STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF EASTCHESTER

TRANSCRIPT OF
THE ZONING BOARD OF APPEALS MEETING
JUNE 9, 2015

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

BEFORE:
ALAN PILLA, CHAIRMAN
MARK DE MARCO, MEMBER
JOSEPH MILLER, MEMBER
MICHAEL CAHALIN, MEMBER
PETER NURZIA, MEMBER

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

Dina M. Morgan, Court Reporter
25 Colonial Road
Bronxville, New York 10708
914-469-6353

DINA M. MORGAN, REPORTER
THE CHAIRMAN: Good evening, and welcome to the Town of Eastchester Zoning Board of Appeals meeting for the June 9th, 2015 meeting that is. Let's call the roll.

Before we do that, let's start the meeting with the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: Okay. Actually, before we call the roll, I usually take this opportunity in the meeting to remind those here and the viewing public that as a condition to the application, and just printed as a term on the application, that no applications that are heard on the first time are decided upon, and also, we print our calendar at the beginning of the calendar year, and tonight is the last meeting before the summer break, so the next meeting after this will be September.

Okay. I'll call the roll, and the applicant I would like you to let me know that you're here and whether you're going to proceed.
which is 185 Summerfield Street. Ready to proceed? Great.

Under new business, 15-34, that’s 22 Maple Street. Applicant ready to proceed? Okay.


15-38, 509 White Plains Road.

MR. CAHALIN: 569.


MR. DE MARCO: There’s a hand up.

THE CHAIRMAN: Thank you. I’m glad I got the address right that time. Are you ready to proceed? Okay.

15-41, 22 Parkway Circle. Ready to proceed? Great.

Okay. Before we proceed, there’s a matter of approving the minutes from the May 12th, 2015 meeting. Is there a motion to approve those minutes?

MR. CAHALIN: So moved.

THE CHAIRMAN: By Mr. Cahalin. Is there a second?

MR. DE MARCO: Second.

THE CHAIRMAN: By Mr. DeMarco. All in
favor.

(All aye.)

THE CHAIRMAN: Minutes have been approved.

On to old business with the public hearing continuing, 15-08, 185 Summerfield Street.

MR. DIBBINI: Good evening to the Board. Again, my name is James Dibbin on behalf of the applicant. As you know, we were here about two months ago with our initial presentation with respect to my client's request to place a small Italian bistro at 185 Summerfield. Right now the first second floor is vacant, the second floor is occupied by a small office.

The plans to my left have been slightly modified to accommodate placing the carting -- the waste carting container inside the most left garage along with a bicycle rack. There's been some advancements, some good news since last time we were here. My client has been able to secure four permanent parking spaces; two on Summerfield lot -- I'm sorry, two on Summerfield, which is almost directly across from my client's property right now, and
also secure two additional parking spaces via permit with the village at the north end lot that's near the CVS store.

So we're here before the Board today to present that. Also, I understand through the Maser Consulting consultant's letter dated June 4th, which I believe you're all in possession of, also provides I think favorable news for my client, the applicant, and that is he indicates -- that is Maser Consulting P.A., Philip J. Grealy indicates on the second page, after going through some analysis -- I believe the Board has gone through it -- indicates that "We generally agree that there is parking in the overall area to accommodate the parking needs of the proposed restaurant."

Furthermore, he indicates that "We believe the parking needs for the proposed restaurant can be accommodated in the area of the development and that there will not be a significant traffic impact in the area." I think these are two very positive, positive statements that have been stated in the report, which supports our client's application to have this variance.

I do want to also point out, just to go through the numbers, initially when we came
before you it was clear that we needed 17 parking spaces and we had four, so that brought down the variance to 13, but with two permit parking spaces on Summerfield and two permit parking spaces on the north end lot, we’re really down to nine. When you compare that against the old variance that the building already had, which was a prior legal non-conforming use, they had a variance for 11 parking spaces. So we’re only requesting one for nine in effect since we’ve got the four parking spaces, permitted parking spaces, which we’ll continue to maintain throughout the existence of the operation of the business and the CO. So I think the Board sees that there is a reduction in the variance in that respect, and we’re asking the Board to approve that. Of

DINA M. MORGAN, REPORTER

course if you have any questions, we also have James Garofalo, the consultant who prepared the parking analysis, and also has the sheet that demonstrates all of the various parking lots throughout the immediate location. So if there are any questions from the Board, we’ll be happy to answer them.

THE CHAIRMAN: Yes. Ms. Uhle, as a matter of procedure, perhaps what we should do
Mr. Garofalo if he has anything to supplement, add, or modify in the application, and I would like to hear from our expert, Mr. Grealy, because the public hearing is continuing then I think it would be more advantageous to the public for them to be able to comment after all of that. All of this is a matter of public record, but anything that is supplemental I think they could comment on.

MS. UHLE: I think that makes sense.

THE CHAIRMAN: Then let's proceed with Mr. Garofalo, please.

MR. GAROFALO: My name is James Garofalo. I've been working with Tim Miller Associates for about 25 years. I want to talk a little bit here about the parking study, which was basically done on Friday, March 27th and the 28th. There are two main aspects I'm going to talk about; first is the employee parking and then there's the customer parking. There are four main lots in the area. There is the Brook Street/Summerfield Street lot, which is closest to the site; there's the Dunwoodie Street lot; there's the north end lot; and then there's the Ackerman lot. This lot, there were times when the long term parking, which is what
employees need, was full, so we didn't really look at that in terms of what we need for this site for the employees. It's also the furthest or the most difficult as far as customers to reach, so it won't be much of an impact on the customers. Basically what we looked at then for the employees was this lot, this lot, and this lot. Excuse me, this was not for the employees, that was for the customers. In both the north end lot looking at just the metered spot long term parking and the Dunwoodie lot, which is all long term parking, either one of these two lots in and of itself had enough capacity to handle the employees for the restaurant during the day.

As was mentioned, actually two permit spots have been acquired in this permit area, which is mostly about 50 percent CVS permitted parking. Two opened up here, and this area also has now been opened up to permit parking from 8 a.m. to 6 p.m. So that's a period which can handle the employee, customers. During the day, the office employees will be parking on site. They will be leaving before 6 p.m., which will allow the restaurant employees to come in and park here. There is anticipated to
be four employees during the day, four in the
evening. So in terms of the evening, they only
need basically one other parking space, which
could easily be accommodated either here or
here.
So basically the way it's going to be
handled is during the day is two employees of
the restaurant will park here, two up here, and
the office will park over there. In the
evening, the office employees will leave,
employees for the restaurant will move into the

DINA M. MORGAN, REPORTER
customers to be parking down there, and looking
at the report for the senior residential
development that's going to be occurring on
Summerfield, there was not anticipated to be
any real overlap in demand in terms of parking.
So in terms of parking, that's not going to be
a problem. This Board looked at it, the Town
Board also looked at the Summerfield senior
parking and found that there was not going to
be a problem with that dealing with lot parking
or on-street parking. We don't see -- I don't
see any conflict here at all with that site and
this site.

This site there is currently -- when
the Fish Gourmet is open, they tend to use the
two spots right on their side of the road, plus
this portion of it is probably 90 percent
parked. What happens is during the day these
spots over here had been heavily utilized by
the auto body shop and the offices, so even
though they're now permit parking, even during
the day, a normal day, they wouldn't have been
available to the restaurant. Nevertheless,
within this 400 foot radius most of it between
the Summerfield and in the Summerfield/Brook
Street lot in that near parking there's almost
enough just for the restaurant itself. You add the Brook Street onto that and you have more than enough parking to handle the customers with an easy walking distance to the restaurant. So generally what's going to happen when the Fish Gourmet is open, and they're not open every day during the week.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15
during the day, they are during the evening, but basically if you consider a nonstick pan and you have a drop of water on it and you add another drop, the bubble expands. That's basically what's going to happen here is that the area where there's a lot of parking, that area is going to expand and it will be a mixture between the two restaurants. So, yes, some of the Fish Gourmet customers may have to walk a little bit further, but there is clearly enough parking in that area to handle the customers for both restaurants.

THE CHAIRMAN: Thank you, Mr. Garofalo. Before we move on to Mr. Grealy, I ask the Board members if they have any questions or comments; Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.
THE CHAIRMAN: Mr. Miller?
MR. MILLER: No.
THE CHAIRMAN: Mr. Cahalin?
MR. CAHALIN: I've got some.
THE CHAIRMAN: Fire away.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

MR. CAHALIN: Directed to the attorney. You stated that there was an original variance for 11 spots.

MR. DIBBINI: That's my understanding.

MR. CAHALIN: When was that granted?
MR. DIBBINI: When?

MR. CAHALIN: When.

MR. DIBBINI: I'm not sure, but it was under the prior ownership. That's when the entire building was used as office space.

MR. CAHALIN: So the use is changing and you had 11 spots, but that could have been -- how long has it been an office?

MR. DIBBINI: I don't have an answer. I could look into it and get back to you on it.

MS. UHLE: I just want to clarify something. I don't think a variance was granted. I think it's preexisting legal non-conforming. There is a distinction between the two.

MR. CAHALIN: But he said there was a
I don't believe so. I don't know whether you meant there was a variance.

MS. UHLE: I don't believe so. I don't know whether you meant there was a variance or whether you meant that the deficiency in parking --

MR. DIBBINI: I meant to refer to it as the deficiency was smaller.

MR. CAHALIN: We got to get our facts right here. I would appreciate getting the right information first before somebody gets up and makes a statement. That's a misleading statement to me. So we can continue. You're going to accommodate 45 seats now as opposed to 39?

MR. DIBBINI: Correct, 45.

MR. CAHALIN: How many seats that does the Fish Gourmet have, do we know?

MR. DIBBINI: 32. This gentleman, I don't know who is, but he just --

MR. CAHALIN: 32 max. 70. So we have 70. So we now have 115 potential customers coming into the area at the same time; am I wrong? Right? But we still have the same parking in the area. We haven't expanded any spaces, but we're going to add 45 potential customers, but we haven't grown the parking
lots at all. Does anybody see the point I'm trying to make here?

MR. DE MARCO: No.

MR. CAHALIN: The parking hasn't changed, and we're expanding getting more customers trying to compete for the same area. So if we were adding -- my point is, we haven't added any spaces to the north end or none significant at this point, but we're now going to try to get a variance here so that we could put a restaurant in that's going to have instead of 70 we're going to have an additional 45 potential customers, right, at max. I assume they'll both be open on Friday night, and I assume they will both be open on Saturday night, and I assume they'll both be open on Sundays; right? So I don't know about lunch or dinner during the week, I don't know what the hours are supposed to be for either restaurant, but to me we're putting a use in there or they're asking us to approve a use, we haven't created anything to accommodate the people.

THE CHAIRMAN: Well, Board Member Cahalin, just one specific, which I was going to remind the public when they spoke on it but
I might as well be specific about this now, the use is as of right. So the fact that they want to use it as a restaurant doesn't really affect us, and of course it's a consideration when you're considering the parking. The issue really before the Board is the non-conforming use and the adequacy of parking, and certainly you're free to go in any line of inquiry when you want, but I just want to make sure when the public comments on this that the idea of whether or not it's a good idea to put a restaurant there is not really something we should be considering. We should be considering whether the parking needs for this application and the variance that's being requested is appropriate. So, anyway, I'm sorry.

MR. CAHALIN: That's exactly my point. You have an area in the north end that just got a senior residence approved, and we have existing businesses that if you go up there shopping on a Saturday afternoon or a Saturday morning, it's desperate to find parking, and now we're going to put another -- they're
asking us to approve a parking variance, which
I'm sure the restaurant will be fantastic, I'm
sure it will be, but I just don't know how much
more we can push into this area myself. I
mean, I don't get it, you know. I know they
have a right to ask us for the variance, but we
have a right to consider the town at large and,
you know, they went from 39 to 45, and now I
wasn't aware, I mean, you look at the Fish
Gourmet it doesn't look like a big place, but I
didn't know it had 70 seats. So you got 115
potential customers coming into the area, you
know, especially around Lent or on a Friday or
Saturday night. I don't get it. I don't
understand how all these people are going to
park up there, because really this isn't a
walking town. People don't walk to go out to
eat here. They drive everywhere.

So I'm troubled by the whole
application, I really am.

MR. GAROFALO: Mr. Chairman, do you
want me to respond to that?

THE CHAIRMAN: Sure, why not.

MR. GAROFALO: The study was done
actually during Lent on a Friday and again on a Saturday, so we were trying to look at the worst condition. Yes, you're right, they're not creating any more parking space, what they are doing is filling in vacant spaces that are already there. That's the difference between what is -- that's exactly what they're doing. They looked at that area where you could easily walk to the restaurant once you park, and there appears to be plenty of parking for both these restaurants within that area.

MR. MILLER: Well, wait. If you're considering the Dunwoodie parking, which is down basically near the Hudson Valley Bank if I understand you correctly if that's the lot you're referring to, it's a stretch to say that is parking for any of those restaurants, because, one, it's a steep hill and it's a difficult walk and it's not realistic to think people are going to park there and then walk up the hill. As far as my understanding of those lots -- of those spaces from living in the town and being in that area many times and going to the restaurants in that area at night it's not you're filling the spaces, they're filled.
It's not you're just filling in spaces. They are filled. So getting back to my point when you were here last time where I'm encouraging you to look to other areas to by licenses, such as other restaurants in this town do, because that area where you want to get the variance is already congested and is already filled on Saturday, Sunday, Friday nights. So we're not filling in spaces. I think we have to be clear here, you're not filling in spaces, those spaces are already taken. This is my problem with your application. So they're already taken.

MR. GAROFALO: The Dunwoodie lot is long term parking. It's not really considered for the customers. We looked at that as a potential place for the employees, as well as the north end lot, which are both much further away. So the Dunwoodie lot was not looked at in terms of the customers. For the customers we were looking at Summerfield Street, Summerfield Street/Brook Street lot, and Brook Street. Yes, you're right that directly

DINA M. MORGAN, REPORTER
away, you end up getting more and more vacant spaces. So, yes, you're right, you're not filling in the spaces that are between this site and White Plains Road, because most of those spaces are filled, but you're looking at spaces that are further away, and basically what the study showed is, yes, in this area there are plenty of vacant spaces to handle this use.

MR. CAHALIN: Their first presentation they told us that the lot over by CVS was walking distance to the restaurant, it was a four to five minute walk. Now we come back two months later and they said that was never considered, which is not what we were told, and now I agree if you want to put employees out there, fine, that's where you should put the employees, I have no issue with that, but we were told initially that that lot over by CVS was a potential for parking for patrons.

MR. GAROFALO: I did look at both the

DINA M. MORGAN, REPORTER
park there, that there's plenty of parking closer than those lots.
Now, I will say that of all the lots one of the lots that has the most short term vacant parking is the north end lot, and it is about a four or five minute walk to the restaurant. But in terms of utilization, the customers aren't going to park there simply because it's farther away. They'll park within that 400 foot.

MR. CAHALIN: Right, so they'll circle around and circle around on a tough corner to try to get a spot when somebody is coming out of someplace to go back in, which further adds congestion to the corner if you're saying they're going to fill in. That's what people do, they circle until they find a spot.

MR. GAROFALO: Well, there should be plenty of spots for them to find.

MR. CAHALIN: Okay.
MR. GAROFALO: Thank you.
THE CHAIRMAN: Mr. Miller.
MR. MILLER: Yes. When you're talking about Summerfield, you're talking about -- please correct me if I'm wrong -- spots which will be in front of people's houses, correct.
or are you talking about something different?

MR. GAROFALO: In terms of the permit, spots are basically -- it's a little bit larger than that red circle. It goes down to the auto body spot. Those are now permit parking spaces from 8 a.m. to 6 p.m., and you have the auto body, you have some offices over here. So generally when the offices let out, those spaces become available because they're being cleared out. The same with the auto body shop. The auto body shop basically they want to get their customers their cars back. So both their employees and the cars they may be working on those tend to leave basically at a peak time when you would want to have parking for the two restaurants.

THE CHAIRMAN: Anything else? Do you have anything else from Mr. Garofalo?

MR. CAHALIN: No. I'm interested to see what our consultant has to say.

THE CHAIRMAN: And that's where my comments are going to lead. I have nothing to add at this point. I would like to have Mr. Grealy come up and provide his presentation, please.

MR. GREALY: Good evening, Philip...
Grealy, Maser Consulting. We were asked to review the various reports prepared by Tim Miller Associates and to look at the conditions. I think there were a series of four or five different letters or submissions from the applicant.

We had two letters, the first being a May 6th letter, that asked for additional clarifications in terms of the areas that were surveyed, in terms of traffic, in terms of the permit spaces that they actually had, which I guess we're hearing tonight they actually have four, we were assuming they had two.

The most recent letter that the applicant's attorney quoted sections from was

DINA M. MORGAN, REPORTER
evening, yes, there are spaces on Brook Street for me to park, but they're not visible from where I'm going to the restaurant. So I think there's two issues here. One is if you look at the amount of parking in the area and people tend to not want to walk. In the CVS lot down where the old Albanese's used to be the north lot there's spaces there at different times that you could use and, you know, some people may say, okay, I want to go to that restaurant, I'm going to park there, and I know how I'm going to walk. Part of the problem is people don't usually like to walk. They like to park.

DINA M. MORGAN, REPORTER

as close as they can to the restaurant. So we're in agreement if you look at the whole area, and again, we're not looking north of here because you're not going into the neighborhood really to park, it's really this area that Mr. Garofalo talked about, and you start getting at distances which is a decent walk but not unreasonable if the location you're going to is visible. Here we have a situation where the restaurant is not visible from the north lot or from Brook Street. But if you do look at the overall area, and they looked at peak times, they looked Friday.
Saturday, they did throughout the day and in the evenings. The evenings tend to get a little better when some of the businesses go down, when the auto body shop shuts down, but again, I think a lot of spaces like along Brook Street here once you get further, you know, to the west on Brook Street, yeah, you're going to find a spot there, but it's not like there are ten spots together, they're scattered around, which may tend to some circulation, additional circulation, but if you if you look at the way

DINA M. MORGAN, REPORTER

their study was done and you look at the overall parking area, there are spaces. It's a question of the convenience to the building and the visibility, which could lead to some additional, you know, traffic movements, because people tend to try to go to the restaurant as close as they can.

Now, there's a couple of ways you can help with that. If you have people that are repeat customers, they're going to know where to try to park. If you have advertisements where people are coming, you could say, please park on Brook Street and walk to the restaurant. Not everybody is going to listen to that, but it helps in terms of making people
I think the information they provided is reasonable in terms of area that they looked at. I think from what we saw we confirmed that there were spaces in the area scattered, but because of the visibility and the convenience factor, you know, will people -- I think Mr. Garofalo is right that all of a sudden your parking that may have been closer radius to the other uses is now going to spread out because the area that spaces are available are further on the perimeter from the area. So if you look on a Saturday night when the Fish Gourmet is active, you have may find spaces a little further away, but now they're going to start to expand. I think in terms for a 45 seat restaurant I think the code is pretty consistent with what we see as standard, that what you would provide for a 45 seat restaurant you typically provide around 17 spaces. So it's not like you have a code that's low. It's pretty reasonable. Now that they have four permit spaces, that helps. But again, I think it's a question of visibility and convenience that you're talking about in terms of getting.
MR. CAHALIN: Would valet help at all?

MR. GREALLY: Well, there's two things: One was that originally there was some talk of possibly takeout. They said they're not going to have takeout, so that helps. I think valet would be helpful, but then there's a question of where do you have the valet, which is always the question that comes up. Now, if they have the four permit spaces, in the evening it would be helpful because your office employees are gone, your restaurant employees that are there working in the evening there's four spaces for them to park assuming that they're driving. So you still have those four permit spaces that may be useful for valet, but it's not a big quantity to have a full-time valet. It's a way of using those four permit spaces that the applicant has now secured, which really then you're starting looking at a shortfall of nine remaining in the area. So I think that would be something that would be beneficial. I think the advertising or the marketing of it as to tell people, when you come here on a Friday night, here's where you should park.

Again, people tend to try to park as
close as they can, but if it's a good
restaurant, I know I'll park and walk. But
again, it's going to create the area to grow in
terms of where people do park. I don't think
you're going to get much going further to the

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

west. I think the overlap of Summerfield
Gardens, again there because once you get
downgrade a lot of the parking that they were
looking if they had to use on-street parking
was even further to the west, which when
offices down there close is available. So
it's -- you know, I think their study is
reasonable, but you have to look at the fact of
the visibility and the convenience to those
spaces.

MR. CAHALIN: Thank you.

THE CHAIRMAN: Thank you, Mr. Grealy.

So if you don't mind staying up one more
minute, let's see if we have any other
questions from the Board. Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: I have a question on the
upstairs at the premises. It's office use
right now.

MR. GREALY: Yes.
MR. NURZIA: Is the applicant using that space or is that rented out to somebody else? I know in one of the reports it had that

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

office would be cleared out at 5:00. I just wanted to some clarification on what that effect is.

MR. GREALY: I think in terms of that could be a condition that they stated that, they say it in their reports that that would have to be a condition, that the office has to be closed at 5:00. You're talking about an overlap period. I think on a Friday evening you're not going to have a lot of activity in an office after 5:00, but there could be some. Again, it's kind of a positive. When you look at shared parking, it is a positive use of having a restaurant and an office space together in the area.

THE CHAIRMAN: Mr. Nurzia, anything else?

MR. NURZIA: No.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

MR. CAHALIN: No.

THE CHAIRMAN: Mr. Grealy, I have
nothing other than to say, thank you for the

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

thought and time you've been put on this.
You've been very enlightening. Thank you.

Okay, now that we've amplified -- Mr. Garofalo, would you like to add something?

MR. GAROFALO: I just want to point out one thing.

THE CHAIRMAN: Sure.

MR. GAROFALO: The permit spaces on Summerfield are from 8 a.m. to 6 p.m., so there's a time limitation on the permit spaces on Summerfield Street.

THE CHAIRMAN: Okay. Thank you.

Okay, as the public hearing is going to continue, I would like to know if there is anyone from the public that would like to speak on this matter. Sure. Come forward. Give us your name and proceed.

MR. ROSS: Good evening. My name is Rick Ross. I own Eastchester Fish Gourmet.

One of the problems I find with the area, it is very congested. Parking is difficult now without the restaurant being there. You might know that a car drove through our restaurant.

The gentleman was trying to make a right turn
to go down Summerfield and instead of hitting the brake he hit the gas and he went right through the restaurant. Last month my car was parked there, it was hit, because what a lot of people do is they try to avoid the light at Brook Street, and they make a right turn to go down Summerfield Street. So it's very congested. I have no problem with another restaurant in the area, but in that location it's just not feasible. If you drive down Summerfield Street, very seldom you don't have cars parked on both sides of the street. It's a serious issue, and I think the town should look at that. The parking is tight. There are some merchants here from the stores on White Plains that we do have a parking problem already. So, you know, it's not that, you know, there is no problem.

The other thing, Summerfield now -- the metered spots on Summerfield now are permit spots. So basically it's taking a lot of spots away from people parking and now they go into the Summerfield lot or the Brook Street lot, which is also a problem for us. So that's all
EASTCHESTER ZBA - 6/9/15

I have to say. Thank you.


MALE SPEAKER: My name is (inaudible) North End Quality Meats. The parking in that Summerfield brook lot is already very difficult. From about 12:00 to 6:00 we're open, we close at 6:00. I mean, I have to explain to many customers a day why there isn't any parking, why you guys took even more permit spots in the back. Just seeing the area, I mean, I'm there six days a week, there is no parking as it is. It's not -- I mean, to add another restaurant there, to add more people coming in and out of the area it's going to hurt our business, all the other businesses on the block, and I'm strongly against it.

THE CHAIRMAN: Thank you. Please.

MR. ANDERS: Good evening. My name is Tom Anders. I live in the north end of Eastchester, and I patronize and have patronized for many moons the businesses in that area, and I'm familiar with the area. As many have already said, there are
several issues with the requested variance.
While it might satisfy the applicant, it will
have a negative effect on the surrounding
merchants in the area. This is a relatively
vibrant business area today, and it
economically helps support the town.

Negatively affecting surrounding businesses by
increasing congestion and creating parking
issues is counterproductive. The Zoning Board
should consider the impact on the entire area.

The first issue, of course, is
parking. The applicant needs 17 parking spaces
to be in compliance with the zoning code and he
has four slash now eight. Parking study by the
applicant's consultant was done, but the
solutions suggested are theoretical, not
practical. The parking shortfall is not easily
accommodated, as implied. Expecting customers
to walk from the Ackerman lot, the CVS lot, the
town lot adjacent to CVS, or the Dunwoodie lot
to the perspective restaurant site is not
practical. The steep side grade location
without sidewalks will require customers to
walk in the street. Can you imagine this at

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

While permit parking might help
employees and residents, it's really not appropriate or suitable for customer parking. Also, permits are easy to grant but very hard to rescind. If and when the Summerfield Gardens project occurs, parking during and after construction will be even more problematic with many more people in the area. I invite you to observe the Trader Joe's situation for a local example of insufficient parking. In that area theoretically overflow parking is available along Rescigno Drive, at Greenvale School during non-school hours, and in the Citibank lot after business hours. In practice parking at Trader Joe's is a nightmare almost all of the time.

Also, pedestrian safety will be compromised. Pedestrian crossing of upper Summerfield with very poor lines of sight at the crest of the hill and Route 22 with heavy traffic are very dangerous today. Increasing pedestrian volume with this new proposal will only make matters worse. Pedestrian crosswalks will become necessities.

Based upon these above items, I strongly recommend that this application be denied. Thank you.
THE CHAIRMAN: Thank you for your time. Is there anyone interested in speaking on this application? Please.

MR. BAUMAN: Louis Bauman. I live on the north end of town since 1977, and I had the honor of sitting in your chair from 1985 to 2000 as the Chairman of the Zoning Board here. At no one's behest but my own interest in this case in this proceeding, that's why I'm here tonight.

The whole point that has been raised since tonight concerning the parking is a situation of grabbing at straws, I think. There are several parking lots which here and there you have a space here or a space there. I think Mr. Cahalin raised the point initially when he asked the question tonight --

MR. TUDISCO: Mr. Bauman, can you speak into the microphone.

MR. BAUMAN: Sure. I think Mr.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

Cahalin made a very good point tonight when he discussed the question of no added spaces. There are no added spaces that are being offered here other than the fact that the applicant has gotten some permits to reduce the number of the variance, but the variance is
still very substantial.

I know that I was on the Board in the Eighties when CVS came in. That was a much bigger application as far as parking was concerned, but there was a large parking lot right as part of the -- next door to the property that the CVS store was built, and we had more discretion -- the Board had more discretion in that case to play a little bit with the parking. It's not going to be that crowded in terms of particular times of the day, particular times of the week, and we had more discretion. So we played with it for several months, by the way, and we finally came up with, I think, a workable solution in that CVS application at that time, because it was a necessary ingredient for that application, and we were able to do it.
there is a very serious parking problem, and to me it has something to do also with the feasibility of a successful restaurant. Now, we're not supposed to consider that, it's up to the applicant to make that business decision, but I don't think you're going to find a very promising situation for an applicant, a restaurant in this particular location on the beginning of a steep hill. People are just not going to be walking. It was pointed out by the previous speakers tonight.

I am very strongly suggesting to the Board that they consider this as a very negative argument as far as whether this application should be passed -- should be passed or not. I don't think that the Board in

DINA M. MORGAN, REPORTER

its discretion is going to be thinking in terms of the entire town as far as the problems that go beyond this particular application. They go beyond the Eastchester Fish Gourmet. There is a serious problem in this immediate area and going out so many feet to the other parking lots which have been referred to here and are being considered as potential parking for this particular applicant. So I urge you to consider very strongly in the negative for the
parking argument that the application should not be passed. It should be denied. Thank you.

THE CHAIRMAN: Thank you, Mr. Bauman.

Is there anyone else who would like to speak on this application?

(No comments.)

THE CHAIRMAN: Okay. Seeing nobody else, is there a motion to close the public hearing?

MR. MILLER: So moved.

THE COURT: By Mr. Miller. Is there a second?

MR. CAHALIN: Second.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

THE CHAIRMAN: Mr. Cahalin. All in favor.

(All aye.)

THE CHAIRMAN: Okay. I would like to get final comments from the board members. Mr. DeMarco?

MR. DE MARCO: Nothing.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No comments.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: Well, actually, I don't want to throw a monkey wrench in this, but I...
have a question for our engineer, and I'm not sure if I could ask that question.

THE CHAIRMAN: You sure can. Mr. Grealy.

MR. GREALY: Yes, sir.

MR. MILLER: I would like to ask this in a very simplistic way.

MR. GREALY: Yes.

MR. MILLER: In your opinion, as an expert in this field, is there sufficient parking in the immediate area if we were to grant this variance?

MR. GREALY: I believe that in the entire area there is.

MR. MILLER: I asked immediate area.

MR. GREALY: Based on accepted walking distances, yes, but again, visibility-wise and convenience-wise, but if you look at the parking study, there are a scattering of spaces. I think one of the other speakers said it. So it's not like there's a group of spaces, but if you look at the total area, my opinion that there is enough parking is a question of the usability because of the lack of visibility to the site and the lack of convenience to the site. Clearly if I wanted
to go to this restaurant, I could find the
space to park.

MR. MILLER: Does the lack of
visibility and I think feasibility was the
other word you said?

MR. GREALY: Visibility and
convenience.

MR. MILLER: Does that in some manner
evaluate the other parking spaces in your
opinion?

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

MR. GREALY: Well, I think it's a
question of if people going to a restaurant,
okay, some uses they won't go, some business,
but if you're going to a restaurant, you will
tend to find a parking space and go to that
restaurant. There's other locations in town
where people walk the distances to get to those
restaurants, absolutely.

MR. MILLER: Part of my concern is
here is, we talk about the CVS parking lot.

MR. GREALY: Yes.

MR. MILLER: People could park there,
but, I mean, crossing from where the CVS lot is
to where the fish market is and down is
treachorous. I mean, I've done it. So I
honestly don't --
MR. GREALY: What you would do is -- I mean, if you crossed Brook Street on the corner, you have to wait to cross, now in the evening it's a little bit less in the later hours, but the shortest path is to then walk to the Brook Street lot to get over to Summerfield. You don't have sidewalks on Summerfield. Again, once you get to the end of

THE CHAIRMAN: Anything else, Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Grealy, thank you again. Mr. Cahalin?

MR. CAHALIN: Nothing.

THE CHAIRMAN: The only thing I would like to add to this application before we make a motion to adjourn and vote on a resolution at the next meeting, is that I think there is some -- reasonable men may differ, I guess, of the standard when you're talking about
convenience, and we're interpreting, I guess, 2015 standards of convenience where many people like and are accustomed to Vernon Hills, not at Christmas, but are accustomed to parking in front. I can speak for myself, I'll spend 15 minutes looking for a parking spot in front of

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

the gym I'm going to. So that's certainly today's culture. But we have to balance that with the fact that our community also has many older areas, World War II, pre-World War II like Garth Road that don't have sufficient parking.

My bigger concern with this application was addressed only partially with two things: One was the obtaining of private spots, and that's a great thing, wondering why maybe more can't be obtained, and also the manner in which they're obtained and the permanency of those spots, which dovetails with my second point, and that is I was very concerned at the beginning of this application with the idea of takeout, because no one is moving more than 5 feet from the front door on takeout, and I'm glad to hear that that was withdrawn. But once again, I'm concerned about the enforceability of that concept, and again,
I'm weighing that against the idea of locking businesses and real estate into 2015 concepts. So, as you can see, I'm torn by that. I would like to learn more about the permanency of the parking spaces that have been obtained and maybe more parking spaces can be obtained. Otherwise, I believe the Board is have ready to vote on a resolution. So maybe the applicant can address that point before we conclude the application?

MR. DIBBINI: I would just say that that comment and concern that the Board has I understand is a real concern, but make the CO conditioned upon having those parking spaces, make the CO conditioned upon no takeout service. My client stands by his word if he says no takeout service, they won't have it. We understand that the Board is heavily weighing all the issues here, and if you do grant it, which we hope you will, they'll stand by their obligation not to have takeout to create the congestion in front of the location. We understand the importance to keep the traffic flowing and they're eager to open up their little bistro, and they will make it work without the takeout.
THE CHAIRMAN: I have a follow-up to that. Before I do that, even though the Board is full of lawyers, I want to consult our lawyer.

MR. CAHALIN: Excuse me.

THE CHAIRMAN: Yes, you're the voice of reason, Mr. Cahalin. I would like to consult with our lawyer about possibly the idea of locking in to any partial or conditional approval via these concepts. Are they have available?

MR. TUDISCO: The problem that you're going to face, in my opinion, is -- with any conditions -- is with respect to enforcement. And my bigger concern, because I'm the person that ultimately has to enforce these if violations are brought in terms of violations of the agreement or whatever through the Building Department, I don't know -- the defendant -- the applicant with the very best of intentions may embark on or even secure parking spaces. To the extent that they remain permanent may not be within the control of either the Board, the town, or the applicant if there are other parties that are involved. There is no way of kind of enforcing that and
EASTCHESTER ZBA - 6/9/15

maintaining that permanently. If there was a potential solution, and I hate to get into factual scenarios hear, but one potential way to resolve it would be a valet parker or a valet parking situation where a person meets people at the curb and brings the cars to those extended spots in different lots in the area and brings them back to the people. A true running valet. But in terms of the permanency, there is no way I could draft a condition because what they agreed to may be at the behest of the person that's leasing a spot to them and that may change down the line. So it's really difficult.

THE CHAIRMAN: Ms. Uhle, would you like to add anything to that?

MS. UHLE: Yes. I agree with Rob. First of all, with regard to making the permit parking spaces a condition of approval, I do think that it is hard to enforce if circumstances change that are out of the applicant's control. I mean, it only benefits the applicant to have those permit spaces to begin with. I think that's a mitigating factor
in your consideration now, but I do think that that is -- if those spaces for some reason don't become available, we don't have much of a recourse to take them to court, shut them down, you know, revoke their Certificate of Compliance. I don't think any of those scenarios are likely to happen. I do not like conditions that we can't enforce.

With regard to the -- we may want to talk to Mr. Grealy about this a little bit more. I know he did say something like valet parking is often helpful as a mitigating factor. The only thing, I would want to look into that a little bit more because I know in other circumstances the police department is concerned about now you have three or four cars waiting on Summerfield Street for somebody to pick up the valet car. You're creating congestion right there. People can't get through. So I'm not even sure that the valet, especially when you're talking about going to scattered spaces. It's one thing if you have a pull off area for a valet and then they drive the cars down to a lot. This to me sounds like...
it could create some additional chaos on its own to condition for the valet.

I would have to say the condition of a no takeout is a little bit complicated as well. When we have those kind of conditions, most businesses do try to work with the Building Department. We'll issue a violation. But again, in term of how much real teeth we have for those kinds of things, it's a little bit complicated, especially once the building and permit or a Certificate of Compliance has been issued. The most effective conditions of approval are where we say, we will not issue a building permit until you rectify certain things or we won't give you a CO. Once that CO has been issued, unless something is incredibly egregious, it's very hard to enforce those conditions.

MR. CAHALIN: I think it would be naive of us to think that even with the best of intentions if their business model changes and they need to go to takeout to make up the difference or it's highly successful and people start calling in and saying, I'm just going to
run in and pick up some pasta, we have no
control. It could get out of control. It
could be highly successful and people will go
and get the food. To no fault of the
applicant, this could happen, and, you know, as
Margaret and our attorney pointed out, we have
no control of it.

MR. TUDISCO: I want to clarify that,
and I understand the scenario you're bringing
forth, but I think reading from the four
corners of the page I think if an applicant is
going to agree to certain conditions, I would
assume that you would have to operate on the
belief that the applicant is going to adhere to
the conditions that they agreed to, and if they
don't, there may be issues about
enforceability. The problem that I'm concerned
about is a deeper one, and that is that if the
applicant purchases or licenses spots from a
third party that is not part of this
application and that party sells their property
or their lot to someone else, they are far
field. Even assuming that the applicant has
the best intentions, there is no way that the

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15
Board or the applicant can really enforce it
because it's outside of the purview of what's
going on here. That is, I think, a bigger problem that you have in terms of your question, Mr. Chairman, about permanency and assurances that the applicant or anyone else could give you, because if they're going to third parties, no one can control that.

THE CHAIRMAN: Mr. Tudisco, that's why great minds think alike. That was my follow-up. I wanted you to amplify how you obtained these spots, the manner in which these lots have been secured, and the potentiality for other spots.

MR. DIBBINI: These spots were offered from the town. I think the town put them up and my client submitted applications with the town, and the town granted my client's application to lease those spots.

THE CHAIRMAN: So we're talking about permit spots only?

MR. TUDISCO: Permit spots are not an issue, because that's with the town. I'm talking about he was going to go to other parties.

MS. UHLE: All that's being proposed right now are those four spots. They haven't made any claims that they're going to a third party.
party or anything. I don't think that we can condition that they go to a third party when they haven't even offered that.

THE CHAIRMAN: I'm not conditioning.

I actually wasn't clear on that.

MS. UHLE: They secured four permit parking spots that their employees can use during the day.

THE CHAIRMAN: Okay.

MR. TUDISCO: Spots that are licensed from the town there is no third party issue then. Enforcement is within the reach of the town and the Board in terms of conditions and the Building Department. It may get tricky from time to time, but that's not what I'm -- I was talking about leasing spots from other parties, another parking lot or something like that.

MS. UHLE: Again, all they're proposing as a mitigating factor right now is

DINA M. MORGAN, REPORTER
they had the permit spots, that's out of the control of the applicant. As long as the town continues to manage those as permit spots, I think you will be pretty secure because I think it only benefits the applicant. Again, if a year from now the town were to replace those with meters and said this permit idea didn't work out too well, then they're in violation of a condition of approval that they no control over. Actually, I think it's a very good mitigating factor for them to say that we have permit spots. To make that a condition of approval for the immediate term, I don't think that's easy to enforce long term.

THE CHAIRMAN: Okay. Thank you, Mrs. Uhle. I have nothing further to add.

MR. DIBBINI: Nothing further.

THE CHAIRMAN: Okay. I thank you for your time.

MR. DIBBINI: Thank you very much for your time also.

THE CHAIRMAN: Is there a motion to adjourn for a resolution at the next meeting?

MR. TUDISCO: You still have the public hearing open.

THE CHAIRMAN: Mr. Tudisco, do you
MR. TUDISCO: I just wanted to make sure the public hearing was been closed.

THE CHAIRMAN: Yes, it has been closes.

Is there a motion to adjourn for a resolution at the next meeting?

MR. DE MARCO: So moved.

THE CHAIRMAN: By Mr. DeMarco.

MR. DE MARCO: Is there a second?

MR. NURZIA: Second.

THE CHAIRMAN: By Mr. Nurzia. All in favor.

(All aye.)

THE CHAIRMAN: We're going to take a two minute break, and then we're going to hear

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

Item 15-34, 22 Maple Street. The applicant come forward.

While you're setting up, this is an application for an area variance to permit a second story addition to an existing single family residence. If you could state your name for the record, please.

Page 51
MR. MAIORANO: Good evening, Board members. My name is Adamo Maiorano from Community Designs. I'm here on behalf of the property owner, Mr. Louis Osso.

THE CHAIRMAN: We have your application, and we've reviewed the answers to the five part test, and it's a matter of public record so you don't have to repeat it, but if you can, just highlight for the listening public and the Board just the essential elements of it, please.

MR. MAIORANO: Yes. So basically what the client is intending on doing is increasing his house square footage, because he has three children, there's five people in the family, and their existing residence is not working for them. So what we're intending on doing is going up upon the existing footprint of the house and part of the existing house, not the entire house, to create a better flow in the interior of the floor plan layout and to aesthetically create a better appearance of the front elevation. The ideal solution for the property owner, the space that they would like to create would be to extend upon the front elevation, which is non-conforming because the
20 feet, we need at least 30 feet. So we were looking to build up upon the existing footprint of that front elevation, part of the front elevation to give us that freedom in the floor plan as well as the aesthetic of the front elevation. That would be the ideal solution and that's what we're here requesting an area variance for that.

THE CHAIRMAN: Thank you. Take a pass at the Board and see if any of the Board members have any questions for you. Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No questions.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

MR. CAHALIN: No.

THE CHAIRMAN: I don't have anything at this time. So is there a motion to open this application to the public hearing?

MR. MILLER: So moved.

THE CHAIRMAN: By Mr. Miller.

MR. CAHALIN: Second.

THE CHAIRMAN: Second Mr. Cahalin.
All in favor.

(All aye.)

THE CHAIRMAN: Does anyone want to be heard on this application?

(No comments.)

THE CHAIRMAN: Okay. Seeing nobody, is there a motion to close?

MR. MILLER: So moved.

THE CHAIRMAN: By Mr. Miller.

MR. CAHALIN: Second.

DIANA M. MORGAN, REPORTER
MR. MILLER: So moved.

THE CHAIRMAN: By Mr. Miller. Is there a second?

MR. DE MARCO: Second.

THE CHAIRMAN: By Mr. DeMarco. All in favor.

(All aye.)

THE CHAIRMAN: Thank you for your time.

MR. MAIORANO: Thank you.


While you're setting up, this is an area variance to also permit a second story addition to an existing single family residence. If you could state your name for the record, please.

MR. TANAKA: My name is Ricardo Tanaka (Ph.). I'm the architect for Stephen and Thea Fortunato, 56 Alkamont Avenue.

THE CHAIRMAN: Fantastic. We've got your submission. We've read your answers to the five part test and it's a matter of public record. So I'll ask you the same, if you would like to highlight anything for this Board before they have any questions of you.
MR. TANAKA: The project is an addition to a second floor residence. They have the same as the previous applicant, three children, and they need to expand their space on the second floor.

The existing second floor is already non-conforming. So we are basically adding in alignment with that facade, the front facade. However, the house is slanted in relation to the property line, so there is a reduction in the current setback from 19.9 to 19.5 on the corner of the extension. For that matter, we stated in the letter that we are asking for a variance on the distance 19.5, which is 10.5 feet from the required setback. I guess that's all we need to explain.

THE CHAIRMAN: Thank you for your time. Take a pass at the Board. Mr. DeMarco, any questions?

MR. DE MARCO: None.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

MR. CAHALIN: Just to say it's a
beautiful property.

THE CHAIRMAN: I have nothing at this time. So is there a motion to open this application to a public hearing.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

MR. DE MARCO: So moved.

MR. CAHALIN: Second.

THE CHAIRMAN: By Mr. DeMarco. A second by Mr. Cahalin. We're going to switch that already. All in favor.

(All aye.)

THE CHAIRMAN: Is there anyone here to speak on this application?

(No comments.)

THE CHAIRMAN: Seeing nobody, is there a motion to close the public hearing?

MR. DE MARCO: So moved.

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. DeMarco. Second Mr. Cahalin. All in favor.

(All aye.)

THE CHAIRMAN: Okay. Take another pass at the Board. Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: Mr. Miller?
MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 6/9/15

MR. CAHALIN: None.

THE CHAIRMAN: I have the same comment I had for the prior application: Straightforward, and again, it's within the footprint. I have no objection. Is there a motion to adjourn for a resolution at the next meeting?

MR. MILLER: So moved.

THE CHAIRMAN: Mr. Miller. Is there a second?

MR. DE MARCO: Second.

THE CHAIRMAN: Mr. DeMarco. All in favor.

(All aye.)

THE CHAIRMAN: Thank you.

MR. TANAKA: Thank you very much.

THE CHAIRMAN: Okay. Application 15-3B, 569 White Plains Road. And while you're setting up, this is an area variance to permit a proposed 6 foot high fence in the front and side yards of an existing single family residence. State your name for the record, please.

MS. GLASSBERG: Michelle Glassberg
(Ph.). This is my property, and we just want to put up a 6 foot fence along the front and side of the yard. You can see that we're right in front of the high school, and it's a very busy road, just to reduce the noise coming into the house and also for some privacy.

THE CHAIRMAN: Okay. Thank you.

Board members, any commentary? Mr. DeMarco?

MR. DE MARCO: Nothing.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

MR. CAHALIN: I have a question. I don't understand why we need the 6 feet on the side. Could you explain why you're you need that, because you're right against that back of Apple Court; right?

MS. GLASSBERG: Right.

MR. CAHALIN: It looks like they got raised decks. So I don't understand the privacy issue on the side. There's a 4 foot fence there now. If you replaced it with a
solid 4 foot fence, which is within the code on
the side of the house, or get a variance to go,
you know, back a little bit -- I just don't see
the need on the side variance. I understand
the front variance completely on the 6 feet,
and we also granted the property next door the
same 6 feet so it would be contiguous so I
understand that. I just don't get the 4 foot.

MS. GLASSBERG: On one side actually
there is an office building on the left side if
you're facing out, and that I would want some
privacy with, and then with Apple Court right
next to us I just thought it would look nicer I
mean for the neighborhood. I mean, I could put
a 4 foot fence.

MR. CAHALIN: Just my comment.

THE CHAIRMAN: Anything else, Mr.
Cahalin?

MR. CAHALIN: That's it.

THE CHAIRMAN: I have nothing at this
time. Is there a motion to open this
application to a public hearing?

MR. DE MARCO: So moved.

THE CHAIRMAN: By Mr. DeMarco. Is
there a second?

MR. NURZIA: Second.

THE CHAIRMAN: Mr. Nurzia. All in favor.

(All aye.)

THE CHAIRMAN: Is there anyone that would like to speak on this application?

(No comments.)

THE CHAIRMAN: Seeing nobody, is there a motion to close the public hearing?

MR. DE MARCO: So moved.

THE CHAIRMAN: Mr. DeMarco. Is there a second?

MR. MILLER: Second.

THE CHAIRMAN: Mr. Miller. All in favor.

(All aye.)

THE CHAIRMAN: Okay. Back to the Board. Mr. Cahalin?

MR. CAHALIN: Nothing else.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No. I'm actually okay with a 6 foot fence contiguous to everything else.
MR. DE MARCO: Nothing.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: I similarly don't have any problem with the height of the fence. So at this time is there a motion to close this application and adjourn for a resolution at the next meeting.

MR. MILLER: So moved.

MR. DE MARCO: Second.

THE CHAIRMAN: Mr. Miller and Mr. DeMarco. All in favor.

(All aye.)

THE CHAIRMAN: Thank you. Last item of new business, 15-41, 22 Parkway Circle.

While you're setting up, this is an area variance to permit a second story addition to an existing single family residence.

MR. JACOBSON: Good evening. My name is Harry Jacobson. I'm the architect for the McMann's, and we're proposing to fill in a small area, about a 2 foot by 6 foot area about 12 square feet total of an area in the rear of the house which already has a shed dormer.

We're going to mimic what's on the rear right side and fill in that area the blue that I have.
shaded in. Currently we're at 7.9 feet off the
side yard setback. We're required 10 feet in
this zone, so a 2.1 square foot area variance.

THE CHAIRMAN: Okay. Thank you. Any
questions for the applicant from the Board; Mr.
Cahalin?

MR. CAHALIN: None.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: None.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: Nothing.

THE CHAIRMAN: I have none. Is there
a motion to open this application to a public
hearing?

MR. MILLER: So moved.

THE CHAIRMAN: Mr. Miller. Is there a
second?

MR. DE MARCO: Second.

THE CHAIRMAN: Mr. DeMarco. All in
favor.

(All aye.)

(No comments.)

THE CHAIRMAN: Seeing no one not only
coming forward but nobody, is there a motion to

close the public hearing?

MR. NURZIA: So moved.

MR. DE MARCO: Second.

THE CHAIRMAN: Mr. Nurzia. Second by Mr. DeMarco. All in favor.

(All aye.)

THE CHAIRMAN: Back to the Board. Mr. Cahalin, anything further?

MR. CAHALIN: No.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: Once again, it's a straightforward application, it's within the footprint, there's no objection from me. So I'll make a motion to adjourn this application for resolution at the next meeting. Is there a second?

MR. DE MARCO: Second.

THE CHAIRMAN: By Mr. DeMarco. All in favor.

(All aye.)

THE CHAIRMAN: Okay. Thank you for
Before we adjourn for the summer, I know I sound like a broken record, but I would just like to remind the public who are considering applications before this Board, that the calendar is available in the Building Department, and there are only meetings September, October and November. There is no meeting in December. I wish everyone a good summer and we're adjourning. Thank you.

(MEETING ADJOURNED.)

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CERTIFICATION

STATE OF NEW YORK) Ss.
COUNTY OF WESTCHESTER

I, DINA M. MORGAN, Court Reporter and Notary Public within and for the County of Westchester, State of New York, do hereby
certify:
That the above transcript was taken from
a videotape of the actual hearing. I was not
present for such hearing. The videotape was
taken and transcribed by me to the best of my
ability.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 8th day of July, 2015.

DINA M. MORGAN, REPORTER

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Page 66