EASTCHESTER PLANNING BOARD - 12/1/16

THE CHAIRMAN: Good evening. This is the town of Eastchester Planning Board meeting of December 1st, 2016. If everyone would rise for the Pledge of Allegiance, please.

WHEREUPON THE PLEDGE OF ALLEGIANCE WAS SAID:

THE CHAIRMAN: I'm going to take attendance. Mr. Philip Nemeczek.

MR. NEMECZEK: Present.

THE CHAIRMAN: Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here.

Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham will not be here this evening.

The first application is an application that's been here before, it's Application 16-13, 22 and 25 Water Street.

MR. SENOR: Good evening. Eliot Senor for the applicant. So this is a follow-up on the previous meeting.

We had a memo from the consulting engineer, and were instructed to go to the

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2 we're using the R-5 zone is consistently the
3 areas surrounding the property, which are in
4 the R-5 zone and our access is through the R-5
5 zone on Water Street, more conforms to an R-5
6 for the neighborhood. The color codings, the
7 hatched area was 6500. So we had a couple of
8 lots that were 6500, but all these blue lots
9 here are in the R-10 zone that are similar in
10 size to our lots. So we were trying to meet
11 R-5 zoning requirements for our property, and,
12 therefore, we need variances for a list -- I
13 think you have that list of the variances.
14 THE CHAIRMAN: Of the variances, yes,
15 we do.
16 MR. NEMECEK: So these other lots that
17 are highlighted in pink that you just referred
18 to are in the R-10 zone but are otherwise not
19 compliant with --
20 MR. SENOR: Steve Anderson here is the
21 one who went through that, so I think he
22 would --
23 MR. ANDERSON: Basically the thick
24 line lots are 6500, which are basically
25 conforming to the -- basically our average lots
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2 that we are trying to conform. There are also
3 lots that are in the pink and just dashed that
4 are non-conforming as they are in the zone. So
5 that's the purpose behind the other lots that
6 are there that show a thinner line, that
7 they're not conforming as they are in that
8 particular zone.
9 MR. NEMECEK: But the ones on Water
10 Street and Stewart that are highlighted, the
11 existing lots that are highlighted in pink --
12 MR. ANDERSON: Like this one down
13 here?
14 MR. NEMECEK: That one I don't think
15 is on Stewart; is it?
16 MR. ANDERSON: These?
17 MR. NEMECEK: Water is --
18 MR. SENOR: This is water street here.
19 MR. NEMECEK: Oh, that's water. Water
20 before the bend.
21 MR. ANDERSON: These would be 6500 or
22 below.
23 MR. NEMECEK: What are they zoned for?
24 MR. ANDERSON: The R-5.
25 MS. UHLE: Really the only property
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2 that's zoned R-10 is the school district, the
3 subject property, and then some rear portions
4 of the properties on Water Street. So I think
5 that's their argument for the variances. The
6 majority of the lots in the vicinity of this
7 site are zoned R-5.
8 MR. NEMECEK: So the R-10 zone is the
9 zone that's cordoned off by the green?
10 MR. ANDERSON: The green, yes.
11 MR. SENOR: This is the R-10 zone
12 line. So this is the school here, these lots
13 are the rear yards of these houses in the R-5
14 zone, and so really it just seems to be the
15 school yard. This property, which is in R-10,
16 conforms to the lot area, but it has less than
17 25 feet or thereabouts 25 feet of frontage.
18 MR. NEMECEK: So this is all R-5?
19 MR. ANDERSON: Yes.
20 MR. NEMECEK: This is all R-5?
21 MR. ANDERSON: Yes.
22 MR. NEMECEK: And this is R-5?
23 MR. ANDERSON: Right.
24 MR. SENOR: This is 75.
25 MR. WEST: How do you access, what is
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2 it, 38 Stewart?
3 MS. UHLE: 42.
4 MR. WEST: 42 is right there and 38 is
5 part of this?
6 MS. UHLE: No.
7 MR. WEST: I thought you said this was
8 the large one?
9 THE CHAIRMAN: Could you put it back
10 up and show him, please? Thank you.
11 MR. SENOR: 42 Stewart is here and it
12 comes off of Stewart.
13 MS. UHLE: This is 40 Stewart here.
14 So that one is accessed by Stewart and then the
15 rest of these are just accessed by the new
16 cul-de-sac. That is somebody else's property.
17 MR. NEMECEK: But the house on 42
18 Stewart is not being changed at all?
19 MR. SENOR: Not going to be changed.
20 MR. NEMECEK: The only things that's
21 going to be changed is that a portion of the
22 lot that currently has that is going to be
23 reallocated to the cul-de-sac?
24 MR. SENOR: Right. The back yard is
25 going to be cut off for the additional --
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MR. NEMECEK: Yes.

MR. SENOR: And that lot will be over
10,000 square feet. The frontage is less than
required but that's existing frontage.

THE CHAIRMAN: So we have the list of
variances that you're going to need in order to
assemble all this. I said we have the list of
variances that you're going to need to assemble
all of this.

MR. SENOR: We have a sheet for each
individual lot that we submitted that we have
individual what needs to be on each lot, and we
also have a summation from the -- I think
that's from the Building Department.

THE CHAIRMAN: Right, and there is
other work that needs to be done when it's at
the Planning Board to satisfy everything else
with the site as far as water and traffic and
all of that.

MR. SENOR: Yes. If we get our
variances, we'll certainly work with the
consultant to clear up a lot of those technical
issues.

THE CHAIRMAN: Right, to address them.

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Sure.

Okay. This is going to be a public
hearing, so any more comments from up here?
We're going to open the public hearing and take
comments from the public.

MR. NEMECEK: Do we want to hear from
any of the consultants first or no? They made
preempt or add to the issues that may be
addressed by the public. How do you want to
handle that?

MS. UHLE: Well, traffic actually
hasn't been reviewed in detail yet. Basically
it's before you right now, the applicant would
like you to be in a position to adopt a
negative declaration, which means that you
don't believe there will be significant adverse
environmental impacts as a result of the
subdivision. Then obviously if it's forwarded
to the Zoning Board, the Zoning Board would
still be in a position to approve or deny the
area variances. That wouldn't affect their
determination.

So when the applicant appeared before
you at two prior meetings, you basically told

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site for storm water mitigation. We have some
comments that need to be resolved as far as
final details and design, but I think that's
something they could accommodate. Sewer water
design as well, those utilities, services,
health department approvals, those all have to
come obviously. But as far as the layout and
preliminary locations, they've addressed that.

There are a number of other minor
technical comments. Margaret mentioned we met
with Hector recently. He had some comments
that when they do come back, assuming they get
the variances from the ZBA, we'll be dealing
with items like street lighting, street trees,
comments from fire and police specific to no
parking in the cul-de-sac, things like that
that we could deal with at a later date when
they come back.

There are two things that I do think
the applicant needs to take of before going to
the ZBA just so that they don't have to -- I
don't want to find them in an a position where
they have to go back, specifically with the
cul-de-sac. There is a profile on the plan,
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but I think it needs a little more detail and
some clarification to make sure that it
performs to all of the applicable regulations
in the code, specifically with regard to
minimum and maximum grades, some of the
geometry. I think visually it's there. If I
scale it, it seems to work, but I think that
needs to be clear on the plans so when the ZBA
sees it it's clear to them that there are no
other variances needed.

Another item with the cul-de-sac that
I would like to see or at least before the ZBA
is the proposed grading with the cul-de-sac as
it ties into the existing grades. It appears
to me that they may need some short walls,
maybe two foot high walls. In speaking with
the Highway Department, walls aren't permitted
in the right-of-way. So whether or not they
could grade that cul-de-sac to avoid that, if
not it would be potentially another variance
they would need to seek.

Finally, with regard to the existing
house at 42 Water Street, I know it's existing
house, existing non-conformities and they do
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HEARING. I make a motion to open the public hearing on this application, 16-13, 22 and 24 Water Street.

MR. NEMECEK: And 42 Stewart Place.

THE CHAIRMAN: And 42 Stewart.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Great. Comments?

MS. CLARK: Hi. Caroline Clark, I live at 46 Stewart Place. I probably wouldn't have been here tonight, but I found my husband's notes, he passed away a month ago, and we had concerns about the project going up. My bedroom faces that beautiful property where they want to put five houses. His big concerns were, why five houses; where is it the traffic -- we couldn't picture it on Water Street where -- I don't know if you're familiar with the street, it's a very narrow road, so people on both sides park but you're not supposed to but sometimes it happens, it's very difficult for vehicles to get through. His other concern was about the flooding. I flood.

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MR. NEMECEK: One will be removed because it needs to be removed in order to create space for the cul-de-sac.

THE CHAIRMAN: Could you point that out?

MS. CLARK: It was hard to see from back there.

MR. SENOR: Right now there's a house here and a house here fronting on Water Street. Both of the houses are going to be removed and one of them is going to be rebuilt on this property. The other property is where the roadway will come in.

MS. CLARK: Then what's going in the --

THE CHAIRMAN: That's house number one. Keep going.

MR. SENOR: There's a house here, a house here, and house here currently. So now we're going to have a nett increase of two houses. We're going to end up with five houses where three currently exist.

THE CHAIRMAN: So point out where the new houses are going to be.

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MR. SENOR: So we have the existing house over here, and we're going to rebuild one here, and then we have one here, one here, and one here.

MS. CLARK: So in that big, nice, beautiful backyard there's three houses?

MR. SENOR: Yes.

MS. CLARK: And then there's two new ones on the street?

MR. SENOR: Just one new one. Just the one on this side. The left house will be rebuilt.

MS. CLARK: Okay. And then the flooding, is that --

THE CHAIRMAN: The flooding issue is something that we defer to the consultants and their analysis of the soil and its capacity to take in more runoff. The idea is the water has to be controlled on the site. They do studies, they understand what the soil conditions are, and they formulate that none of the soil will leave the site such that it will interfere with other --

MR. NEMECEK: Understand that Mr.

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Cermele, who's here who spoke earlier on the water issue --

MS. CLARK: It was hard to hear him.

MR. NEMECEK: He is a consultant who is paid for by the applicant, because that's how the system works -- but he -- money is put in an escrow which --

MR. TUDISCO: Can I clarify that?

MR. NEMECEK: Please.

MR. TUDISCO: The town retains an expert -- we do it for parking, we do it for water -- it's an independent expert that the town actually hires. The only issue about payment is that so the money does not come out of taxpayer dollars, we require the applicant to put money in escrow and then the town goes out and selects our expert to protect the town's interest and the citizen's interest of the town's. The payment for those experts comes from the escrow amount that the applicant puts away, but it's an expert that the town actually hires.

I also did want to touch on one other question that you had in terms of the time.

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frame of construction. Town law prohibits construction on weekends, and so the building permit and town law allows for the construction to occur Monday through Friday. One of the issues that we have, unfortunately, in the town, and for those who might be watching, is that the Building Department is here Monday through Friday, so when things go on on Saturday -- I am one who is notorious for walking on the weekends and I typically will call the police if I see contractors working.

Alert the Building Department, alert the Law Department, alert the police if you see construction on Saturdays. It shouldn't be going on. There's an issue between enforcement versus what the rule is, the rule is it's not supposed to be done.

MS. CLARK: It was a big concern of his. I guess that's it.

MR. NEMECEK: If I could finish the point I was making when I was referring to Mr. Cermele. My explanation obviously was making it sound a little bit like he was receiving money directly to give an opinion. Far from

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that way.

MS. CLARK: We've lived here since
1999, so we knew the previous owners, and it's
a beautiful piece of property and, you know, we
just want everybody to do the right thing.

MR. PULASKI: I think the other
comment is when you see a list of variances --
when rules are made, they assume a perfect
world but out there it isn't, and so there is a
special board, the Zoning Board, that takes
those differences and they look at them and
they apply the rule in a variance manner to
that so that everybody is given a fair shake.
Otherwise, if you had a piece of property and
it's supposed to be square and you have a
little corner cut off, all of a sudden you got
nothing. The Zoning Board would take that into
consideration and say, well, that corner had to
be cut off there because the road made a turn
at askew. So they would take that into
consideration and give you credit so that you
could make use of that property.

THE CHAIRMAN: So we invite you to
come back as this progresses and you will see
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that there is a process. We are very much
attuned to it. Your concerns are our concerns,
but you're certainly welcome to come back and
watch the progress of this application.

MS. CLARK: Thank you. I appreciate
it.

THE CHAIRMAN: Thank you for your
comments. Further comments from the public?
(No comments.)

THE CHAIRMAN: Leave it open.

MR. WEST: One question. The left of
the cul-de-sac, what will be there?

MR. SENOR: This area is just extra
area. We put the property line here and gave
some of it to this lot and the rest of it to
this lot. I mean, it may be good for a garden
or something like that but it's just extra
property.

MR. NEMECEK: Or more drainage.

MR. SENOR: Or if need be a place
where we --

MR. WEST: It will be attached to one
of the two lots?

MR. SENOR: Right. So this lot is up
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MR. PULASKI: All right.

THE CHAIRMAN: Okay. So I believe that seeing that there's a number of variances and there's some work to be done by the Zoning Board and the application is going to be back here to continue developing the storm management, I'm comfortable with moving this forward and then we'll continue with everything having to do with the planning aspect of the project thereafter.

MR. TUDISCO: Are you going to keep the public hearing open?

THE CHAIRMAN: Yes. So if everyone here is okay with that, number one, I'm going to make a negative declaration and then I'm going to make a motion to forward this to the Zoning Board.

So the first is regarding this application, 16-13, 22 and 24 Water Street and 42 Stewart, I make a motion to adopt a negative declaration for the application 16-13 for a major subdivision proposed at 22 and 24 Water Street and 42 Stewart Place.

MR. NEMECEK: Second.

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THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Make a motion to refer the application to the Zoning Board for consideration of the area variances.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Great.

MR. SENOR: Thank you.

THE CHAIRMAN: The next application is Application 16-66, 42 Lakeview Avenue.

MR. MAIORANO: Good evening, chairman, board members. My name is Adamo Maiorano from Community Designs on behalf of the applicant, Carmelo Abbate.

We are proposing a two lot subdivision located at 42 Lakeview Avenue. The existing site is a hundred by a hundred lot. It is situated in an R-5 zone. The existing lot is improved with a single family residence, walkways, driveway, patio, and a detached garage.

With regard to the subdivision, we are proposing to remove all of the existing structures with the exception of possibly keeping the detached garage in the right-hand corner. As far as the lots that will be proposed, they will be conforming to all zoning requirements in an R-5 zone. They will be 50 by 100 lots. As far as storm water management, we did do deep hole tests and percolation tests and in result we found that there are suitable soils for on-site storm water management. We did a preliminary design based on the maximum impervious square footage of 2500 coverage on each lot designated into CULTEC units in the front and rear of each property. We did not take into consideration any of the existing impervious structures that exist today. There's approximately 2800 square feet of existing impervious surfaces that will be removed.

As far as trees on the property, there are just two trees that we are removing in regards to the project. They are here and here. Any questions?

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THE CHAIRMAN: So it's pretty straightforward.

MR. MAIORANO: Exactly.

MR. NEMECEK: Tell us more about the garage.

MR. MAIORANO: So yes, the garage is as it is today it's non-conforming, it's too close to the setback. So the applicant is trying to salvage the existing garage on lot 1.

MR. NEMECEK: Show me exactly where it is.

MR. MAIORANO: It is located right here. The driveway is here.

MR. PULASKI: When you say he is trying to salvage, he's going to live in that house in lot 1?

MR. MAIORANO: That is the plan but it's not set in stone but the idea is there.

MS. UHLE: Right now, obviously they're before you for subdivision approval. They'll have to come back with the -- if they were granted subdivision approval, they'll have to come back, obviously, with the site plans and the proposed architectural drawings of the subdivision.
proposed houses. In my meetings notes, I also pointed out that this garage, and Joe Cermele brought this up with regard to the Stewart Place subdivision, is that basically what our zoning law says is you’re allowed to keep things that are non-conforming as long as you don’t make them more non-conforming, and we have had circumstances were people have demolished homes and they had either conforming or slightly non-conforming accessory structures that we’ve allowed to remain. This is a little bit of a different circumstance I think because it’s basically a full subdivision where there’s going to be a full tear down. So I do think as part of your subdivision approval if you feel uncomfortable with the existing garage remaining, that you could require as part of the subdivision approval that it be demolished. The building inspector and I for a variety of reasons didn’t feel that we had the authority to say, you can’t keep it. I think the Planning Board has the authority to say that.

MR. NEMECEK: Is lot 2 going to have a
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MR. MAIORANO: Lot 2 will have an attached garage.
MR. NEMECEK: And lot 2 is effectively the -- as proposed it would be the same size for all intents and purposes, the lot?
MR. MAIORANO: Yes, identical.
MR. NEMECEK: I know we’re not yet at the stage where you have houses designed, but the buildable area is the same and in all likelihood they’re going to be of a similar proportion?
MR. MAIORANO: Yes, and it will be within the moral character of the neighborhood.
MR. PULASKI: And lot 1 has a garage in the front?
MR. MAIORANO: It has possibly a detached garage and then that --
MR. PULASKI: It says garage.
MR. MAIORANO: -- Attached garage underneath.
MR. PULASKI: But in the front it says -- it says here, top of garage.
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people want to keep an existing garage to use for storage, which a lot of people do, except for in order to have it be considered a garage you have to have a driveway to it. So technically you can't have a 15 by 20 foot storage shed, you have to have a driveway to it even if you're not intending to use it as a garage, and I think that that happens sometimes.

MR. PULASKI: So on this plan the driveway just increases the impervious surface. It also takes a portion of the house that typically in this town we like to keep vegetated with grass and shrubs and whatever and now it puts asphalt. My understanding of an existing non-conformity, the whole aspect of that is that the building was there and zoning came along and they revised rules and all of a sudden the building became non-conforming. The person has a right to make certain adjustments and they come back before the Zoning Board and the Zoning Board usually allows it to happen. But here you're doing a total tear down, and you're doing a total tear down so you could do

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a subdivision, but you're keeping a garage that I interpret is simply to take advantage of a possible loophole in the code, that then allows you to pull certain things right up to the property line instead of having to maintain a setback. I don't see how that is warranted under this particular case.

THE CHAIRMAN: This is our opportunity to ask it to be revised.

MR. PULASKI: That's my viewpoint on it. That's what we are, a board.

THE CHAIRMAN: Do we have to do a public hearing on this?

MS. UHLE: Yes.

THE CHAIRMAN: Oh, we do. Okay. Any other comments?

MR. NEMECEK: No, other than I guess we have Joe Cermelko.

MS. UHLE: Joe Cermelko also did review the storm water.

THE CHAIRMAN: You're on a roll.

You're up next.

MR. WEST: Louder this time. Louder this time.

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MR. NEMECEK: Announce yourself. We have a very large viewing audience both in this room and an even larger at home.

MR. CERMELE: A good night to be heavily medicated, I'm fighting a cold.

MR. NEMECEK: Make it quick, I think the football game begins in half an hour, we're going to lose a lot of our audience. Good game between the Dallas and the Vikings.

THE CHAIRMAN: Let the gentleman speak, please.

MR. CERMELE: Joe Cermelko, Kellard Sessions. We've touched on a couple of the major points of my memo already. I broke this out into some comments specific to the subdivision and then what I felt we could defer to the site plan review.

As far as the subdivision goes, as mentioned, we did witness soil testing out there again; adequate depth and simple soils for infiltration. They have provided preliminary design for infiltration systems being conservative in the fact that they did not take credit for the existing improvements.

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So they're doing a full blown design for the 50 year storm for both lots as if the property today was all vegetated. So a conservative approach.

We have some comments, technical stuff on that design, but nothing that I don't see they wouldn't be able to overcome. Very minor. We talked about the garage already. As far as the driveways go, I would just ask that we get some grades and some dimensioning shown on there just to verify and clarify on the plan that it meets all the applicable sections of the code.

The existing lay of the land right now there's about a probably 6 to 8 feet change in topography from one end to the other left to right across the property. So I envision there's going to be either some retaining walls throughout the property or maybe some exposed foundation on the lower level of the houses, I don't know if they've gotten that far yet. I don't know if that's something the board would want to see now as part of the subdivision or we could defer that to site

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2 plan.
3 The rest of the memo is, like I said,
4 what I would consider minor type of comments
5 that we could work through with the applicant.
6 THE CHAIRMAN: So I'm going to open
7 the public hearing and take comments from the
8 public.
9 I make a motion to open the public
10 hearing on Application 16-66, 42 Lakeview
11 Avenue.
12 MR. NEMECEK: Second.
13 THE CHAIRMAN: All in favor.
14 (All Aye.)
15 THE CHAIRMAN: Comments?
16 (No comments.)
17 THE CHAIRMAN: That being said, we're
18 going to leave this open also?
19 MS. UHLE: Well, it's only before you
20 for subdivision approval.
21 THE CHAIRMAN: So then I make a motion
22 to close the public hearing on the same
23 application, 16-66, 42 Lakeview.
24 MR. NEMECEK: Second.
25 THE CHAIRMAN: All in favor.
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2 of the subdivision approval, yes.
3 THE CHAIRMAN: So that being said, if
4 there are no other comments, we'll make that a
5 condition to the subdivision approval.
6 MS. UHLE: I just want to interrupt
7 for one minute. With regard to the subdivision
8 map were there are minor changes that needed to
9 be made -- we could just make it also subject
10 to the minor modifications that our engineering
11 consultant requires.
12 THE CHAIRMAN: Can you say it so that
13 we understand.
14 MR. CERMELE: There was just a minor
15 discrepancy or coordination between the
16 subdivision plat and the site plan that needed
17 to be made. The side yards shown on the
18 subdivision plat are 8 feet, 9 feet, and then 8
19 feet, 9 feet again on lots 2 and 1 as you go
20 across the site. On the site plan, I believe
21 the 9 foot side yard on the south side of lot 1
22 was dimensioned -- it looks like it was
23 dimensioned from the retaining wall and not
24 the -- the buildable area and that dimension of
25 the side yard needs to be verified and updated
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on the site plan.

MS. UHLE: So removal of the garage
and just the modifications that are required by
our engineering consultant would be the two
conditions.

MR. PULASKI: Do we want to say
anything about the topo on the property while
we have the opportunity or wait for it to come
back?

THE CHAIRMAN: I think we could get
that on the second pass to get the grading,
because they could do that on the grading plan
when we see it, and if there’s walls, to sort
of separate the two as you pointed out.

MS. UHLE: I think that might be
easier to evaluate once he’s worked out a
design.

THE CHAIRMAN: I’m sure he wants the
same thing we want.

So then I’m going to make a negative
declaration on this application and then make a
motion to approve it.

So then the first regarding
Application 16-66, 42 Lakeview Avenue, I make a
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motion to adopt a negative declaration for
Application 16-62 for a two lot subdivision
located at 42 Lakeview Avenue.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

THE CHAIRMAN: I make a motion to
approve Application 16-66, 42 Lakeview Avenue,
subject to the final review and approval of the
town's engineering consultant and subject to
the conditions spoken of previously.

MR. NEMECEK: Including the removal of
the garage so that it's returned to nature.

THE CHAIRMAN: Do I hear a second?

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

THE CHAIRMAN: Thank you, gentlemen.

The next application is 16-30 Keller Williams,
760 White Plains Road.

MR. IANNACITO: Good evening. My name
is John Iannacito. I’m an architect and I’m
representing Keller Williams Realty Group this
evening. With me tonight is Jamal Hadi, the
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reconfigure and create additional parking spaces.

I’m going to quickly go through the floor plans for you. Here with the existing and proposed ground floor plan. The existing ground floor is currently used for the hair salon. We are proposing to cut back the building at the rear to create additional parking spaces and expand the building towards the front. The new spaces will be used for the office for the real estate group as offices, reception area, and conference rooms.

Here is the first floor plan, existing first floor plan, which is currently used for the real estate offices. We are proposing again here to cut back the existing building in order to create the parking area at grade and expand the building towards the front, which is the hatched area here. On the first floor, the spaces will consist of a new training room for the real estate office and a staff room at the back.

Second floor, the existing footprint of the building used for office space for the

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but has been adjourned because we realized as we were going through the process that we needed a referral before we could move forward with them. So we’ve adjourned those meetings and we will continue those after we get the referral and if we get the referral.

The Zoning Board did have a few comments at that initial meeting and we did make a couple of revisions which affected the number of variances that we would require. So based on those comments, we will be asking for the following variances:

The first is for the first side yard, where the existing and the proposed is 8.6 feet, required is 10 feet, a deficiency of 1.4 feet. The second variance is for the second side yard, where the existing and the proposed is 6.4 feet, 10 is required, a deficiency of 3.6 feet. The third variance is for the number of off-street parking spaces; the existing building currently requires 22 spaces and 4 spaces are provided, a deficiency of 18 spaces. The proposed addition will increase the parking requirement by 14 spaces.

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real estate group. We are proposing to expand the building slightly to the rear to align with the new overhang over the parking area and expand towards the front, and the new spaces will be used for a new computer room, private offices, and an open work area for the real estate offices.

Third floor, here’s the existing third floor which is used for the office spaces and the proposed showing the expansion towards the back and the front again for private offices, an open area for work spaces, and a small balcony facing the street side.

On the exterior, we are proposing to remove the existing hip roof on the structure and square off the entire building with new flat roofs. The proposed materials on the facade will be a combination of brick at the base, stucco, wood siding, metal, and glass.

The proposed additions and alterations will create an increase to the existing non-conforming conditions and we will require several area variances. An application was submitted to the Zoning Board prior to today

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1 for a parking study, which was prepared by John Canning, who is here with us tonight. I'm going to hand it over to him, and he could give you a little more information on that. Thank you for your time.

7 THE CHAIRMAN: Thank you.
8 MR. NEMECEK: Thank you.
9 MR. CANNING: Good evening, Mr. Chairman, members of the board. My name is John Canning. I'm a professional engineer. I work for VHB in White Plains. Thank you for your time this evening.

15 As John indicated, I prepared the parking study that was submitted to you. Some of the information John has already given to you, but I'll just, I guess, go over it quickly because it's somewhat interesting.

19 The existing building contains a 1,056 square foot hair salon and a 3,254 square foot real estate office. So under the code that actually requires 24 parking spaces. If it was just a single office for the existing building, it would be 22 parking spaces. The building provides currently 4 spaces, so you’re either

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18 or 20 spaces short depending on whether you go for the whole building at 200 square foot or if you include the hair salon. As John indicated, it is proposed to expand the building to 7,061 square feet exclusively for use by Keller Williams. So the hair salon will go and then the code requirement is 1 space for every 200 square feet and under the code 36 parking spaces would be required. However, it’s proposed to expand the parking on site from 4 to 9 so the deficit will now be 27 instead of 18 or 20.

At this point, I do want to note that I had misunderstood, I figured that if you had a variance already granted for 20 spaces and you were requesting a variance for 27, you were requesting a variance for the 7 additional spaces, but the request is for 27 -- variance for 27 spaces. I just wanted to set the record straight on that.

MS. UHLE: Also, unless I’m mistaking, I don’t believe a variance was ever granted in the past. The original building was built in 1907, so it’s considered legal non-conforming,

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2 because if a variance had been granted, you’re absolutely right, but I don’t believe there were ever any variances granted.

5 MR. CANNING: Thank you. From a practical perspective I guess, it’s noted that the proposed application is going from a deficit of 20 to a deficit of 27 under the code. We did a fairly extensive parking survey of parking in the area. We looked at on-street parking. I don’t think there is any parking on Reynolds, Ackerman, there’s parking on Ackerman, there’s the north south street which is --

15 MR. NEMECEK: Excuse me, do you have a map of the area? It’s just a little easier for everyone to follow along.

18 MR. CANNING: Sure. I’ll give you binoculars. So we surveyed the existing site, we surveyed Ackerman, we surveyed -- I can’t even read this -- I guess it’s Webster -- we surveyed Webster, we surveyed the parking lot that’s on the east side of 22 by Ackerman Place, we surveyed the municipal parking lot that’s on the west side of 22 by Ackerman

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2 Place. The surveys were done once an hour from 9 in the morning until 5 in the evening. We documented the number of vehicles parked and the number of vacancies. Based on that -- in our report, we identify the area --

7 MR. PULASKI: It helps the viewer to key in on certain locations.

9 MR. CANNING: As a result of our surveys, we found that there are at least 32 unoccupied public parking spaces available at all times. The owner has and will continue to have an agreement with the property next door, Tutta Bella, to park five vehicles on that lot from 9 to noon, and he also has two parking permits from the town to use in the municipal lot on 22 opposite Ackerman Place. He is also seeking additional permits and has been advised that at the end of the year the permits usually turn over, and he is first on a list of one to get permits.

22 The entire 27 space deficit can be satisfied using the 22 available spaces in the municipal lots and the five spaces on Tutta Bella from 9 to 12, and then there are more

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than 27 spaces available in the municipal lots afternoon.

MR. WEST: What's the distance from
the current building to the municipal lot?

MR. CANNING: It's about 700 feet.

It's like a three minute walk. One of the
board's consultant's questions really was how
practical this is, particularly in the light of
whether you have a use such as a hair salon
where people, you know, are familiar with the
convenience of it, and it's our opinion that if
you have a business where you're an employee,
you're more likely to, you know, suffer the
consequence of having to have a three minute
walk to and from work as opposed to if you are
going to get your hair done where you kind of
want to park right in front of the building.

MR. WEST: There's a lot of traffic in
that area because the gym there, then you have
the market, then you have the residential. So,
as you said, you can't park on Reynolds, it's
residential, and it already has people parking
there that go to the gym because there's no
parking at the gym.

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parking lot is 55 feet, the total width of the
municipal parking lot where I live is 56 feet.

It's been that way for years and it operates
that way without too much difficulty.

A final parking variance, as John
mentioned, is for the size of the handicapped
parking space. Even though the state required
space is 8 feet, it is also required to have an
8 foot clear access aisle next to it. So
effectively you have 16 feet in which to park
your car and then the extra 8 feet is when you
open the door. If you have a lift, mechanical
lift, there's room there for the lift to set
you down and go back up. 8 foot wide parking
spaces are in operation all around the state,
there's no issues.

So I don't think the backup aisle and
I don't think the nine space lot clearly will
have any change to the character of the
neighborhood or detriment to nearby properties.

Based on our surveys, I also believe that the
parking in the area is adequate to accommodate
the variance.

The village's consultant also raised a

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number of issues, which I would, I guess,
briefly like to address. As I mentioned, the
hair salon is going, so that was something he
brought up as to the number of parking spaces
and the turnover and the lack of familiarity
with the area. The parking on the side of the
building is not proposed to be changed. He had
a question about the overall increase in
traffic activity. The four spaces there now,
there's about a turnover of one an hour. So
you have about four cars come in and go out in
an hour and it's proposed to have nine spaces,
so instead of having four cars go in and out in
an hour you'll have nine cars going in and out
in an hour, which is one car every ten minutes
or so, one car every five minutes maybe. I
don't think that it's going to have a
significant adverse impact on area traffic
operating conditions.

In conclusion, based on the data that
we provided to you, I don't believe that the
proposed application will have a significant
adverse impact on traffic or parking
conditions. I would be more than happy to

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2 answer any questions you have.
3 MR. NEMECEK: The business that
4 operates there is a realty company?
5 MR. CANNING: Yes.
6 MR. NEMECEK: Obviously -- I think
7 it’s obvious -- if they’re going to be
8 expanding the size of it, that there will be an
9 increase in the number of employees based
10 there?
11 MR. CANNING: Correct. I believe
12 there will be an increase in one permanent
13 employee, but the number of I guess they’re
14 independent contractors -- in fact, perhaps
15 I’ll call the owner up to describe this.
16 MR. NEMECEK: Yes. I mean, if it’s a
17 real estate brokerage, usually you’ll have
18 brokers who are showing homes and properties so
19 they may be coming in and out and they may be
20 meeting people there. If you could explain.
21 First state your name for the record and
22 explain the nature of the business.
23 MR. HADI: Good evening. My name is
24 Jamal Hadi, I’m the broker for Keller Williams
25 Realty.

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2 Right now I have three employees,
3 full-time employees, and the rest is all
4 independent contractors, the real estate
5 brokers. Based on the expansion, my vision is
6 to add one more employee and move one employee
7 into a new position to add more support. The
8 real estate brokers do come in and out. Most
9 of them have offices at home. They’re usually
10 in the office to drop off checks, picking up
11 contracts, so on and so forth. So yes, there
12 will be some traffic increase, but it’s a lot
13 of brokers, as everyone knows, just coming in
14 and out to pick up and drop off.
15 MR. PULASKI: So we have a 4,000
16 square foot facility for four employees?
17 MR. HADI: It wouldn’t be four
18 employees, I mean, people come in and out.
19 MR. PULASKI: Just trying to put a
20 perspective on it. That’s what I’m hearing
21 somebody say is what we have to worry about the
22 permanent employees, and 4,000 square feet for
23 four permanent employees is not very cost
24 effective.
25 MR. NEMECEK: For example, I saw I

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about the existing hair salon, whether that's
going to stay or leave. My understanding is
it's not going to be there. Also, it's not
really a traditional hair salon. I think they
fit people for wigs, so that would probably
have a different amount of traffic. So I still
think your narrative has to really explain
this, because this is the first time I'm
hearing 15 -- that I could recall because it's
not written down -- 15 to 20 people coming and
going at certain times. So I think it's a
simple narrative but just try to make it
comprehensive.

MR. NEMECEK: Because it does strike
me that if you have people who are coming in
for a really short stay, those are probably
people less likely to want to park three
minutes away and more likely to want to park	right there.

MR. WEST: Along with the bank
customers. I would think most people are
looking at new real estate on the weekends,
when it's the most congested, not during the
week. So I don't know when the study was done.

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hoping that as the turnover happens, I could
get additional parking. Should I get them --
those four employees I'm able to control, I'm
able to assign and give them the spots and have
them not park on the building. Independent
sales people, they just come in and out as they
see the need. But I will have sales people in
the office longer than the hour, it's not just
the four employees.

MR. PULASKI: Now, a photo that was
included in the application package shows four
cars parked along the side of the building, but
yet that doesn't show in the application.

MS. UHLE: I don't believe those are
legal parking spaces. Those are people parking
along the side of the driveway. I don't think
that the driveway is wide enough to actually
accommodate legal conforming parking spaces.

MR. IANNACITO: There is an existing
easement in the driveway, that shared driveway
between this property and the bank which is on
the corner. So the cars should not be parking
in that driveway.

MR. PULASKI: But they are, so there

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If you were doing it Monday through Friday and
most people are out on weekends looking at
houses, shopping, working at all day --

MR. NEMECEK: But that might not be
when they're having like the classes, for
example. They're probably during the week, I
would think. The weekend people are maybe
meeting there and going out immediately.

MR. WEST: Getting in one car and
going. That would be a concern. They will be
coming and go, but there would usually be a car
left.

MR. HADI: The analysis is correct.
On the weekend, usually the office is empty.

THE CHAIRMAN: At the same time that
you may be having training sessions, you also
have employees on the second floor occupying
those spaces.

MR. HADI: Well, four employees will
occupy, but they will be in the town permit
parking, and they will have assigned parking in
those spaces. So they will not be parked on
the site. Right now I have two. I am on the
list. I'm the only one on the list. So I'm

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1. Seminars that are taking place, how often are they going to be, who's going to be attending, you know, do you have an hour long coffee and donuts session afterwards? These are issues that are going to have to be answered in order to get a variance, in particular for that.

2. Quite frankly, I'm not too troubled with the 1 foot difference in the handicapped space and the other turning -- backup radius, that's an issue for the Zoning Board of Appeals, but the obvious and glaring one is parking.

3. Mr. West: How many people currently work at the salon?

4. Mr. Iannacito: I don't know. How many people work in the salon?

5. Mr. Hadi: Three.

6. Mr. Iannacito: Three.

7. Mr. Nemecek: Do you have nightmares sometimes about having to beg people for extra parking spaces? I have heard you on more than one occasion come before us and tell us about the non-conforming --

8. Mr. Iannacito: A lot of applications.

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9. There was a lot of parking that was rolling over into their lots. So I just wanted to make sure that everyone understood that there is a real parking issue here.

10. Mr. West: You can tag that to the restaurant or the other real estate company.

11. Mr. Iannacito: There are a lot of different uses over there that are deficient in parking.

12. Mr. West: It's not a good parking area.

13. The Chairman: Okay. Could we hear from our consultants regarding this issue, please.

14. Mr. Grealy: Good evening, Philip Grealy, Maser Consulting, professional engineer, town traffic and parking consultant.

15. We prepared a memo dated November 22nd that outlines our comments. I'll highlight a few of those. I think the discussion that was just made answers one of our key concerns, was whether or not the salon was going to stay, because clearly, as Mr. Pulaski indicated, along the north side of the building cars do park there today. That driveway is a shared driveway for Keller Williams and also for the Capital One Bank. With that type of use where you have, you know, patrons coming and going, the parking at the rear where we're going for a reduced aisle width is more of a concern. It's familiar that it's a narrower aisle and, you know, when they come and go it's a little different when people are going to use like a hair salon and trying to get in out of spaces.

16. I think with respect to the parking along the driveway that occurs today and historically has occurred there, there has to be some signing to restrict that. There is no signing saying, do not park here. I think the Fire Department would probably weigh in on that in terms of a fire lane. You can pass -- traffic going to park in the rear of the building today can get by a parked vehicle, they can get to the bank, but it does narrow up that area. So I think with the hair salon going, it's more of a controllable situation, and I think the narrative that Margaret asked for will help.

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clear that up.

In terms of the parking survey that VHB that Mr. Canning described, we did check it. We did go out and do some of our own field observations. Clearly the spaces at the Ackerman lot or what I call the old Albanese's lot near CVS, there are spaces there. I think for employees and being able to tell employees, that's where you're going to park so that we have spaces for our patrons or for the brokers that are coming and going, that is doable. If it was going to be used for another use like a hair salon, I think that's a whole different issue.

Some other questions. I guess in terms of -- again this goes to the variance with the Zoning Board -- the space number -- I think on this diagram is space number 5, in my memo I think I called it space number 9, that's what happens when you're looking at 8 and a half by 11 reduced -- that space is going to be very difficult to get in and out of because of the proximity to the property line and where the restaurant is. So that's a concern. With

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the reduced aisle width that's talked about here, that becomes problematic. How do you physically get in and out of that space when there's no backup area? It's not clear from the drawing how the cross driveway that exists today Tutta Bella Restaurant is going to be maintained. So right now, again, just for orientation, here's Route 22 White Plains Road, here's the Keller Williams building here, these are the four spaces at the rear of the building, this is the portion of the building where the parking will be tucked underneath. Right now, there's a driveway connection to Tutta Bella here, you could see it in the dark pavement. This is the Tutta Bella restaurant, Wilmot Road, this is Claire Leone Real Estate building, so everything is kind of all interconnected here. So, as you see on the proposed plan, there will be parking spaces here, which is where this driveway connection occurs today. So it appears that there won't be any vehicular cross connection between this and the restaurant anymore. I don't know, it doesn't say it on the plan, but with the grades

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number 5; and if, in fact, it is all going to be for this one use, to reinforce that there will be no parking permitted along this part of the driveway, which you'll see out there today. Sometimes there's as many as four cars parked there. This diagram gives you a feel for this is the total width of the driveway, Capital One is on the drawing closest to me, this is the existing Keller Williams building, so you can see when there's one car here there's width to get by but it does narrow that, and in the past on occasion you will see four or five cars parked along there. I think with the hair salon going out that will be a little bit easier to enforce and appropriate signing should be put in place.

Again, I think the map shows the easement on that driveway with Capital One, but if there are easements with Tutta Bella, that should be defined. Since they have that arrangement to use the spaces between 9 and 12, even if there's not going to be vehicular access, will pedestrians still be able to cross. So, for example, there will be parked

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1 vehicles here on either side of this drive aisle, but will people still be able to walk through? So, again, a clarification.

The A.D.A. compliance 8 versus 9, there's 8 foot all over the place that work fine. So that should not be an issue. The number of spaces in terms of the variance may sound like a lot. If the use is going to be clearly for this use only, it is less of a concern, but, again, I think the narrative needs to be provided.

We did provide some other comments relative to our field observations, and I think if this connection is being eliminated, it does eliminate some maneuverability that occurs out there today. I don't know whether the agreement that they have here whether the restaurant is allowed to use that space at later evening hours. So, for example, if the restaurant is permitting Keller Williams to use the parking early in the morning, do they have kind of the flip arrangement, and that becomes important for the whole area because if you're not going to have vehicular cross access at

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2 least you want pedestrian access so that if somebody did park here in the evening to go to the restaurants, that they can get back and forth.

6 If there are any other questions? We have some other details in our memo, but those are the kind of the key highlights.

9 MR. NEMECEK: Mr. Grealy, is the concern that you had over the -- which has been allayed about the hair salon -- is the presence of two businesses basically a policing issue, that it becomes a zero-sum game and both sides are, hey, look, so and so isn't honoring, you know, the commitment to park away from the site so why should I; is that what it is or is it just --

18 MR. GREALY: I think it's more of the issue of if for that type of use if I'm coming to, you know, go to the hair salon or my wife is going there, those are more transient trips. So when they're going to these spaces, they have a very tight drive aisle to get in and out, they may get very frustrated, number 1. I think the fact that you have one entity -- for

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2 example, our office is in a building that has about 5,000 square feet, there's 11 or 12 employees there, the parking is not an issue, everybody parks and they know. We do have wider drive aisles, but the point is that we have control of the building and, yes, we have visitors, but this is a similar type of an operation even at a realty office. When you have more transient use like a hair salon or something where people are coming and going and not used to the regulations, it becomes more of a problematic issue with respect to the parking and controlling it.

15 MR. NEMECEK: Thank you.

16 THE CHAIRMAN: Just one question. So your study of the parking was based on the number of offices and real estate agents that might be using it and with that usage you feel that the parking might be adequate as it is?

21 MR. GREALY: There are two things. Number 1, the agreements and the fact that there's offsite parking and if the employees are using some of those spaces, that's important for this operation. I think it's

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still a shortfall in terms of the number of parking spaces. Clearly, it's a variance to compared to what's required even if it's pure office, forget about the hair salon. I think the fact that he has permits and there are offsite spaces that can be used, it may function fine. It's more of the accessibility of those spaces, and, again, even in the cross access to the restaurant and whatever agreement they have there, if that was maintained it would be positive because then there's less likelihood, even if it's signed along the driveway to not park there, it may attract people to park on the driveway, which you don't want to happen. So I think we want just clarification on that.

THE CHAIRMAN: So my real question is, if the narrative that's going to be provided to us indicates that the usage is different than what you've analyzed it for it's obviously going to change your opinion about the parking or --

MR. GREALY: I think there will be less concern about, number 1, not so much the

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number of parking spaces but the accessibility in and out of those spaces, because with that narrow drive aisle that's proposed here if there was another use that has transient movement in and out, people would get very frustrated moving in and out of those spaces because of the tight drive aisle. If they're either employees or your realtors that are coming to the building, they'll be more aware of it and they will get used to dealing with it as opposed to transient usage.

THE CHAIRMAN: Well, my concern was more the usage of that training room that they'll be having seminars or a greater number of people, that obviously needs further study should that be the case.

MR. GREALY: Correct.

MR. PULASKI: So one of the things that I'm noticing based on you're talking about the interconnect between the restaurant and the back of this parking lot --

MR. GREALY: Yes.

MR. PULASKI: -- Is that the existing condition has the cars parked away from that

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cross connect.

MR. GREALY: That's correct.

MR. PULASKI: So that cross connect right now could be working, but once we put parking on that side, we create a different issue if that cross connect, in fact, has to be maintained.

MR. GREALY: Correct. What could happen -- and, again, the grade differential here it may be worthwhile to show some more of the restaurant property -- is if this drive aisle lines up -- you see here in the future this will be parking up against the fence, where these cars are parked today is really their future drive aisle. So that drive aisle if this was connected here, you could take these two spaces on the restaurant property, move them over to where the existing cross connection is because they would basically park up against these two spaces, and then this could become a drive aisle, if desirable, which I think it is, to have across connection.

Also, the grade starts to change, this is up higher as you get closer to White Plains Road.

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So I think they would have to show more information in terms of how that could be maintained. Right now there's not enough information that shows that that's going to be maintained because the connection is right here and there's going to be parking spaces there. So unless there's a reestablishment of that cross connection here, the connection is gone.

THE CHAIRMAN: The cross connection you speak of is more of a gentleman's agreement on usage of the site, isn't it?

MR. GREALY: I don't know. One of my questions is, is there an easement of the cross access. I think the usage of the spaces is more of a gentleman's agreement that between 9 and 12 the restaurant doesn't need those so if you use those we don't have a problem. That may be the case. The applicant can answer that in more detail. Is this just something that came over time or is there an actual easement of that connection back and forth?

MR. WEST: I think a lot of people that use the bank go through the restaurant parking lot to get to Wilmot and vice versa.

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MR. GREALY: And they stay off of White Plains Road by doing that.

MR. WEST: It's been that way for years.

THE CHAIRMAN: Doing this you're saying may actually --

MR. WEST: Block some of that.

MR. GREALY: You won't have that accessibility that's there today. I don't know if their proposing that. It's not clear from the plan. So our question is, is that going to be maintained, and if it is, show it on the plan and how it works. If it's not, then how does that affect traffic because today even though there are only four cars here and some cars here, people do exit from here to get out to the signal at Wilmot. If that connection is not there for vehicular traffic, they'll all have to go out to Reynolds. I don't think it's going to be overwhelming, but you're taking away something that exists today if, in fact, their plan does not have that cross connection.

MR. TUDISCO: If there is a formal easement, the architect may be aware of it in DINA M. MORGAN, REPORTER

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doing site plans. John, do you know?

MR. IANNACITO: The only easement that shows up is regarding the shared driveway off of 22. I'm not aware of any other easements in the back.

We did look at maintaining that pass through and just relocating it. We will have to build some retaining walls on the Tutta Bella property, so we will need some kind of agreement from them. We also have to figure out how we go about trying to build retaining walls on another property. Do we have to do a separate application for that; do we have to come back to the Planning Board for that? So there's a lot involved in trying to relocate that access to the property. We will look into that and then we will get back to you guys with more information on that. If we can do it, it will show up on the plan. We'll get the surveyor out there to get some more spot elevations on the Tutta Bella property so that we can get the accurate grade changes and try to figure out what the slope needs to be to get access through both lots and make this parking DINA M. MORGAN, REPORTER

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layout work.

MR. GREALY: There's pluses and minus of that connection. I think it should be explored, and if they want that connection, they should show how it will function. If there is such a connection -- and, again, now that we're told there's not going to be the hair salon -- if there was a connection here there would have been a possibility of maybe going to some angled parking spaces and make it a one way connection. But again, if it's only going to be Keller Williams use, there's less of a concern. We were looking at it for full-time use with a 19 foot drive aisle for people coming and going all throughout the day and for a use like a hair salon we were concerned with that width. If it's going to be their use only, a little bit less of a concern, but that's one of the thoughts we had about the cross section.

MR. PULASKI: I think you've done us a great service by bringing this up because it wasn't clear on the plans, and the last thing we want to do or the town wants to do is get DINA M. MORGAN, REPORTER

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into something that is a possible legal problem. So it should be straightened out and go from there.

THE CHAIRMAN: But how can we look at something and review it about a connection or across connection that's not on paper anywhere other than we're saying it's assumed, it's always been there so we still need it; right?

It's a site plan condition that's a matter of fact, but if there is a no easement to support it, how can you let someone come through your property?

MR. GREALY: Well, I think they would have to establish an easement then. If there is a desire to maintain that or relocate I'll say, relocate it to this area here, they would have to come up with a formal easement.

MR. IANNACITO: We would have to get John Kirkpatrick involved in that and see how we go about trying to create an easement which didn't exist previously, and we also have to talk to all the other neighboring properties to see if they're okay with it. It could get a little bit complicated.

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1  MS. UHLE: That's actually something
2  the Zoning Board brought up too. They said
3  they felt less comfortable with just handshakes
4  and friendly agreements because those could
5  easily be broken. They wanted something more
6  concrete.
7  MR. IANNACITO: Someone else could buy
8  the adjacent property and say they're going to
9  fence it.
10  MR. PULASKI: Another clarification.
11  I see an arrow on White Plains Road going up
12  that driveway, so there is a traffic flow that
13  has to be maintained, that driveway is one way?
14  MR. IANNACITO: The driveway going
15  from 22?
16  MR. PULASKI: On 22 the way you this
17  drawn there is an arrow.
18  MR. IANNACITO: Most people come in
19  there but don't exit that way.
20  MR. PULASKI: Okay. I would think
21  that your plan would want to present that once
22  you get to the parking area, that there is also
23  an arrow showing where that traffic goes.
24  MR. IANNACITO: We could definitely do
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1  again, this all ties into, you know, as it said
2  on the plan, there's an easement between these
3  properties so there would be a way to get out
4  to keep that one way circulation. I think if
5  this can be done, it enhances things. If it
6  can't be done, it will probably still work but
7  it should be a one way driveway so that traffic
8  is not going out that driveway onto 22.
9  THE CHAIRMAN: Does bank traffic go
10  south toward Lord & Taylor or bank traffic does
11  the route that you just indicated?
12  MR. GREALLY: The bank traffic
13  primarily comes out -- I'm not going to say
14  that no one comes out this way, but you watch
15  it most traffic and the flow is set up for this
16  movement. If they go to the drive through,
17  they come right out onto Reynolds and out to
18  the light to go either north or south on White
19  Plains Road. If they park in the back, the
20  same way. There are some vehicles that you'll
21  see would occasionally cut through here.
22  Again, if that connection is not there, you're
23  not talking about a tremendous amount of
24  traffic that would have to be -- again, coming
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1 tremendously. These spots over here -- they
2 will take out of the right-of-way with these
3 spots over here. I don't know if it's a
4 recorded easement or not. If it is a recorded
5 easement, then you have a big problem. If it's
6 not, these are very small spots. I actually
7 parked my car here today just to see how many
8 cars I could park here, and I could fit three
9 cars, one, two, three. But if this gets
10 blocked off, the parking lot is going to be a
11 dead end in here, there's going to be gridlock.
12 If you have columns here, I don't know how
13 you're going to get into these spots easily and
14 then get out. At present, daily I have to tell
15 Keller Williams' people, you can't park in the
16 lot, you can't park in the lot over and over.
17 Over and I tell the same people and they still
18 try to sneak in. So parking is a huge issue
19 over there and to expand the building that much
20 you're certainly going to bring in more
21 traffic, more people, and create a bigger
22 issue. Obviously, you need 36 spots and you're
23 only providing 9 and they're somewhat dubious
24 spots, including one that is going to be a
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1 handicapped spot, there's issues there.
2 Then I guess essentially you're
3 expanding the non-conformity of the building;
4 correct?
5 MS. UHLE: That's correct, with regard
6 to setback.
7 MR. LEONE: Whenever I go to the
8 Building Department I always hear you can't
9 expand a non-conformity. I don't understand
10 how you can expand a non-conformity.
11 MS. UHLE: You can't increase a
12 non-conformity unless you get a variance to do
13 so. So they applied for variances to do that
14 and they're here for preliminary review before
15 the Planning Board. You can't increase a
16 non-conformity unless you get a variance to do
17 so. So that's what they're asking to do.
18 MR. LEONE: Okay. Those are my --
19 THE CHAIRMAN: What parking does your
20 office use?
21 MR. LEONE: Right here. Alongside
22 back here. We have about 15 parking spots.
23 Thank you.
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1 MR. FISHER: Good evening, Chairman
2 and members of the Planning Board. My name is
3 Christopher Fisher. I'm a partner with the
4 firm of Cuddy & Feder. I'm here on behalf of
5 Lord & Taylor. I'm also joined this evening by
6 Kyle Raffo in the audience who's director of
7 real estate for Lord & Taylor.
8 As was mentioned earlier, this matter
9 I believe was first presented to the Zoning
10 Board of Appeals and at that time Mr. Raffo
11 actually expressed some opposition and
12 objection to the application that was filed.
13 I did want to take a few minutes to
14 comment on the application. Lord & Taylor
15 still objects to the application as amended and
16 filed with the Planning Board now. Lord &
17 Taylor, obviously the board is familiar with
18 the area, is within the 200 foot radius for the
19 purposes of notice. In this particular aerial
20 you can't see Lord & Taylor's building, but
21 this is their parking lot that fronts on
22 Wilmot. Obviously in that particular location
23 that parking lot, while it's not shown in the
24 aerial, that's the main principal frontage of
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1 the building. For people who visit Lord &
2 Taylor, it's kind of the premium spots, if you
3 will, when it's busy, and it's an area where
4 Lord & Taylor obviously want to reserve space
5 that it maintains, controls for purposes of its
6 patrons to the retail store.
7 I had a chance to take a quick look at
8 the application that was filed. I know the
9 scale of these are very small, but this is
10 actually the notice radius that was produced
11 and the tax map that was provided by the
12 applicant. In the radius on the aerial when
13 you take a look, I don't know, maybe we got
14 lucky, but on the day of the aerial fly of this
15 particular photo if you scan it and look at it
16 and look at your maps, for some reason the
17 aerial was taken on a day when the existing
18 office use was pretty active. The spaces
19 behind the building at Keller Williams are
20 full, there are spots aligned on the Tutta
21 Bella restaurant, and then you'll also notice
22 actually in the aerial on the Lord & Taylor lot
23 there are a number of cars lined up directly in
24 the spaces on Wilmot Road. I can't say with
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any degree of certainty that those are, in fact, Keller Williams' brokers or that there was an educational event but this is with the existing use. From Lord & Taylor’s point of view, this is a problem that's only going to be exacerbated by any expansion of the building. So we're dealing with a situation, at least at Lord & Taylor right now, where we believe visitors to this particular site are actively using the Lord & Taylor parking space, which is not permitted, and it's an offsite impact currently.

As was mentioned by the applicant, the site right now is non-conforming. I don't have the facts, but listening to the comment earlier about the date of the building, I'm presuming for purposes of the proceeding it's a legal non-conforming as to the number of spaces at four for purposes of the existing a little over 4,000 square feet of gross floor area. That in terms of percentages, which the applicant rightfully pointed out to the board, is more than about 80 percent or a little more non-conforming as to the current on-site

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parking requirement. That percentage, while it may stay around the same, the parking impact is only going to increase by trying to add square footage to this site. From Lord & Taylor's perspective, this frankly may just be a situation where this site can't support additional development. There is just not enough adequate on-site parking. When I heard Mr. Canning's presentation to the board, while certainly you could take a look at parking counts and whether or not there are municipal spaces that might be available just from a space allocation point of view, and this is in context, I would note, simply with respect to you zoning requirements, and we'll wait to see what the applicant presents as far as actual intended usage of this building to see how that relates to the zoning code requirements, but my point is this, those spaces, which I think in the aerial that Mr. Grealy showed, aren’t even on that aerial. To expect someone to visit the site, even a broker who's actually an independent contractor or employed by Keller Williams, to park 600 hundred feet away, 700

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able to say that this is known usage by those
off-site users. We don't have that data. It's
not a situation where Lord & Taylor is
essentially actively policing the parking lot.
MR. NEMECEK: I understand you
wouldn't want to do that. You're going to
scare away good customers. It's just unseemly.
Lord & Taylor does have a large parking area,
but you're right, the area closest to this
would be the choice parking and it's the nicest
looking parking and it's convenient. The
illustration here is pretty damning I would
have to say, but you don't know who's using
that.

MR. FISHER: We don't. Yes, it's a
bit speculative, but looking at it and looking
at all of the surrounding lots in that photo
that don't have cars parked for whatever
reason, you know, it seems that it's the Keller
Williams' activity.

MR. NEMECEK: Does Lord & Taylor have
a policy with respect to where it's employees
park?

MR. FISHER: Kyle, do you know
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offhand?

MR. RAFFO: It's not enforced. No one
is out there monitoring it.

MR. TUDISCO: Could he come up on the
record? Just identify yourself, please.

MR. RAFFO: Yes, sure. How are you?
Kyle Raffo, I'm with Lord & Taylor. There is
procedural. We don't allow our employees to
park closer to the store and in the premier
parking spaces. It's, again, not policed.
During the holidays, parking is worse and we do
some off-site shuttling and things like that.
At that time, we would make sure the employees
weren't there. During the course of the
average year, it's a little bit more lax on
that regards.

MR. NEMECEK: Where is the employee
entrance?

MR. RAFFO: In the back.
MR. NEMECEK: In the back. So it
would be unlikely that these would be employees
using these spaces depicted in these photos?
MR. RAFFO: It's unlikely, but I
couldn't say yes or no that there isn't an
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and members of the board. My name is Andrew
Albrecht. I represent Urstadt Biddle
Properties. We're the property owners of 777
White Plains Road. I'm actually directly
across from the real estate offices,
and we have very grave concerns about the very
thing that we've all been talking about this
evening is parking.

We actively monitor and in some cases
in the past we've actually had to tow vehicles
on numerous occasions because they are
employees from either bank personnel or
possibly in some cases Keller Williams Real
Estate. We know that we've towed hair salon
employees from our parking lot and we know that
people, non-shoppers, people that are coming to
the area that are not shopping at our center
are parking right down along White Plains Road
directly across from the business, and that is
actually the place where our employee parking
plan encourages our tenants' employees to park.
It costs us money to monitor the parking that's
there. It costs us time in trying to police
the parking.

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In listening to the traffic consultant's findings, it seems almost a fantasy that somebody would park three minutes away -- two blocks, three minutes away when they can simply park across the street and use the signal crosswalk to get to the other side of the road. We've witnessed it. We have employees that will routinely on random occurrences go down and monitor the parking situation there, and we've watched either employees or customers park in our lot, cross, go visit the businesses, whether it's the bank, the hair salon or Keller Williams -- I'm sorry, not Keller Williams, the real estate offices -- and then an hour later come back out and leave. As we all know, parking is a very, very premium commodity down there and our site is very tight. Our parking is very limited and we don't have extra spaces to be having employees from other businesses parking there.

MR. NEMECEK: Are you suggesting that the proposal you heard with respect to employee parking would somehow interfere with rights that you have to parking?

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1. Goods brokers to come in and work at the site.
2. MR. NEMECEK: Did you also hear Mr. Grealy talk about how the fact that you now would be dealing with everyone under one roof, so-to-speak, Keller Williams being the sole occupant of the building, that they would have greater control, perhaps, than you would have to with two different occupants of the building and the fact that you would be talking about contractors coming back, people who they could tell, you need to park someplace. Now, granted, not everyone is going to listen to that, but if they have a continuing relationship and that's reinforced consistently, I think there's a greater likelihood you're going to get compliance.
3. MR. ALBRECHT: That's possible. We respectfully disagree.
4. MR. WEST: There are three businesses over there. Unless you're asking the people where they're going, it could be the bank that's your problem and whether they build an inch onto that building or not it won't change. Same is true for Lord & Taylor. Unless you're
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1. Surveying where they're going, are they going to the restaurant for lunch, are they going to the bank to deposit, you don't know where they're going. I think parking is still a problem for you, but you can't put it all on that one building when there are two other buildings that hold high traffic.
2. MR. ALBRECHT: And I was clear to point out that we've towed cars of employees of the bank.
3. THE CHAIRMAN: How do you identify cars to be towed?
4. MR. ALBRECHT: By personnel writing down license plate numbers and documenting over time that those cars are consistently there.
5. We then speak directly with all of our tenants and identify through their employees whose cars are whose.
6. MR. WEST: They're definitely parking there. I've lived in the area for 15 years.
7. You know how many people I saw park across the street and walk into the bank?
8. MR. NEMECEK: You probably don't have an issue if somebody goes to the bank, takes **DINA M. MORGAN, REPORTER**

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1. Put a lot of money, and spends it in the shopping center.
2. MR. ALBRECHT: Absolutely not.
3. Absolutely not. But when the car shows up at 8:00 in the morning and it doesn't leave until 5:00 in the afternoon and it does not belong to a tenant or one of their employees, they aren't shopping at our center for eight hours. As much as we would all love that, they aren't doing that. I do have to say there have been a couple of instances where we've identified people as commuters who will drive from somewhere, park there, and take either the bus or some other means of transportation either into the city or car share, and we've identified those people as well and tried to deal with that. But the biggest problem is while we've over time absorbed some cost for this issue in trying to handle it internally, by expanding the building, expanding the square footage, which would generate more traffic from real estate brokers and things, the problem will increase. We will then be forced to probably spend our tenants' money through **DINA M. MORGAN, REPORTER**

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1. Common area maintenance costs to hire either somebody a security to monitor parking there, which we have to do at some centers, and that just add cost to our operation and our tenants' business.
2. MR. NEMECEK: Would it be fair to say, though, that your biggest problem seems to be with the bank customers at the moment but the logical supposition is that, okay --
3. MR. ALBRECHT: It wouldn't because we aren't, you know, punishing somebody for parking there for 15, 20 minutes, whatever, while they run into the bank in and out or walk down the street to Mrs. Greens for that matter or go over to the restaurant. That's not the issue. It's the people that park there and stay all day, you know, or for multiple hours during the day and just the consumption of what are very scarce parking spaces to begin with and the fact that it puts a burden on our tenants and it impairs, you know, our customers from finding places to park in the center.
4. THE CHAIRMAN: Just a quick question. Is the parking, the Lord & Taylor parking along **DINA M. MORGAN, REPORTER**
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there that we've been talking about, is that
something that enforcement and towing of cars
would make this problem go away or in your
experience it doesn't matter?

MR. NEMECKE: Are you talking about
7 777?

THE CHAIRMAN: Yes. Your Lord &
Taylor parking, the ones right opposite Keller
Williams, those spots there. If you start
towing cars, would people get the idea sooner
or later and stop or it's just human nature is
it will never end?

MR. ALBRECHT: That would be a Lord &
Taylor decision. We have personally -- our
company has towed cars from our property. So
as long as we've been able to conclusively
identify who they belong to and the fact that
they're not supposed to be parking there all
day for free.

MR. PULASKI: Psychologically if you
were a customer of Lord & Taylor and you saw a
towing truck come into the parking lot and you
suspected that they're towing cars that
shouldn't be there, I think that would rub you

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could say absolutely.

MR. NEMECKE: Do you ever get
customers who park in the Lord & Taylor lot?
Be honest.

MR. LEONE: My own customers?
MR. NEMECKE: Your own customers.

MR. LEONE: We have sufficient parking
there for what we need. I ride my bicycle to
work typically, so I don't even take up a spot.
We try to abide with the law. We try to be
good neighbors. I hate to complain about my
neighbor, but when I see something that I feel
is kind of maybe outside the law from a
variance standpoint and that it doesn't fit
within the boundaries of the law and is such a
large expansion which is going to take a
problem that's there at present and expand that
problem, I don't think that the town should be
willing to approve anything such as this.

Thank you.

THE CHAIRMAN: Thank you.
MR. NEMECKE: Anyone else from the
public?

THE CHAIRMAN: Okay, you're up.

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MR. HADI: I understand parking is an
issue, that is why John and I went out and
produced additional parking on the building.
I've increased the cost of the project because
I understand the issue of parking. I reached
out to the town. I was fortunate enough to
receive two permit parking that is assigned to
four employees right now, we rotate. I'm on
the list to add more parking. I will do the
best that I can to resolve the issue. This is
not about me being a pain to my neighbors. I
want to solve the issue. This is without a
doubt not a -- it's not a doubt in my mind. I
shop at Lord & Taylor, my suit is Lord &
Taylor, I eat at the shopping center. I mean,
we're doing the best we can. We're great
neighbors. I understand it's an issue. I'm
not ignoring it. I'm not dismissing it. I
will always keep my eyes open. I believe that
I reached out to your shopping center and I
asked if they would rent me parking if that's
something that they're willing to do. I
believe the answer was, no, and I was okay with
it. I'm going out of my way to solve the issue.

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and get closer to what I need to be. So I
apologize for any inconvenience. I could tell
you I'm not responsible for the other
businesses. I am responsible for my employees.
I have one of them right here to be a witness
to what I'm saying. We have stickers in our
cars. We live in a very dense area, we love
where we are, and we're good neighbors. I
apologize for whatever issue that is coming up,
but I can promise you that I am doing the best
that I can to resolve it and I am not part of
the problem. I'm trying to make the building
beautiful and make the town better as well.
With that, thank you for allowing me to speak.

MR. NEMECEK: Thank you.

THE CHAIRMAN: So we're going to have
to continue thinking about this and about the
parking. There is a lot of work that I think
needs to be done, Mr. Iannacito. In
particular, we would like --

MR. IANNACITO: We'll work on.

THE CHAIRMAN: Normally here we focus
on what's inside the property and everything
outside of it has nothing to do with the

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large aerial photograph so that we can see it,
that also includes 777 and Lord & Taylor and
the exit at the rear of the bank onto Reynolds
or whatever, and possibly, depending on how
clear that it is, even your own drawings maybe
provide a little more context. We've already
talked about the narrative. You just recently
received Mr. Grealy's memorandum, so there are
quite a few points in there that need to be
addressed, and then clarify issues with regard
to any existing and/or proposed agreements and
easements.

Also, sort of along the lines of what
Phil Nemecek was talking about, I think you may
want your attorney to address what happens if,
you know, we're talking about it being a single
tenant but that doesn't necessarily mean that
next year there's not another office tenant
that moves in there. I know that's not the
intention at all, but I think you have to
understand -- it sounds to me that this
building actually has fairly low turnover
compared to a lot of other types of office
uses, but I'm not quite sure how you guarantee

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that it remain that way. So I think they need
to address that to an extent as well.
MR. IANNACITO: The fact that 10 years
down the road they have three tenants what
happens?
MS. UHLE: And different types of
tenants, yes.
MR. PULASKI: Because it exists now,
it's legal non-conforming.
MR. IANNACITO: And it's all used for
office building, so the count won't change.
The CHAIRMAN: It's office but
separate tenants.
MS. UHLE: Also, building on what you
said, I think they've already indicated that
there are spaces available. I think the
concern is, is it realistic that people will
actually park in those available spaces.
MR. IANNACITO: We'll put the
information together and come back.
MR. PULASKI: To your client, we go
through this in a lot of areas of Eastchester
where parking is an issue. I apologize if he's
looking at it other than --

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MR. IANNACITO: It's not personnel.
MR. NEMECEK: I think he understands
it is a dense area and in particular -- it's
funny, because as I look further at this
picture I see on 777 there are cars parked
closest in the bottom corner away from the
building, the shops. It seems like that's the
densest parking there. I understand the
frustration that the neighboring tenants have,
but I also understand -- and certainly we want
to encourage businesses in Eastchester to reach
their fullest potential.

THE CHAIRMAN: Most importantly,
before you return we need this whole parking
analysis on your side with the usage, your
consultant come up with the needed spaces, our
consultant review it, that has to go through
one more time.

MR. IANNACITO: That may take longer
than a one month period.
THE CHAIRMAN: We need to know that.

Great.

MR. IANNACITO: We'll try to do the
most thorough investigation we can and if it

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takes a couple of months, we get back to you
then.

THE CHAIRMAN: We'll be here.

MR. NEMECEK: Happy holidays to you.

THE CHAIRMAN: Are you here for
another one?

MR. IANNACITO: I have one more.

THE CHAIRMAN: Thank you. The public
hearing stays open.

The next application is Application
16-38, 51 Joyce Road.

Do you have adequate parking on your
application?

MR. BARBUTI: Excuse me.

THE CHAIRMAN: I said, do you have
adequate parking?

MR. BARBUTI: We have adequate
parking, and we'll try to make this as quick as
possible.

Good evening, Mr. Chairman, members of
the board, David Barbuti, architect
representing the applicant.

We're here tonight for an application
for an addition and alteration to an

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THE CHAIRMAN: Could you speak into the microphone, please.

MR. BARBUTI: -- To an existing one family dwelling located at 51 Joyce Road. The existing structure is a one family, one and a half story. Several years ago, there was a removal of an interior garage, two outdoor parking spaces, which were constructed over here, and there was a shed in the rear yard.

Under this proposal, we propose a two story addition along Dorchester, which will house a single car garage. We will convert an existing family room back into a garage and have our driveway access along Joyce Road. The present outdoor parking spaces will be removed as well as the existing framed shed.

The application went to the Zoning Board October 13th, we received two variances which were approved. One was for an insufficient side yard adjacent to the street, the other was exceeding the maximum FAR. Last month, we went to the Architectural Review Board with some back and forth. There was a decision made, because they don't have the December meeting, to make some modifications to my plan, they don't have a meeting in December, and the package I show an existing -- what was previously submitted to the ARB and what the final outcome was based on some of the comments from the board.

Some of the comments from the ARB were just try to make some of the windows more symmetrical, there were some garage door features that one of the board members required, and just try to tie the whole building together. I think we kind of achieved that based on if you look at the older, look at the new.

So, as I mentioned before, we're here tonight basically for site plan approval and I guess for approval of the architecture. If you have any questions, I'm here to answer.

THE CHAIRMAN: Do you have a plan up there that you could show us just to get an idea of what's being changed?

MR. BARBUTI: So presently the existing house is this configuration. There's a 11 foot addition to the right, which will come all the way to the back which will house part of another garage, mechanical room, and a den. Family room, kitchen area stay the same, existing living room basically stays the same. Front foyer stays the same as well.

The house itself is basically a cape, has two dog house dormers in the front, and it's going to be a full second floor addition for four bedrooms. The addition is off to the right, increasing master bedroom size, increase bedroom number 2, 2 existing bedrooms, 1, 2, 3 bathrooms.

THE CHAIRMAN: Can you go back to the elevation just to get an idea of what we're doing? So materials, could you just run through the materials?

MR. BARBUTI: I have samples if you want me to pass them around?

THE CHAIRMAN: Sure.

MR. BARBUTI: So basically material-wise proposed is an architectural shingle in pewter gray, you have the samples up on top. The front over the garage has shingles, it will be a metal roof in patina green, so it basically will look like a weathered copper. I don't have a sample of that with me, unfortunately. Base lower level of the bottom of the house I do have a stone water table, Eldorado Stone, which you have a sample of. It's called Mountain Ledge Panel Pioneer. It's basically a tan brownish which will go with the vinyl siding flagstone which has basically a tinted green to it. Up in the gable ends we decided to change materials, basically a vinyl siding. It is a T-45 perfection shingle in the color of wicker that is basically a contrast to the base vinyl siding.

Some architectural details, we've got a AZEK pergola off to the side of living room, over hear which is mounted on AZEK brackets, also the roof has brackets above the garage supporting that.

The front door is going to be most likely a fiberglass insulated door in mahogany color. The garage doors would be steel doors also in a mahogany color, just wood texture.
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2. wood color.
3. THE CHAIRMAN: So this color is the
4. base?
5. MR. BARBUTI: That's the wicker, so
6. that would be up here.
7. THE CHAIRMAN: Oh, I see. Okay. So
8. everything else is there?
9. MR. BARBUTI: Yes. To get the colors
10. to match exactly.
11. THE CHAIRMAN: The colonnades,
12. everything in the front is white AZEK and white
13. columns?
14. MR. BARBUTI: White Tuscan columns in
15. the front, above the door is white AZEK, this
16. is white AZEK. Rakes, facias, and other trim
17. around the facade are going to be AZEK. Up in
18. the eve, there was going to be a louver. We
19. put some square pattern lattice so it doesn't
20. look like a louver. The louver is behind it so
21. it kind of hides it.
22. THE CHAIRMAN: Where are you talking
23. about?
25. Just so you don't see the horizontal lines.

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2. THE CHAIRMAN: I live on Huntley Road
3. and I go to the end of Huntley Road every day,
4. so I'm concerned what it's going to look like,
5. as I am on all the applications.
6. MR. NEMECEK: I have to two questions:
7. One, this is a very large house for this area,
8. and I see where the Zoning Board granted a
9. variance which basically enables you to build
10. this house with 25 percent more square footage
11. than would ordinarily be allowed. What was the
12. hardship, I guess, that was the rationale
13. behind requesting this? Obviously the Zoning
14. Board approved it so you said must have been
15. convincing, but tell me the need for such a
16. large variance.
17. MR. BARBUTI: My client has five kids,
18. they need the bedroom space. It is a house
19. without a basement, it's a slab on grade. They
20. will very soon have children that are driving,
21. we need the two car garage, we need the larger
22. driveway. It was a bunch of things like that.
23. Principal points I don't have off the top of
24. my, it was a couple of months ago. In a
25. nutshell, it's basically the five children, the

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2. no basement, you know, the requirements for the
3. additional bedrooms.
4. MR. NEMECEK: Another concern I had
5. with this particular property, I recall some
6. years ago when there were issues in particular
7. with Huntley Road drainage. I think this was
8. the epicenter of the problem, because I think
9. this may be the lowest lying area in Huntley,
10. this particular house. I remember when they
11. were putting in big pipes on Huntley Road,
12. there were real concerns in particular about
13. flooding, this house and a couple of houses
14. right in that Dorchester/Joyce area. Are there
15. currently issues with water intrusion or a high
16. water table on this particular property?
17. MR. BARBUTI: The few times that I've
18. been at the house, I haven't seen any evidence
19. of any flooding problems.
20. APPLICANT: There is no basement, so
21. there is no water in the basement.
22. MR. NEMECEK: Is it a crawl space
23. underneath?
24. MR. BARBUTI: No. Slab on grade.
25. THE CHAIRMAN: There are four big

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THE CHAIRMAN: Okay. I don't have any other comments.

MR. PULASKI: Neither do I.

THE CHAIRMAN: So you're good to go then. So I'll make a motion to approve this application, 16-38, 51 Joyce Road. All in favor.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

THE CHAIRMAN: Good luck.

MR. BARBUTI: Thank you.

THE CHAIRMAN: Thank you.

The last application for the year -- thank you -- have a nice evening, happy holidays -- 16-63, 7 Forbes Boulevard.

MR. IANNACITO: Good evening, again.

John Iannacito, architect. I'm representing Mr. and Mrs. Bucolo this evening, the owners of the subject property.

We are proposing an addition to the existing single family residence. The proposed scope of work will include a second story addition over the existing footprint and a new DINA M. MORGAN, REPORTER

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The second was to show the gutters and leaders, so we did that on every corner on all sides. The third comment was to show the lights on the exterior. There will be a down light at the front portico and down lights over the canopy here, and then at the rear they'll be sconces on either side of the sliding door on the patio doors going into the basement. That's it.

Thank you.

THE CHAIRMAN: Thank you. Easy.

There's not much to say. It looks beautiful.

MR. NEMECEK: I noticed, John, when I walked past the house recently, and I guess it's depicted in the photos as well, it's already undergoing significant --

MR. IANNACITO: We have an open permit on the property right now for first floor interior alterations and the raised patio at the rear. So we were able to get those permits because they didn't require Architectural Review Board approval.

The second story addition changes more than 30 percent of the front facade, so we DINA M. MORGAN, REPORTER

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entry portico at the front. No variances on this application.

Here is the front elevation showing the second story addition and here is a rendering showing the finished materials. The wall surfaces will be a HardiePlank lap siding in a deep ocean blue finish. I have a sample here. The existing stone veneer, the base here is existing and will remain. The roof surfaces will be asphalt shingles in an oyster gray finish. The windows will be vinyl clad in a white finish. The trim boards will be painted AZEK in a white finish. The gutters and liters in aluminum in a white finish. The front entry door and the overhead garage door will be fiberglass in a mahogany finish, and the railings over the portico will be vinyl in a white finish.

This application was presented to the Architectural Review Board on November 3rd, and it was approved with three minor recommendations. The first was to add a trim piece underneath the sill, so an apron under each window, so we did that on the elevations.

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needed Architectural Review Board approval and then final approval from the Planning Board.

MR. NEMECEK: You weren't just jumping the gun on us, were you?

MR. IANNACITO: They wanted to try and get started with the footings and raised patio before it got cold, and they might be able to do this during the winter because it's right on top and no foundation is involved here.

THE CHAIRMAN: Right, you just take it off and go up.

MR. NEMECEK: That's it.

THE CHAIRMAN: It's easy.

MR. NEMECEK: The proposed construction really looks sharp.

THE CHAIRMAN: Can I see the Hardie? Let's do a public hearing. I make a motion to open the public hearing on Application 16-63, 7 Forbes Boulevard.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

THE CHAIRMAN: I make a motion to close the same public hearing, Application DINA M. MORGAN, REPORTER
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16-63, 7 Forbes Boulevard.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

MR. NEMECEK: I'll spare you a parking joke.

MR. IANNACITO: We actually made the driveway wider here. It's 20 feet wide.

THE CHAIRMAN: I make a motion to approve Application 16-63, 7 Forbes Boulevard.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All Aye.)

THE CHAIRMAN: Very nice.

MR. NEMECEK: Thank you.

MR. IANNACITO: Thank you. Have a great holiday.

THE CHAIRMAN: Thank you, you too.

MR. NEMECEK: Merry Christmas, John.

THE CHAIRMAN: Merry Christmas. We can't do anything, can we?

MR. NEMECEK: Actually, we can approve one, I think.

MS. UHLE: I think I made a mistake in

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the meeting minutes. Let me check whether you approved the --

MR. PULASKI: You made a mistake and he didn't pick it up.

MR. NEMECEK: I think we can approve the September 22nd.

MS. UHLE: Did you approve those previously? I'm not sure.

MR. NEMECEK: No, we couldn't.

MS. UHLE: Those you can approve and not the October ones.

THE CHAIRMAN: Which ones?


MR. NEMECEK: September 22nd I have revisions, which I'm going to show to the other two board members here. I'm going to send these to you tomorrow, but just so they see what they are.

Subject to the revisions I have identified but not yet forwarded to Margaret, shown to Mr. Bonanno and Mr. West -- I'm sorry, Mr. Pulaski -- Bill West was also present that day.

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