor.

(All aye.)

Acting Chairman Nemecek: Anyone want to comment? Come on up and identify yourself for the record by your name and your address.

Mr. Araya: My name is Alberto Araya.

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I actually live across the street. I'm at 591 White Plains Road. I've been living there for the last three years. Previously, I used to live at 585 White Plains Road, which is directly across from it.

Since I've lived there, the previous owners were very, very respectful. Never had deliveries between the hours of -- before 6 in the morning and any time after 9:00. With the new owner, 3:00 delivery in the morning, 6:00 delivery in the middle of the day where traffic is backed up. You have students going in and out of schools. You do have parents who stop at the gas station and drop off the kids and run back off. I know because I work from home and I actually have my office on the first main level that actually looks at the gas station.

The idea of putting a convenience store is terrible because, A, the neighborhood is going to get busier so there's a lot more people coming in and out of the traffic. What does that do for our kids? What does that do for our neighborhood?

Second of all, the new owner doesn't

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I really care about his neighbors. I have video here to prove that. His employees just blow leaves, junk right onto White Plains Road which then flow across the street onto our property. What kind of neighbor is that? How do I trust a neighbor? We should be friends. We should be able to do stuff together and not damage other property. At the end of the day, I have to go out and clean it or my gardeners have to come and they clean it, which cost more.

Again, deliveries is one of the bigger issues. When you're having deliveries come in the middle of a busy day when kids are going to school, when kids are coming back, that area that they're saying that you'll be able to park eight cars, not going to happen. If the inspectors that were looking at the traffic were looking at that, there's no way. A truck actually comes out up to the road. That's how it parallel parks to give gas because the gas pumps are right there and that's where they drain all their gas into the station. So doing what they're proposing doesn't make sense, especially for someone who has lived across the

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1 part of this and try to help, not cause anymore
2 issues, not cause anything else that can
3 potentially cause an accident that may harm a
4 pedestrian, which may be a high school student,
5 a grammar school student, a middle school
6 student, an older lady walking from her house
7 to, you know, just taking a walk.
8
9 ACTING CHAIRMAN NEMECK: With respect
10 to the 3:00 a.m. -- you were talking about
11 deliveries at 3:00 a.m., and that's gas
12 deliveries, I assume, at this point because
13 there wouldn't be anything else being delivered
14 there; right?
15
16 MR. ARAYA: Right now there's only gas
17 deliveries. I know for a fact because I knew
18 the previous owner, I had spoken to him before
19 and he readjusted schedules, and that was the
20 right thing to do as a neighbor, as --
21
22 ACTING CHAIRMAN NEMECK: What gas
23 station was it previously?
24
25 MR. ARAYA: Previous owner was just a
26 Getty, but then that was removed, and he held
27 that for about ten years, and before I got
28 there he had just taken over, and, like I said,

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1 I've been there for 13 years.
2
3 MR. PULASKI: So what time was he
4 receiving gas?
5
6 MR. ARAYA: 6 in the morning, 4 in the
7 morning, 8 at night, 10. It all depends.
8 Literally my bedroom is across the street.
9
10 ACTING CHAIRMAN NEMECK: Are you
11 talking about the current owner?
12
13 MR. ARAYA: The current owner. The
14 previous owner would have it either in the
15 morning after school times, or after school
16 times after 4 or 5 but never late at night.
17 The other part is the owner here said that his
18 gas station opens at 7, it doesn't. It opens
19 at 6:00. I know because he turns on all the
20 bright lights and they wake me up. Since I
21 work from home, I know that for a fact. I
22 don't go to bed until 11:30, 12 and they are
23 just shutting down the gas station.
24
25 MR. TUDISCO: Mr. Chairman, there's
26 been a bit of a history at this particular
27 site. When it was a Getty Station, I can tell
28 you that there was an owner and there were also
29 a number of sub-tenants that were actually

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2 little bit off track, because those are
3 compliance issues that actually a gentleman
4 brought that to our attention so we issued the
5 Notice of Violation or just spoke to the owner,
6 and I think the owner addressed it, whether he
7 was aware that he could or could not be doing
8 that.
9
10 I think the issue is, the property is
11 zoned for single family residential only.
12 That's the only actual permitted use on this
13 site. It was a legal non-conforming service
14 station. As soon as the service bay use
15 discontinued, this owner, previous owners have
16 not been able to occupy that space to do
17 anything. So again, obviously before he was
18 asking you if he could legally occupy that
19 space for a convenience store. And actually,
20 I've got to clarify that, he is not asking you
21 that, he is going to be asking the Zoning Board
22 that. So you're not really approving the use.
23 You're looking to see whether, if they do get
24 approval for use as a convenience store,
25 whether they'll be significant adverse
26 environmental impacts to the neighborhood
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2 mostly as a result of the, in this case,
3 traffic impacts basically. If the use variance
4 is granted by the Zoning Board, you could look
5 at some other site plan issues and those kinds
6 of things as well. I just wanted to clarify,
7 you're not really approving the use, it would
8 be the Zoning Board that would be granting the
9 use variance.
10 ACTING CHAIRMAN NEMECEK: And it would
11 be the Zoning Board that would be considering
12 the potential adverse effects of having this
13 non-conforming use as a --
14 MS. UHLE: They're different
15 standards. You're looking at the environmental
16 impacts. The use variance is looking more at
17 the economic hardships. So they're different
18 standards. You're looking at the impacts to
19 the neighborhood. They look at that to some
20 extent as part of the use variance test, but
21 they're also looking at sort of hardship
22 issues.
23 ACTING CHAIRMAN NEMECEK: Okay. Good.
24 MR. PULASKI: So your concerns were
25 the lights, the music, the time of delivery --
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2 MR. ARAYA: All times.
3 MR. PULASKI: -- And that was it?
4 ACTING CHAIRMAN NEMECEK: Hours of
5 operation.
6 MR. PULASKI: Okay.
7 ACTING CHAIRMAN NEMECEK: I think we
8 understand your concerns. Thank you.
9 MR. ARAYA: Thank you.
10 ACTING CHAIRMAN NEMECEK: Let's first
11 see if there is anyone else to comment. Lady
12 over there. Hello.
13 MRS. ARAYA: Hello. My name is
14 Virginia Araya. I'm also a resident of 591
15 White Plains Road. I would just like to
16 reiterate my husband's statements. Really the
17 increased traffic is the concern here. We have
18 small children in the neighborhood. It's just
19 a huge concern. It's already a state road,
20 it's already a main road, to have a convenience
21 store there with the children in the school
22 district, with children across the street,
23 small children, people, pedestrians walking to
24 and from the Crestwood station, having a
25 convenience store there is just going to
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2 increase the foot traffic, it's going to
3 obviously increase the car traffic. It's just
4 a huge inconvenience to us who are there across
5 the street living there having to deal with the
6 traffic, having to deal with the foot traffic,
7 and as my husband stated, having to deal with
8 the increase of just traffic there. It's
9 overwhelming to live there and to have, you
10 know, increased traffic due to the convenience
11 store that's being proposed. It's just, you
12 know, you have to really take into
13 consideration, yes, we live there, it was a
14 choice to live there; however, to have a
15 convenience store there, increase that, it's
16 really a disturbance to the two houses that are
17 directly across the street, as well as the
18 houses adjacent to the gas station currently.
19 So we would just like for you to
20 respectfully take that into consideration that,
21 you know, it's just going to increase the foot
22 traffic and the vehicular traffic. We
23 understand there's been a huge amount of time
24 and money invested into the studies; however,
25 take into impact the impact on the neighbors'
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lives as well. Thank you very much.

ACTING CHAIRMAN NEMECK: The gentleman over here.

MALE SPEAKER: My name is Gileo (Ph.). I live on 585 White Plains Road. I can confirm everything that the previous two guys have said already. The main concern is increase of the traffic. I have a lot of concerns about the new owner.

It's a real mess, a real mess. I'm taking care of two kids, one baby and a five year old boy. I'm working from home. I can tell that the new owner, the situation is really bad. So the whole day I can hear, even with all this traffic on 22, I can hear the music. The radio is on. I went there twice to make a complaint to ask them to lower it down. Nothing. It's a real mess. They put two trash cans in front of the gas station. Of course people go there, put their trash in the cans, no one cares, birds come, take it out from the can and the area is really messy.

The main concern is the kids in the school. Sometimes they run. I mean, I guess.

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think I'm working from home and taking care of the kids and around between 2:40 and 4:00 in the afternoon all the people goes to the middle of the lane and of course you can hear the horn, beep, beep, beep.

The other thing, the delivery truck the whole night. Like I said, I have babies so every two hours me and my wife wake up to feed him, but you can see 1:00, 4:00, 3:00 beep, beep, beep for 20, 40 minutes and it's a residential area. So it seems like they don't care. So can you trust these guys? Thank you.

ACTING CHAIRMAN NEMECK: Thank you.

Any other comments from the public at this point?

(No comments.)

ACTING CHAIRMAN NEMECK: We can keep it open?

MS. UHLE: I would keep it open, yes.

ACTING CHAIRMAN NEMECK: Do you want to comment on any of that?

MR. VILLANI: No. My final comment is that the process, and I've been through this process many of times, we're presenting a

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the teachers send them around the school to run 3, 4:00 in the afternoon. So the whole class is running on the street in front of the gas station. I cannot imagine with the increased traffic, because now it's really bad around 3, 4:00 in the afternoon and 8:00 in the morning because all the buses, even my son goes with the bus to Waverly, so it's a lot of traffic.

People come to drop off their kids and sometimes you have to wait around 5, 6 minutes just between Leewood Drive and our door. With the convenience store I think the situation will be really bad.

Also, the noise from these guys, the new owners. They don't care about anything. What else? The mess and the garbage everywhere. Also, when the winter comes, all the snow from the machine it goes there. It's even slow now because you have to clean everything and the traffic goes slower, even slower. That's the other thing, left turn, when the people try to exit from the gas station to make left turn and go south, it's --

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project, and it's your opportunity to present restrictions on the project and it's a happy medium. If there are compliance issues, we can address them and put restrictions on store hours, deliveries as far as the Planning Board is concerned. It's hard to understand the process from the outside looking in, but this is the process we're trying to go through to establish those restrictions so that there is a harmonious, you know, habitat that the gas station can live in --

ACTING CHAIRMAN NEMECK: You heard from the three members of the public who spoke that --

MR. VILLANI: Absolutely.

ACTING CHAIRMAN NEMECK: -- There is a level of mistrust. I agree with you that this board has the ability to place restrictions on any approval of an application, and certainly we would, but this board is not enforcement body either. So there is some trust that goes into that and we do have ways of enforcing and we do understand, for example, having dealt with the Chester Heights

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application just very recently that, yes, there
are certain -- there is only so much changing
of a delivery schedule that you could do,
particularly if you are just one of many gas
stations, for example. Right now you are
operating as a gas station, you're getting
deliveries. I don't know what restrictions the
town imposes on when those deliveries could be
made. It may be that we can do the public a
service here by reaching a deal with you as
part of the application process whereby you
would be restricted from accepting deliveries
other than in a certain band of time.

MR. VILLANI: Same with store hours
and noise ordinances and certainly that's our
intention.

ACTING CHAIRMAN NEMECEK: I know one
of the concerns that was raised here was one of
increased volume of traffic. I think certainly
there would be an increase volume of traffic
within the particular site. That would be your
hope that there would be an increase in traffic
on site. There wasn't anything I heard from
either of the two consultants that suggested
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store should be located here. I agree with the
public comments. But a store is located there,
a fuel depo is located there, and that, as
Margaret points out, has to go before the
Zoning Board and the Zoning Board has to make a
decision on whether or not to allow it to
continue.

As a planner, I’m looking at it that
if it comes back, that it will continue, how
can we make it the best that we can make it.
So I’ve taken it off the table as to permitting
it or not permitting it. As far as I'm
concerned, it's there and I just have to make
the best that I can of it.

Listening to some of the comments, I
think that lighting issues are solvable,
they're fairly easily solvable. I would just
encourage the present owner, who is now
applying for a permit to remain in business on
this site, to open your eyes and be a good
neighbor. If the neighbors are complaining
about the lights, do something about it. Don't
wait for us to go through a plan review. Same
thing with music. Of all the gas stations I've
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that there would be any significant increase in
the traffic on Route 22.

MR. VILLANI: If anything, an
improvement with the one way traffic.

ACTING CHAIRMAN NEMECEK: I guess in
theory there might be a slight -- a very, very
slight bump in the total volume of traffic
because there may be somebody who wouldn't
otherwise have gone out who wants to either
visit the convenience store or the gas station
or both. But I think given the volume of
traffic on that road already, any incremental
increase would be very, very minimal in terms
of Route 22 traffic. Traffic on the site
itself, of course, would be presumably
increased significantly, and that's where
addressing flow, traffic flow, and also hours
of operation and alike we would hope to be able
to reach a combination that would work the best
for everyone.

So I think we’ve heard enough comment.
Gentlemen, do you have any further questions?
MR. PULASKI: Well, my view of this
site is I don't think that a fuel station or a
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visited in Eastchester, I never hear music. I
can certainly appreciate somebody living
nearby, listening to music, and it may not just
be from a gas station it may be from other
places, but it is annoying. You're applying to
the town of Eastchester and you're abusing your
neighbors and that's not good.

One of the things I particularly keyed
on as a statement was the traffic, the amount
of traffic on 22, and the problem of just
crossing 22. Usually you look for a traffic
light. You don't try to make that left or that
right to cross 22 except where you see a
traffic light, and then you know that that
light will change and you will have a positive
ability to cross the road. When that road is
really heavy, it's problematic. So my own
druthers is that you won't get a lot of
business from southbound traffic and where
southbound traffic does turn, it's going to
slow down -- it's going to impact flow on 22.
That's my opinion.

I think that at times when school is
coming in or departing and the observation that
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School children run, and they certainly do, and you have the combination of traffic on 22, somebody trying to make a turn across 22, as well as trying to watch children that are moving targets, I think that there is a potential of a problem there. But, again, that's not -- the only way to properly solve that would be not to have this facility at this location.

I think the fueling has an ability to be set up at more conducive times of the day. As far as the storm water mitigation, I'm realizing that this is an old site and so it was developed at a time probably before there were certain codes. If we were trying to develop this right now, we would be putting in storm mitigation, we would be sloping the asphalt to the drain locations. I would think, Margaret or James, on a site like this where you have fuel and you have oil, that you would have some kind of an oil separator to that storm system so that water wouldn't just run off the back and seep into the ground, you would actually be trying to separate those.

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MR. PULASKI: Is it time to address some of these as far as curb cut or to wait for this to come back?

MS. UHLE: What I was going to say is, the applicant has an e-mail from me that had a number of points outlined that were included in your notes, they have Mr. Grealy's memorandum, they have a comment from the board about the signage with regard to one way, Rob had mentioned getting Police Department input, we've already initiated the process with New York State. So I think we don't need to reiterate all those things because I think that's already documented for the applicant to try to incorporate into plans, and then between now and the next meeting I could look at some of these other issues with regard to lighting, music, hours of operation, snow removal, site maintenance, deliveries, and try to see how we could maybe formulate those into conditions of approval. I think the applicant is probably pretty well aware of what modifications to make to the plan, and then we can look at more detail in addressing some of the neighbors'

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ACTING CHAIRMAN NEMECEK: I have a further comment on music. I would hope that if there was a convenience store open, that perhaps the presence of a business there might inspire the employees to act in a slightly more businesslike manner than to be blaring the music. That would be a hope. There is, by the way, a great opportunity to be had with the prices of gas in New Jersey November 1st going up to market, which means New Jersey is no longer going to be the mecca for cheap gas.

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1 action is an unlisted action.
2
3 MR. PULASKI: Second.
4
5 ACTING CHAIRMAN NEMECEK: All in favor.

6 (All aye.)
7
8 MR. PULASKI: Thank you.
9
10 ACTING CHAIRMAN NEMECEK: You have your work cut out for you, all right.
11
12 MR. TUDISCO: Is the public hearing still open?
13
14 MS. UHLE: The public hearing remains open, so you will be able to review the --

15 sorry -- the public hearing is remaining open, so when they come back with the revised plan
16 you're welcome to come up and comment on that as well.

17 (Question from the audience.)
18
19 MS. UHLE: It has not been referred to the Zoning Board yet, so that wouldn't happen until the beginning of next year actually.
20
21 That will be noticed as a public hearing as well.

22 (Question from the audience.)
23
24 MS. UHLE: Do you have something that

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1 the top. The rest of the house will be clad in HardiePlank siding. The trim soffits will be a white AZEK and the roofing is an asphalt shingle roof. The garage door and front door are as depicted in the front elevation. As far as lighting, we are going to have two lights on the front door and one light on the side of the rear door and two soffit lights above the front garage door overhang.

11 As far as site conditions, we are proposing storm water management control as far as Cultec recharger units in the front and back that are designed into their tributary area.

15 As far as the condensers, we are looking at the condensers to left of this building which is adjacent to other proposed dwelling away from the neighboring residence. There was also a concern at the Architectural Review Board for a tree in the rear. We are proposing to remove that tree. It was a concern from the neighbor as well.

23 As far as the street-scape goes, this is what the house would look like in relationship to the adjacent neighboring house.

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1 we could watch just online? I could forward it to the Planning Board members.
2
3 MR. CUNNINGHAM: That would be great.
4
5 MS. UHLE: So if you give it to me, I'll forward it to the Planning Board members.
7 Sounds good.
8
9 MR. CUNNINGHAM: Absolutely.
10
11 ACTING CHAIRMAN NEMECEK: Thank you.
12
13 The next item of business is Application 16-46,
14 183 Beech Street.
15
16 MR. MAIORANO: Good evening, board members, chair. My name is Adamo Maiorano from Community Designs on behalf the applicant, Peter Albano.
16
16 We are proposing a single family building at 183 Beech Street. If you recall from last month's meeting, this is one of three single family dwellings we are proposing on this subdivision. In relationship to those other two homes that we presented last month, this has very similar principals as the previous homes. As you see, this is a Tudor style home. The front elevation will be a stone veneer on the bottom half and stucco on

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1
2 style.
3
4 ACTING CHAIRMAN NEMECEK: The
5 application as it is before us today, has
6 incorporated -- has it incorporated all of the
7 suggestions that the ARB told you to make or
8 most of them or some nuance version of the two?
9 MR. MAIORANO: Yes, we did. Also,
10 with this application we tried to address some
11 of the comments we got back from our town
12 engineer to, you know, bring it more to what
13 his concerns were to take care of the site
14 situation not specific to the elevation
15 aesthetics, more the site analysis and storm
16 water and drainage and details that pertain to
17 the site.
18 ACTING CHAIRMAN NEMECEK: To this
19 particular application?
20 MR. MAIORANO: Yes. It's a little
21 more developed than the others, but they all
22 have kind of similar characteristics.
23 ACTING CHAIRMAN NEMECEK: As to the
24 aesthetics, because I very much respect and
25 appreciate the work that our very fine
26 Architectural Review Board does, if you could
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1
2 water management issues. In fact, our
3 engineer, Joe Cermele, did meet with the
4 resident at 185 Beech Street to kind of review
5 and discuss the storm water management plan,
6 and I think that was a successful meeting.
7 From the ARB's perspective, it was
8 really, choose a style and stick with it. They
9 referred it to you with a recommendation to
10 approve as submitted in terms of the
11 aesthetics.
12 ACTING CHAIRMAN NEMECEK: You're
13 comfortable with it?
14 MR. MAIORANO: Yes.
15 ACTING CHAIRMAN NEMECEK: Good. So
16 does Mr. Cermele have any comment for us at
17 this point on this?
18 MS. UELE: Sure.
19 MR. CERMELE: As you know, the site
20 plan for this lot is very similar to the two
21 that you've already -- the comments that we
22 have for those first two homes were almost
23 identical on this lot. At this point, he's
24 addressed the majority of them. We have some
25 very minor comments that we addressed with
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1 tell me what specific suggestions they made
2 that you adopted and whether there were any
3 suggestions that were made which you chose not
4 to adopt.
5 MS. UELE: Do you mind if I -- I mean,
6 really what it boiled down to is this
7 particular residence had some characteristics
8 of the Tudor style and craftsman style and
9 basically the board said, choose one or the
10 other, and, in fact, a couple of the board
11 members said, we like the fact that you're
12 leaning towards the Tudor. So really the
13 applicant changed the front facade to have more
14 of a stronger Tudor reference and eliminated
15 the craftsman reference. That was really the
16 only concern of the board.
17 Then at the same time, some of the
18 neighbors spoke on site plan issues related to
19 this, even though they weren't really ARB
20 issues, but the applicant already addressed
21 those with regard to relocating the AC
22 condenser units so that they're away from an
23 existing neighbor, cutting down a tree that was
24 a concern, and then also dealing with storm
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1 regard to some of the calculations used for the
2 storm water mitigation, but certainly nothing I
3 think will rise to any level of any kind of
4 significance or certainly nothing that I would
5 envision changing the plan to any substantial
6 level.
7 We did meet with the neighbor. I
8 don't want to speak for her. For the record,
9 she taught me too, and I think half the room at
10 the last meeting. I think we've satisfied any
11 concerns that she may have had. The system
12 that he's designed will mitigate the 50 year
13 storm. As he said, he's got systems in both
14 the front and rear of the property to handle
15 various areas of the building and the drive.
16 At this point, barring these couple of
17 very minor comments, I'm satisfied with the
18 site plan. We did witness the soil testing.
19 He's got good depth to the soils. I don't see
20 any real concern here.
21 ACTING CHAIRMAN NEMECEK: Okay.
22 MR. PULASKI: Do you have an opinion
23 why the neighbor that spoke at the last meeting
24 is having a lot of mucky conditions on her
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1 property across the street?
2 MR. CERMELE: You know, I don't. As I 3 explained to her when we met, you know, ground 4 water has its own mind. You don't know what 5 it's thinking until you find it. To add to 6 that, the subdivision behind these properties 7 and what was going on prior to this 8 subdivision, the lay of the land, before it was 9 a subdivision there wasn't any storm water 10 mitigation, so there was probably some effect 11 from that to her property as well as these. 12 Now with the subdivision and that storm water 13 being captured and being taken out the other 14 way, I think that will help. Certainly what 15 they've done with these homes -- and what he's 16 done here is actually on the conservative side. 17 He didn't take any credit here for the existing 18 house. So, you know, when you look at storm 19 water analysis, he did a comparison and you 20 mitigate the net increase. They didn't take 21 any credit for the existing home, so that's 22 another level of protection with this design.

24 MR. PULASKI: Okay.

25 ACTING CHAIRMAN NEMECEK: I think the
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1 comments that we had heard last month from the 2 neighbor -- you're affectionately known as "the 3 neighbor" -- it was somewhat aspirational. I 4 think she was hoping that somehow having had 5 such good results with the D'Ambrosio 6 development, that maybe she could get lucky and 7 it could happen again. I know the town's 8 sentiment is that they do not want a recurrence 9 of what happened with the D'Ambrosio, because 10 it would simply overwhelm -- if we did that 11 with every development, it would overwhelm the 12 town's sewage system. So the storm water 13 management within the property is certainly the 14 preferred method, and it's comforting to hear 15 from you that this was a conservative approach 16 taken by the applicant, and that, you know, 17 subject to resolving the few minor issues, that 18 it's your belief that this is going to work 19 pretty well.

21 MS. UHLE: Also, I think -- again not 22 to speak for Ms. Thompson, who's here -- I 23 think she was relieved to hear there is an 24 overflow design that is directed to the street, 25 which I don't think she was aware of. So if

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1 the dry wells don't have the capacity, it goes 2 into the street drains. And also, I think that 3 she was not necessarily aware of how sort of 4 massive these structures are these days 5 compared to maybe what was installed 15 years 6 ago or so. It's a pretty extensive system that 7 they've installed -- proposing to install.

9 It's still is public hearing.

10 ACTING CHAIRMAN NEMECEK: Gentlemen,
11 do you have any comments?

12 MR. PULASKI: I think the property is 13 very, very attractive, and I'm glad we finally 14 heard from the engineer regarding the storm 15 water treatment because the neighbor was very 16 concerned, rightfully so. So I'm fine with it.

17 ACTING CHAIRMAN NEMECEK: Okay. I 18 don't know if we ever opened the public 19 hearing. I don't think we did. I think it 20 would be appropriate to do so now. I move to 21 open the public for Application 16-46, 183 22 Beech Street.

23 MR. PULASKI: Second.

24 (All aye.)

25 ACTING CHAIRMAN NEMECEK: Ms.
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1 MR. PULASKI: Second.
2 ACTING CHAIRMAN NEMECEK: All in
3 favor.
4 (All aye.)
5 MR. MAIORANO: Thank you very much.
6 ACTING CHAIRMAN NEMECEK: You will
7 resolve whatever the minor issues are.
8 MR. MAIORANO: Exactly.
9 ACTING CHAIRMAN NEMECEK: All the
10 normal -- this is a new construction.
11 MS. UHLE: The landscape plan.
12 ACTING CHAIRMAN NEMECEK: Exactly.
13 You're aware of this. You've done this before.
14 I know you're working on two right next door.
15 Thank you.
16 Next up is Application 16-56, 18
17 Forbes Boulevard.
18 MR. DEMASI: Good evening. My name is
19 Lou Demasi. I'm the architect for the
20 applicants, Dawn and Peter Joyce. What we're
21 proposing tonight is a new house on --
22 MR. PULASKI: Excuse me, can we have
23 some quiet here. Okay, good.
24 MR. DEMASI: Thank you. So what we're
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1 proposing is a new house on 18 Forbes. It's a
2 nice neighborhood. There are a lot of eclectic
3 designs. We have a brick house, there's a nice
4 Tudor house and some other, you know, general
5 1950s houses. So what we're proposing is more
6 of a transitional style home, you know, keeping
7 with the colonial idea and going with a more
8 updated look for the windows, which are going
9 to be like a four over one, and a HardiePlank
10 siding on the top is going to be more of a
11 shingle look, on the bottom is going to be more
12 of a beveled siding. The color for the roof is
13 going to be a charcoal colored asphalt shingle.
14 All the trim is going to be white AZEK to keep
15 down the maintenance, and all the windows
16 themselves will also be white.
17 We went through the Architectural
18 Review Board without any concerns. They did
19 have some concerns about the -- the
20 Architectural Review Board did bring up some
21 issues about trees and what we're cutting down.
22 A lot of the trees -- four of the trees -- five
23 of the trees actually are coming down on the
24 property. So in order to help concerns with
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2 about the mature trees on the property, the
3 reason for the removal of those trees is what?
4 MR. DEMASI: The arborist that Peter
5 Joyce had hired said that they were in poor
6 condition and they were going to be dead within
7 a couple of years. So we decided to take them
8 down now. This is the best time to get a nice
9 bulk rate to take some of the trees down. It's
10 never our intention to take trees down. They
11 love trees as much as everyone else does
12 because it provides shade for the house and it
13 gives it a nice mature character. Like I said,
14 we are replacing those trees.
15 ACTING CHAIRMAN NEMECEK: Okay. Are
16 any of the trees being removed town trees?
17 MR. DEMASI: There are trees that the
18 town removed, but we did not remove them.
19 ACTING CHAIRMAN NEMECEK: You wouldn't
20 be authorized to remove, but did you identify
21 trees that needed to be removed which were town
22 trees?
23 MR. DEMASI: I can't answer that.
24 MS. UHLE: A couple of neighbors came
25 in and expressed concern about trees coming
26
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2 down. I think there was a general concern
3 about the two that the applicant was proposing
4 to take down and at least one that the town
5 took down. There was just a general concern
6 about losing the street trees and canopies in
7 general. So the ARB did ask that the applicant
8 think about that when creating the landscape
9 plan, which they did put some Oak trees and
10 Chestnut trees, and I believe the applicant
11 also spoke to the Highway Department and they
12 seemed open to planting additional street
13 trees. Obviously that's up to them, but that's
14 the discussion that was started with the
15 Highway Department.
16 ACTING CHAIRMAN NEMECEK: Fair enough.
17 Fair enough. Okay. In terms of the design, I
18 think it looks very attractive.
19 MR. DEMASI: Thank you.
20 MR. PULASKI: What type of finish are
21 you proposing for the driveway?
22 MR. DEMASI: What type of --
23 MR. PULASKI: Finish.
24 MR. DEMASI: Finish? It's an asphalt
25 finish. For the driveway you're saying?

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2 MR. PULASKI: Right.
3 MR. DEMASI: Just a blacktop asphalt
4 finish.
5 MR. PULASKI: You're not considering a
6 stone or the type of paver that will take storm
7 water?
8 MR. DEMASI: Not at this time. We
9 will be taking the water that comes off that
10 driveway and --
11 MR. PULASKI: I understand that, but
12 I'm just thinking that house situated where it
13 is in that neighborhood, that sometimes you see
14 that type of a paving or that type of a --
15 MR. DEMASI: Pervious pavement, yes.
16 MR. PULASKI: It might be something to
17 consider.
18 MR. DEMASI: We're not proposing that
19 with this house.
20 MR. PULASKI: I'm just making the
21 recommendation that you think about it and
22 consider it. It's not part of this
23 application.
24 MR. DEMASI: We will speak to our
25 engineer and see if it's something that's

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2 economically feasible. Usually it's a little
3 bit more costly. Since we are taking the water
4 off the driveway and it's going into the Cultec
5 system, I think that's the best.
6 MR. PULASKI: I agree.
7 MR. CUNNINGHAM: You said you were
8 doing a cobblestone apron on it; right?
9 MR. DEMASI: Yes, as an accent
10 feature, but that's not going to really drain
11 the water.
12 MR. CUNNINGHAM: I'm just saying
13 aesthetically it's a nice look that pretty much
14 goes with the area.
15 MR. DEMASI: Absolutely, yes. We'll
16 do a nice Belgium block, you know, curb around
17 the driveway.
18 ACTING CHAIRMAN NEMECEK: Mr. Cermele,
19 did you have some comments that you could give
20 us on the storm water or have they did been
21 reduced to a writing?
22 MR. CERMELE: They're all in my memo.
23 ACTING CHAIRMAN NEMECEK: I don't
24 think I saw your memo. I saw the Hudson one
25 but I don't know that I saw yours. I may have

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1. misplaced it.
2. MR. CERMELE: I could go through some
3. of these.
4. ACTING CHAIRMAN NEMEZEK: If you could
5. for me, as well as your overall conclusions,
6. that's really what I'm most interested in. It
7. sounds like the applicant has already taken to
8. heart one of the suggestions you made regarding
9. the location of the Cultec units.
10. MR. DEMASI: I gave him that credit.
11. ACTING CHAIRMAN CERMELE: That's
12. always a good move.
13. MR. CERMELE: The comments that I have
14. I'm sure he'll be able to address all of them
15. relatively easily. With regard to the storm
16. water, we did, again, soil testing here and the
17. soils were very consistent throughout the site.
18. We tested three areas around the property
19. fairly consistent depth, consistent perc rates.
20. So that led to the consideration to relocate
21. that system somewhere else where it really
22. wouldn't be in the way of any future
23. improvements. I just asked for some additional
24. dimensioning and grades noted on the plan with

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1. regard to the driveway just to ensure it
2. complies with zoning code. I do have a comment
3. in here, but it's probably more of a question I
4. should have asked. Your code requires a 3 foot
5. separation from driveways to side lot lines,
6. and I would imagine the intent is more for
7. standard lots that are not on the corner, but
8. because this is a corner lot, that back up area
9. is within 3 feet of what is a side lot line.
10. So I guess maybe more of a clarification for me
11. rather than necessarily a comment.
12. MR. TUDISCO: Would that require a
13. variance?
14. MS. UHLE: Well, I think it may
15. require that they redesign it. I think you
16. could easily redesign that. Jay and I will
17. look at that.
18. MR. CERMELE: I think it's an easy
19. fix. If they had their hearts set on leaving
20. it that way, I don't know if it would
21. necessitate a variance.
22. MS. UHLE: Yes, if you had your
23. hearts -- you know what, I'm not sure. I can't
24. answer that, because even though it's

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ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

(No comments.)

ACTING CHAIRMAN NEMECEK: I see no one here to speak for the public, and so in the absence of any such voice, I move to close the public hearing for Application 16-56, 18 Forbes Boulevard.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

ACTING CHAIRMAN NEMECEK: We have the concerns that Mr. Cermele raised. Those appear to be relatively minor and they could be worked out in the --

MS. UHLE: A condition of the approval would be subject to Mr. Cermele’s further review and approval and the landscape plan.

ACTING CHAIRMAN NEMECEK: We already have what looks like a detailed landscape plan, but a certification at the end of it that it was built as --

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MS. UHLE: What we’ve been doing for new construction is having the landscape architect provide a letter indicating that what was planted is essentially the same as what was proposed.

ACTING CHAIRMAN NEMECEK: That’s a condition that we place on all new constructions, and this really is effectively a new construction.

So subject to those conditions, I move to approve Application 16-56, 18 Forbes Boulevard.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

MR. DEMASI: Thank you for your time.

ACTING CHAIRMAN NEMECEK: Next up is Application 16-35, 65 Lake Shore Drive.

This is where the John Iannacito part of our show kicks off.

MR. IANNACITO: Good evening. My name is John Iannacito. I’m an architect and I’m representing Mr. and Mrs. Lengyl this evening.

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We are proposing alterations and additions to the existing residence located at 65 Lake Shore Drive.

The proposed scope of work will include partial demolition of the existing house on the left side here and a two story addition, which is highlighted in pink. On the right side, we are proposing to remove and re-frame the existing roof over the existing footprint, which is highlighted in yellow.

Then we’re also proposing site alterations, which will include a new circular drive, new front walkway, and a new patio at the rear.

I’ll go through the plans for you. We have the first floor on the left side the new addition which will have the main living spaces, the living room, dining room, kitchen and breakfast area. On the right side, a reconfiguration of the existing bedrooms and bathrooms.

The second floor. On the new part of the house we have a new master suite on the second floor which will consist of a bedroom, closet, master bath, and an office/sitting room.

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1 Architectural Review Board on October 6th and
2 it was approved with no further comments.
3 Thank you and I'm happy to answer any
4 questions.
5 ACTING CHAIRMAN NEMECEK: Are the
6 gutter and the liters not shown in the
7 illustration here?
8 MR. IANNACITO: The liters are not
9 shown on the rendering.
10 ACTING CHAIRMAN NEMECEK: That could
11 have changed to whole -- it doesn't look so
12 great there.
13 MR. IANNACITO: It will be the same
14 color as the stucco.
15 MR. CUNNINGHAM: Are you blacking
16 those out behind the -- it's pretty unique, the
17 garage doors, will you put glass in them?
18 MR. IANNACITO: They're glass but
19 they're not clear glass. They come in a couple
20 of different versions. This one will have a
21 little texture to it to provide some privacy.
22 MR. CUNNINGHAM: You won't be able to
23 see right into them?
24 MR. IANNACITO: You won't be able to
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1 see right in, right.
2 MR. CUNNINGHAM: It's a very nice
3 look.
4 MR. IANNACITO: Thanks.
5 MR. CUNNINGHAM: It's very unique.
6 ACTING CHAIRMAN NEMECEK: This is a
7 pretty significant increase in terms of the
8 footprint, as well as it more than doubles the
9 square footage of the home. It doubles the
10 footprint; right? Is this principal building
11 coverage?
12 MR. IANNACITO: We go from 1801 to
13 2502.
14 ACTING CHAIRMAN NEMECEK: I'm sorry,
15 I'm looking at the 3602. Yes, I'm sorry, it's
16 2502. Okay.
17 MR. IANNACITO: I think the impervious
18 surface is going from 3807 to 5556, and we will
19 be installing seven dry wells for the runoff.
20 ACTING CHAIRMAN NEMECEK: Are there
21 any existing dry wells?
22 MR. IANNACITO: Probably not.
23 ACTING CHAIRMAN NEMECEK: I would
24 think not.
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1 MR. IANNACITO: We'll have drains at
2 the foot of the driveway, the circular drive,
3 drains at the rear patio, and then all the
4 liters will go into the dry wells also.
5 ACTING CHAIRMAN NEMECEK: I'm
6 perfectly content to open a public hearing. I
7 move to open the public hearing for Application
8 16-35, 65 Lake Shore Drive.
9 MR. PULASKI: Second.
10 ACTING CHAIRMAN NEMECEK: All in
11 favor.
12 (All aye.)
13 (No comments.)
14 ACTING CHAIRMAN NEMECEK: No members
15 of the public being present to comment or
16 willing to comment, I move to close the public
17 hearing on Application 16-35, 65 Lake Shore
18 Drive.
19 MR. PULASKI: Second.
20 ACTING CHAIRMAN NEMECEK: All in
21 favor.
22 (All aye.)
23 MR. PULASKI: So I ask you the same
24 question I asked the previous applicant: What
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1 are you considering for your finish in the
2 driveway?
3 MR. IANNACITO: Driveway. It may be
4 one or the other.
5 MR. PULASKI: I just speak
6 encouragement that, you know, you're in a
7 beautiful neighborhood and I'm sure you're
8 paying a lot of money for this house, and I
9 think some treatments in the driveway other
10 than just your standard asphalt enhance the
11 whole look. But it's not a requirement.
12 ACTING CHAIRMAN NEMECEK: Again, it
13 looks like another fine piece of work and I
14 will move to approve Application 16-35, 65 Lake
15 Shore Drive.
16 MR. PULASKI: Second.
17 ACTING CHAIRMAN NEMECEK: All in
18 favor.
19 (All aye.)
20 MR. IANNACITO: Thank you.
21 MR. CUNNINGHAM: Very nice job. Good
22 luck.
23 ACTING CHAIRMAN NEMECEK: Switch hats
24 now. Thank goodness we got rid of that
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Iannacito fellow.

MS. UHLE: Not yet.

MR. IANNACITO: Good evening, again.

John Iannacito, architect. I'm representing Mr. Herb Lindstrom, the owner of Cooked & Company located at Garth Avenue or Garth Road.

We are proposing interior alteration and expansion of the existing restaurant of a Type I food service establishment into an adjacent tenant space which was previously used as a dental office.

The proposed expansion will increase the gross floor area of the restaurant from 1,038 square feet to 2,049 square feet, an increase of 1,011 square feet. I've highlighted on the plan here the existing restaurant, which is highlighted in pink, and then the new portion of the restaurant which was previously the dental office.

We are here this evening for a preliminary review and we are requesting the following:

First is an amendment to the existing special permit, and second is a referral to the

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Zoning Board for a variance. The existing property is currently non-conforming with respect to the current zoning law. The front, rear, side setbacks are all non-conforming and will not be changed. The building coverage is non-conforming and will not be changed. The total number of off street parking spaces is also non-conforming, and the expansion will increase the deficiency by one parking space.

The existing parking currently requires 13 spaces for the restaurant and the dental office and zero are provided. The expansion will require 14 spaces and zero will also be provided. On the individual standards and requirements for a food service establishment, the nature of the operations and the access to the existing establishment will not be changed, will remain as existing. The scope of work will be completely internal.

There will be no change to the exterior of the building. The existing roof top HVAC system and the kitchen exhaust hood will remain and will be reused. The waste an recycling are currently stored in receptacles at the back of

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the building, which is located here on the Grayrock side of the building, and the waste and recyclables are picked up twice a week by a private company. Deliveries are currently made through the front of the building either right at the main entrance or at the side entrance.

It depends on the size of the delivery for that day.

ACTING CHAIRMAN NEMECEK: And that would not change; right?

MR. IANNACITO: That wouldn't change.

ACTING CHAIRMAN NEMECEK: The garbage pick up, that wouldn't change either?

MR. IANNACITO: That wouldn't change either, correct.

Finally, there will be a change in the hours of operation. The restaurant is currently open seven days a week and it will continue to be open seven days a week.

Currently, the hours of operation are Monday and Friday 10 a.m. to 4:30 p.m.; Tuesday, Wednesday, and Thursday 10 a.m. to 6:30 p.m.; Saturdays and Sundays 9 a.m. to 3:30 p.m. The new hours of operation from Sunday through

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1 I guess they may change that if it becomes
2 increasingly popular and they need to be open
3 more hours.
4
5 ACTING CHAIRMAN NEMECEK: But the
6 thought is to serve dinner on Friday an
7 Saturday?
8
9 MR. IANNACITO: Also on the other days
10 but, yes, early dinners, yes. That's what he
11 told me the hours were to be. Maybe he
12 didn't think about it too much. You would
13 think he would want to stay open a little bit
14 later.
15
16 ACTING CHAIRMAN NEMECEK: It just
17 seems that 7:30 -- either you're going to close
18 earlier or later, 7:30 seems like you're going
19 to --
20
21 MR. IANNACITO: They're open until
22 6:30 now and I think people come in, grab
23 something that's prepared and take it home. So
24 their idea is someone will do the same thing
25 except eat it in-house instead of going home.
26 That could change. We don't want to restrict
27 the hours to this. I think it's probably safe
28 to say 10:30, 11:00 the latest that they would
29 
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1 ACTING CHAIRMAN NEMECEK: All in
2 favor.
3
4 (All aye.)
5
6 ACTING CHAIRMAN NEMECEK: Any members
7 of our public hearing want to make a comment?
8
9 I don't think so. This is going to be
10 referred?
11
12 MS. UHLE: It's going to be
13 referred to the -- well, referred to the Zoning
14 Board and then come back to you for the special
15 permit. So you could keep it open.
16
17 ACTING CHAIRMAN NEMECEK: I would
18 leave it open.
19
20 MR. IANNACITO: One less publication.
21
22 ACTING CHAIRMAN NEMECEK: So we --
23
24 MS. UHLE: So the only thing you need
25 to do is refer it to the ZBA. There is no
26 SEQRA action or anything on this one. You will
27 do that when it comes back to you and the
28 Zoning Board will do that independently as
29 well.
30
31 ACTING CHAIRMAN NEMECEK: So we refer
32 it to the Zoning Board?
33
34 MS. UHLE: For consideration of the
35 
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1 ever be open.
2
3 MR. PULASKI: So we have to recommend
4 this?
5
6 ACTING CHAIRMAN NEMECEK: We open a
7 public hearing on this?
8
9 MS. UHLE: Yes, open the public
10 hearing, and then it doesn't look like anyone
11 is here, and then you could make a referral to
12 the Zoning Board.
13
14 ACTING CHAIRMAN NEMECEK: I would say
15 there are people here. I count them as people.
16
17 MR. CUNNINGHAM: Patiently waiting.
18
19 ACTING CHAIRMAN NEMECEK: They may not
20 have comments on this particular application.
21
22 MR. PULASKI: Maybe you should take
23 call-ins.
24
25 ACTING CHAIRMAN NEMECEK: That's an
26 excellent idea.
27
28 MR. PULASKI: Our huge audience.
29
30 ACTING CHAIRMAN NEMECEK: I think we
31 should take Twitter feeds too.
32
33 I move to open the public hearing on
34 Application 16-60, 134 Garth Road.
35
36 MR. PULASKI: Second.
37
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1 are variance for one parking space.
2
3 ACTING CHAIRMAN NEMECEK: As Margaret
4 just said, I move to refer Application 16-60,
5 134 Garth Road, to the Zoning Board of Appeals
6 for consideration of a proposed variance for
7 one parking space.
8
9 MR. PULASKI: Second.
10
11 ACTING CHAIRMAN NEMECEK: All in
12 favor.
13
14 (All aye.)
15
16 MR. IANNACITO: Great. Thank you.
17
18 ACTING CHAIRMAN NEMECEK: Good luck.
19
20 Finally, we have Application 16-61, 249 Main
21 Street.
22
23 MR. SYSAK: Good evening, Chairman,
24 members of the board. My name is Paul Sysak.
25
26 I'm from JMC Planning & Engineering
27 representing Really Big Fish, LLC in their
28 application for site plan approval for a
29 multi-family development located at 249 Main
30 Street. I'm joined here tonight with Greg
31 Holcombe of Really Big Fish, LLC and Nima
32 Badaly of Badaly Architects.
33
34 This is our first meeting before your
35 
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board. We would just like to introduce the project to you and begin the review process. I will get into this a little bit later at the end of the presentation, but we're going to be asking for a referral from your board to the Zoning Board of Appeals for some minor area variances. It is our hope that at the end of this presentation, your board will be in the potential scheduling a site visit if you would be interested in that.

So without any further ado, the property is located -- this is a little shaky -- at 249 Main Street. It is bordered by Tuckahoe Avenue to the north and Jackson Avenue to the south. It is in the RB retail business zoning district. It's .35 acres. It's currently developed with a single family residence with a detached garage. It has two curb cuts; one on the north side of the property, one on the south side of the property leading onto Main Street. Main Street is also a county road, 6911, just for your information.

The proposed property or the proposed

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renting the units since it's a little bit more private and secure, and the above ground parking will be used by the people going to be the commercial and retail space.

I mentioned that Main Street is a county roadway, and right now they did a little bit of sidewalk improvements along that road but there's some overgrown trees and there's some sidewalk in disrepair that we feel as part of this application we'll be removing some of those trees because they're overgrown and we're introducing some planters on the frontage as well. So I think that -- this is actually the -- I don't believe I mentioned it, but this is the Waverly Heights section of Eastchester, and while reading your comprehensive plan while we were filling out the EAF applications, that this was an opportunity that the town was looking to explore for redevelopment. So we feel that that's in line with the proposed comprehensive plan that you guys have.

I did mention that we had some minor area variances that we're applying for. I can go through that list now if you would like.

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project includes the demolition of the existing residence and all of the improvements on the property, including the garage and a series of driveways that lead up to it, and we propose a four story, multi-use building. The first story or ground level story will be approximately 3,585 square feet. That's pretty precise, actually, so not approximately. That's the number of retail/commercial use that will be used. Stories two through four, the top three levels will be multi-family apartment rental units that will vary from studio apartments to one bedroom apartments and some two bedroom apartments.

The parking will be via a parking structure under the building. There will be -- the right side driveway right here will be two way traffic, will lead under the building, and there will be parking under the building here, as well as the surface parking that you see over here. The left side will also be above ground on-grade parking, and it is our -- we anticipate that the below grade parking will be used primarily by the residents that will be

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ACTING CHAIRMAN NEMECEK: Yes, please.

MR. SYSAK: Okay. The width of the driveways is the first variance that we're seeking relief from. It's minor in nature. Where 12 foot is required for parking lots that have, I believe, less than 30 spaces in them, which is the case for both of these parking lots since they're bisected from one another and not connected, the lower parking area has 23 proposed parking spaces so that would be considered and we have 18 on surface, so we actually have narrower than 12 feet. We're asking for approval for a 10 and a half foot wide driveway in both driveway situations.

ACTING CHAIRMAN NEMECEK: These are two way driveways?

MR. SYSAK: They are two way driveways.

ACTING CHAIRMAN NEMECEK: Is it envisioned that only one car at a time will be using it?

MR. SYSAK: Yes, and I believe that's the way that the town code was anticipating with smaller parking lots it would be a lower

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volume.

ACTING CHAIRMAN NEMECEK: They have a powerful grasp of the obvious.

MR. SYSAK: However, you know, there is that situation where we're exploring ways to visually show people that maybe someone is coming down since there might be some concerns from the board or possibly the traffic engineer on what's going to happen when someone's coming out and, you know, someone's pulling in. So we're looking at some electronic devices that show visually, okay, you can go now and things like that.

ACTING CHAIRMAN NEMECEK: I don't know if you were here at the beginning of the meeting when we were dealing with the gas station that I think it was 600 --

MR. CUNNINGHAM: 600 White Plains Road.

ACTING CHAIRMAN NEMECEK: -- White Plains, and one of the suggestions there was -- made by the town's traffic consultant -- was to introduce a flow, you know, where you have one way in and one way out, you know, not

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dissimilar to what you have here where you have two curb cuts. For that particular application, I think the board felt there was virtue having a flow like that, a counterclockwise flow. Have you given consideration to doing a similar -- because you could have one driveway as an entrance, the other as an exit; and if so, would that still require you to get the variance?

MR. SYSAK: Most likely, yes, because the right driveway goes down under the building. It's not a connected flow how it works. So one driveway services the lower parking level and the other services the upper, so there's really no opportunity for that.

ACTING CHAIRMAN NEMECEK: Got it.

Never mind.

MR. SYSAK: Which brings me to the next variance that we're seeking. The slope of the access driveway on the right side going down into the garage, since we have to deal with getting down below, your code permits 7 percent, I believe, maximum for a driveway, and we're seeking -- the fastest we could get down

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So it’s a list, but we feel that these can be considered from the ZBA.

MS. UHLE: As I indicated in my meeting notes, the applicant has identified this, and I think they did do a good job of trying to be very thorough. Mr. King is still reviewing, and I do think that the number and extent may change somewhat, but definitely prior to the next meeting we'll have that locked down. I want to make sure that you're calculating building heights the same way we calculate building heights. Anyway, I mean, I think this is very close but just a heads up it may change.

MR. SYSAK: We haven't received any formal comments yet. We did get the green light to coordinate with the consulting engineer on storm water and things like that but we have not yet, so we will be in touch.

Nima Badaly from Badaly Architects.

MR. BADALY: Good evening, Nima Badaly from the Badaly Architects. I'm the project architect.

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Just to have a little overview as to how I designed the site, bring a few things to your attention what was really important while I was designing it. One of the major concepts for this design is, how can I provide as much parking space as possible for this site. The idea that came upon me was, you know, instead of just providing the parking space to the back of the property, as usually is, let me go down and put a huge parking lot in that entire basement. Coming down I have all this area underground and I'm going to have basement parking. As a result of that, a few of these minor zoning variances are required. I do have 12 feet from the building to the property line, but I need a foot for a retaining wall to the side by where the fire station is. So that's why it becomes really 11 foot. On the other side, there is some encroachment from the next door property. That's why I just want to explain where these variances really come from. The other item, as far as the height is concerned, actually, the height of the building -- when you look at the building, the height of the building is under 41 feet. It's below, way below the maximum height permitted. What does it take above is this bulkhead, which is way behind in the middle of the building. Basically you don't see it from the street or anywhere. That's what makes us have a required variance for the height.

So that's why I just wanted to mention that the nature of the variances the way I designed this I really tried very hard to comply with every part of the zoning, but if I am going to the basement and provide -- you know, that brings me another 23 parking spaces. So that requires driveway pitches more like what you see in more urban areas. When we're talking about 7 percent driveway, we're looking at suburban design, we're looking at places where there are more open spaces. Main Street in Eastchester is much more dense, is much more characteristic of an urban area than as much of a suburban area. So that's why I could justify that, you know, having a basement parking is a good idea in this place, you know, it's not as open as other places.

ACTING CHAIRMAN NEMECEK: I think that had you not included the basement parking, you would be facing some really significant issues because -- I think you know because you're the architect on the Jackson age restricted housing -- you know this area pretty well. I know this board has just within the past couple of years encountered a few applications, the Ciao application was one of them. I know that the description of the parking situation at Ciao was hellish. I know they had a system of valet parking and alike. I know parking is at a premium here. I know you mentioned Main Street as being characteristic of -- perhaps more characteristic than other parts of the town -- having a more urban characteristic, but this still is the suburbs and that is a characteristic that I think the members of this board certainly value. So I can tell you it's with some skepticism that we face what looks like -- it struck me of all days today you're coming before us for the first time with an application where you've got this very large parking lot in the basement. I think that bears some additional work and discussion.
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2 application that is for -- how many units of
3 housing?
4 MR. BADALY: 18 units.
5 ACTING CHAIRMAN NEMECEK: 18 units of
6 housing on the same size property that we have
7 seen two applications today for single family;
8 one on Forbes and the other on Lake Shore
9 Drive. Granted they're in different areas with
10 different zoning.
11 I think the applicant understands that
12 this is something of a departure and we
13 certainly will listen and evaluate, as we do
14 with every application, how does it fit in with
15 the character of the neighborhood of
16 Eastchester, is it good for the town, and
17 certainly I do commend you for being
18 imaginative in generating parking spaces,
19 because that's a really major concern here and
20 I think you know that.
21 Gentlemen, do you have any questions?
22 MR. CUNNINGHAM: Yes. I have a
23 question about the bulkheads. On your
24 elevation and stuff you're showing two stair
25 bulkheads, I see there's an elevator there, is
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2 it a hydraulic elevator?
3 MR. BADALY: The elevator will have a
4 bulkhead also, but it's lower than the stair
5 bulkhead. Usually the traction elevators have
6 a higher -- they require up to 15 feet higher
7 above the roof. This is either going to be
8 hydraulic or most probably what we call a
9 machine room less elevator which only goes
10 above the roof about 4 feet.
11 MR. PULASKI: Just at first glance, I
12 agree with your assessment of needing some type
13 of signaling on the driveway. It's a long
14 driveway. One of the problems I see is that
15 you could be coming down Main Street, you have
16 some traffic behind you, you start to make the
17 right-hand turn into the driveway, and you now
18 notice that there's a car coming up the
19 driveway; how do you back up; what do you do at
20 that point? So you have to know before while
21 you're still on Main Street so you could stop
22 and let that car clear coming up the driveway.
23 If it were to occur further down the driveway,
24 then it becomes hard because it's a long
25 driveway, it's narrow, and trying to back up
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2 that driveway would not be good, but I assume
3 that you could work something out.
4 MR. BADALY: Yes. Actually, we have
5 already started, and I think it's just about
6 done, a detailed traffic study, a part of which
7 is the signaling system, detection system that
8 automatically does that. I'm going to leave
9 that -- as he was explaining -- I'm going to
10 leave the full explanation of that to the
11 traffic engineer when he presents here, but we
12 fully have comprehend that is a major
13 concern and it will be fully addressed.
14 MR. PULASKI: Looking at some of the
15 variances that you pursue, I believe that
16 there's one in there where you have a 9 foot
17 space and your space is up against like a
18 concrete wall or a masonry wall or a column and
19 the code requires an additional foot there.
20 MR. BADALY: You're absolutely right,
21 that is another variance we require.
22 MR. PULASKI: Just being a user of
23 public parking spaces, when you're making that
24 turn into a space and you have a concrete -- a
25 masonry wall, you don't want to scrape that
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2 wall and that extra foot there is very nice.
3 So I mention that from -- I know that it's the
4 Zoning Board that will decide it, but I see it
5 as a quality of life item, a quality of your
6 building to your residents.
7 MR. BADALY: When we go before the
8 Zoning Board -- I also agree with you -- I will
9 give that option to the Zoning Board members
10 saying that, hey, we can provide that extra
11 foot here -- it's not just one location, it's a
12 few locations -- that we can at the expense of
13 eliminating one space this side, one space that
14 side. It's a give and take. So between the
15 members of Planning Board and the members of
16 Zoning Board, you have to see really -- to me,
17 I presented it that way because I felt, you
18 know, personal choice I would rather see one
19 space and have 9 foot here. That was my person
20 choice. But I fully understand your viewpoint,
21 very valid, and if the town officials and
22 yourself feel that's the way to go, then we
23 eliminate one space.
24 MR. PULASKI: I think going forward --
25 I know this is just preliminary -- I think
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1. going forward usually we see this building and
2. then we see a drawing with the adjacent
3. buildings so that you could see the
4. relationship of height, you could see some of
5. the relationship of design, though it's more
6. height than design. I do think it's nice that
7. you're trying to make valuable use of a piece
8. of property in this manner, but I think there's
9. a lot that we have to work out.

10. ACTING CHAIRMAN NEMEZEK: With respect
11. to the commercial operations, how many
12. different business offices?

13. MR. BADALY: At the moment, there is
14. no plan. We just have one open space. Really,
15. the market will dictate it. As is the case,
16. when a tenant comes, there is a very good
17. chance that they may have to come back before
18. this board depending on the specifics of the
19. use.

20. ACTING CHAIRMAN NEMEZEK: Is there any
21. possibility that this would be considered for
22. use as a restaurant?

23. MR. BADALY: There is a possibility
24. for any use, but I'm sure if it is a
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1. restaurant, they come before you and you're
2. going to review it in full.

3. MR. PULASKI: So where does this go,
4. Margaret?

5. MS. UHLE: This is very preliminary.
6. It was an introduction to the board. Actually,
7. I haven't forwarded any notes yet to the
8. applicant, but I did do a thorough review. So
9. what I thought maybe we could do next is
10. coordinate maybe a meeting with town staff and
11. even get Highway and Police and Fire Department
12. all in the same room to kind of cover some
13. issues. I have some comments and questions on
14. the EAF. We're just now initiating the review
15. by our traffic engineer. I don't believe you
16. prepared a storm water management plan yet.
17. Joe Cermele will be reviewing the storm water
18. management plan. So it really is just kind of
19. now getting the information together, getting
20. it to the appropriate consultants and town
21. staff to review. You can declare your intent
22. to the lead agency and then it will definitely
23. be back next month and hopefully with more
24. information.
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you are conserving as much space as you can to try to mitigate the height variance.

MR. BADALY: The floor to floor height of this building is 10 feet, so the ceiling floor to --

MR. PULASKI: I really don’t want to get into details at this point. I’m just saying that this plan is just very brief.

We’ll want to see it so that we could really add it up and we could have a good conversation about it. Thank you.

ACTING CHAIRMAN NEMECEK: Because as part of your request for variances, I think you have to demonstrate that you’re asking for the least variance that you need in order to accomplish your goals. So I agree with Mr. Pulaski. All right, I think that’s it. We’ll see you presumably December 1st?

MS. UHLE: If they’re ready at that point. Our next meeting is actually Thursday, December 1st because it normally would have been on Thanksgiving. So it’s delayed a week, Thursday, December 1st.

ACTING CHAIRMAN NEMECEK: And I do.

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want to wish our sizable viewing audience and all the members of the Building Department a very happy Thanksgiving. You too, Rob.

With that, I move to close the town of Eastchester Planning Board meeting of October 27th, 2016.

MR. PULASKI: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(All aye.)

(MEETING ADJOURNED.)

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