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TOWN CLERK
EASTCHESTER, N.Y.
TRANSCRIPT OF
TOWN OF EASTCHESTER
ARCHITECTURAL REVIEW BOARD MEETING
JUNE 6, 2019

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

BOARD MEMBERS IN ATTENDANCE:

LAURA RAFFIANI, CHAIRPERSON
ENDA MCINTYRE, MEMBER
CARLOS GARCIA-BOU, MEMBER
JENNIFER NEMECEK, MEMBER
SILVIO LUCA, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

JAY KING, BUILDING INSPECTOR
CAROL PINTO, SECRETARY

Dina M. Morgan, Reporter
125 Colonial Road
Bronxville, New York 10708
(914) 469-6353

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1 EASTCHESTER ARB - 6/6/19
2 and April 4th. March 7th, I'm not sure --
3 we're all here, so if we want to approve them,
4 we can.
5 I would like to make a motion to
6 approve the minutes from the March 7th, 2019
7 meeting.
8 MS. NEMECEK: Second.
9 THE CHAIRPERSON: All in favor.
10 MR. GARCIA-BOU: Aye.
11 MR. MCINTYRE: Aye.
12 THE CHAIRPERSON: Aye.
13 MS. NEMECEK: Aye.
14 THE CHAIRPERSON: Again, make a motion
15 to approve the April 4th, 2019 meeting minutes.
16 MS. NEMECEK: Second.
17 THE CHAIRPERSON: All in favor.
18 (All aye.)
19 THE CHAIRPERSON: Very good. On to
20 new business. Our first application this
21 evening is Application 19-19, 157 Montgomery
22 Avenue.
23 MR. MAIORANO: Good evening, board
24 members. My name is Adamo Maiorano from
25 Community Designs and Engineering. On behalf
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2 THE CHAIRPERSON: Good evening,
3 everyone, and welcome to the Architectural
4 Review Board meeting of June 6th, 2019. Would
5 you please all rise for the Pledge of
6 Allegiance.

7 (Whereupon the Pledge of Allegiance
8 was said.)

9 THE CHAIRPERSON: Jay, would you do
10 the roll call, please. Do you have the list
11 here?

12 MR. KING: I have it. Carlos is here.

13 MR. GARCIA-BOU: Here.

14 MR. KING: Enda.

15 MR. MCINTYRE: Here.

16 MR. KING: Jennifer.

17 MS. NEMECEK: Here.

18 MR. KING: Silvio.

19 MR. LUCA: Here.

20 MR. KING: And Chairperson Laura.

21 THE CHAIRPERSON: Here. Are we
22 prepared to approve the minutes from the last
23 meeting?

24 MR. MCINTYRE: Sure.

25 THE CHAIRPERSON: Actually, March 7th

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2 of the applicant, Michael DiSisto, we are
3 proposing site alterations and improvements at a
4 157 Montgomery Avenue. The site and proposed
5 project is a bit different than most. It's a
6 legal non-conforming use. There is a
7 multifamily dwelling on the west side of
8 property, and the rest of the remaining site is
9 a construction yard.

10 Over time, there's been a collection
11 of a lot of materials and items that have been
12 stored on the property, as well as the erection
13 of a large storage shed that is adjacent to the
14 multifamily dwelling unit. In our proposal, we
15 will be removing that shed entirely and in
16 place of that we are proposing four storage
17 container units. These container units
18 ultimately will allow for storage of
19 construction materials in an enclosed place
20 instead of scattered amongst the property away
21 from the visibility of neighboring residents.
22 They will also allow for a designated
23 construction material storage area behind the
24 units. If you've been to the property, there's
25 a retaining wall parallel to Montgomery Avenue

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2 on the east side of the property, so that area

3 will also allow that material to be confined to

4 a space where it will be less visible from

5 neighboring residents because there's a

6 retaining wall along Montgomery, and there is

7 also a lot of natural vegetation along that

8 side of Montgomery where it blocks the

9 visibility from people from the street, as well

10 as the adjacent street where the multifamily

11 dwelling is located.

12 As it exists today, there are two

13 container units on the property. Those will be

14 relocated to the proposed area along with the

15 two new units. We are proposing to paint them

16 sort of a neutral green color to sort of blend

17 in with the green scape around the property.

18 The remaining property will then be used for

19 construction vehicles to park and pull in and

20 out.

21 As far as the landscaping goes, we are

22 proposing really just a -- in the front on

23 Montgomery Avenue there's a little bare spot

24 where people could kind of see in, so there's

25 an evergreen shrub being placed there and a red

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2 maple tree towards the northwest side of the

3 property. Again, hopefully this will mature

4 and give some more screening and privacy to the

5 site as well. Then there's also an area on top

6 of the retaining wall that sort of has some

7 invasive species and debris that will also be

8 cleaned up, and we're just planting some ground

9 cover in that area as well.

10 That kind of sums up the ideas to sort

11 of continue to clean up the site and allocate

12 certain areas to store this material instead of

13 scattered amongst the entire sort of property.

14 Any questions or comments, I'll be happy to

15 answer.

16 THE CHAIRPERSON: What's the zoning in

17 that area? I know that's not the ARB's

18 purview, but --

19 MR. MAIORANO: Sure. It's a

20 commercial zone adjacent here, so it's a

21 general business district, and right next to it

22 is RB residential district here.

23 THE CHAIRPERSON: So it borders on two

24 different --

25 MR. MAIORANO: Exactly, yes. To the

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2 south of the site south is general business,

3 and to the northeast of the site is

4 residential. It's sort of smack in the middle.

5 THE CHAIRPERSON: That home is a

6 residence, that building?

7 MR. MAIORANO: It's a multifamily

8 residence, yes. Nothing is being proposed with

9 the -- the residence here is staying the same.

10 Everything is staying the same. All the

11 proposed action is the construction yard.

12 MR. MCINTYRE: So the shed that's

13 being removed --

14 MR. MAIORANO: So sort of adjacent to

15 the building, this dotted line, that's that

16 shed there, and this is a picture of it right

17 here. It's a legal, you know, structure, so

18 obviously --

19 MR. MCINTYRE: That's a legal

20 structure. So that's got electricity?

21 MR. MAIORANO: I don't believe it has

22 electricity. No electricity will be run to the

23 storage units. They'll just be storage units.

24 MR. KING: There was never a permit

25 for that building.

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2 MR. MAIORANO: Yes.

3 MR. MCINTYRE: So it's not legal?

4 MR. MAIORANO: It's an illegal

5 structure. Did I say legal?

6 MR. KING: The use of it is, but the

7 building never had a permit; correct?

8 MR. MAIORANO: Yes.

9 MR. GARCIA-BOU: I just had a

10 question. On your SEQRA status, I see you have

11 here that it's a Type II, no further SEQRA

12 review required, but was there a report issued

13 before that?

14 MR. MAIORANO: There was no required

15 report for that, no.

16 MR. MCINTYRE: The existing storage

17 containers are being relocated; are they part

18 of the four that --

19 MR. MAIORANO: Exactly, yes.

20 MR. MCINTYRE: You're adding two?

21 MR. MAIORANO: Those two here will be

22 relocated adjacent to the building and two will

23 be added. Exactly.

24 THE CHAIRPERSON: Are these permitted

25 in that area?

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MR. KING: You can have a shed almost on any piece of property. That's what we would call these things. That's the closest thing to call them. There is no beauty to them, that's for sure.

MR. MAIORANO: Really what it's doing is, instead of having just material thrown amongst the property in this area like a -- for lack of a better word -- junk yard, that can be stored in this area, it will be confined neatly in these units, and neighboring residents don't have to look at a bunch of debris in this area. They will be inside this area stacked away.

THE CHAIRPERSON: Collectively the footprint of that, is that an allowable shed?

MR. KING: Yes, it is.

MR. GARCIA-BOU: On your photograph 1E, I see two containers there; are those the ones being used?

MR. MAIORANO: Those are the ones being used, yes. They're both 8 feet by 20 feet long. Those are the ones being relocated.

MR. GARCIA-BOU: You're getting an
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additional two, that's what you're doing?

MR. MAIORANO: Yes, an additional two.

THE CHAIRPERSON: Of these units from the ground, are they visible in any way?

MR. MAIORANO: They're very hard to be visible from Montgomery because, again, there's almost a 9 foot retaining wall here, there's a lot of natural vegetation here, there's a picket fence along here, and then obviously along Dunwoodie this building completely sheds, you know, visibility to those units. If you kind of walk along here, it's very hard to see through this shrubbery. Maybe in the winter it can be visible because, you know, the leaves and everything are gone, so the kind of neutral green color again is trying to help it.

THE CHAIRPERSON: Those are not evergreens there?

MR. MAIORANO: There's a bunch of different species of plants along here. This is just a bare spot that we figure to throw an evergreen bush there to help. If you walk along Montgomery, you see there is a bare spot there where we're proposing that evergreen

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shrub.

MR. GARCIA-BOU: I have a question. What's going to prevent them from -- once they place these containers the way they are, what's going to prevent the contractor to store stuff on top of the containers?

MR. MAIORANO: It wouldn't be allowed.

MR. KING: We're not going to allow them to store on top of it.

MR. MCINTYRE: They're oriented where the door openings will be, on the north side of the property by the main gate?

MR. MAIORANO: Exactly. This is sort of a picture taken from Montgomery looking in. You could see that shed here is quite large. You can't really see it from the street here because of that vegetation and the fence.

MS. NEMECEK: And you're not going to repave or put any kind of concrete pad under them?

MR. MAIORANO: Underneath, gravel, and then there will be a concrete structure to hold the units in place that will be designed after underneath the units.

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MS. NEMECEK: It will be concrete underneath the units?

MR. MAIORANO: Yes.

MR. LUCA: Adamo, I have a question. The purpose of these sheds are to clean up the site. What is to stop the contractor or owner to keep it that way? You have a proposed gravel area in front that says, construction materials.

MR. MAIORANO: Behind it. We're trying to confine that area the least visible. Instead of, you know, in the front where neighboring residents and from the street you can see it, this is an area that's more confined because it's below the retaining wall. This is the most ideal spot that's least visible on site is behind those units.

MR. LUCA: From Montgomery you won't see it?

MR. MAIORANO: Exactly. And then know the units will also block that area.

MS. NEMECEK: So what is the purpose of having a proposed gravel area behind it?

MR. MAIORANO: Just to get rid of some

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2 impervious surfaces, and then the gravel area

3 is just a place to store --

4 THE CHAIRPERSON: More stuff.

5 MR. MAIORANO: Yes. Construction

6 material.

7 THE CHAIRPERSON: In the back it says,

8 vehicle parking area. I realize you're going

9 to relocate the existing containers, but is

10 that vehicle parking area for the construction

11 vehicles or --

12 MR. MAIORANO: Yes, because that's

13 part of the construction yard.

14 THE CHAIRPERSON: What about the

15 residential dwelling?

16 MR. MAIORANO: They have their own

17 parking along Dunwoodie, and it's sort of that

18 existing non-conforming use.

19 THE CHAIRPERSON: On the street?

20 MR. MAIORANO: It's partially on the

21 street sort of here where vehicles are parking,

22 but they don't have actual parking on site.

23 THE CHAIRPERSON: And it's a

24 multifamily dwelling?

25 MR. MAIORANO: Yes. How it's been

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2 zoned, we're not changing any of the zoning or

3 the use.

4 THE CHAIRPERSON: I understand. As it

5 exists, there's no onsite parking for any of

6 them now?

7 MR. MAIORANO: For the multifamily,

8 no.

9 THE CHAIRPERSON: Not at all?

10 MR. MAIORANO: No.

11 MR. MCINTYRE: Just to sort of

12 reconfirm, in looking at some project history,

13 I read where there were three containers on the

14 site. There's just two, right? Based on your

15 drawings, there's just two?

16 MR. MAIORANO: Yes. Again, there was

17 a trailer -- there were a bunch of other items

18 on the site. Since they've been to the Zoning

19 Board and back and forth, a lot those items

20 have been removed, and this is the next step

21 forward in order to ultimately clean up the

22 site.

23 MR. MCINTYRE: So obviously our

24 concern, I'm sure as well as yours being the

25 design professional retained here to clean up

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2 this site, as you called it, a junk yard,

3 right, I think the intent here is to enhance

4 it. I'm not necessarily sure that adding two

5 storage containers alongside two existing

6 storage containers is what I would term as, you

7 know, sort of grade A enhancement, but I guess

8 it is a construction yard.

9 MR. MAIORANO: Also trying to deal

10 with a budget that will allow for, you know,

11 expensive --

12 MR. MCINTYRE: I understand. But I

13 think as a board and as residents of our town,

14 you know, we want to try and make sure that

15 whether it's a new house, whether you're

16 assigned to design, or whether it's

17 enhancements such as this, or any form of

18 improvement in our town is done to the highest

19 level.

20 MR. MAIORANO: Sure.

21 MR. MCINTYRE: There is a little bit

22 of a back story on this particular site. So I

23 think as a board member, you know, that kind of

24 gives me some pause as to sort of just rubber

25 stamp this. I think if we are looking to

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2 improve it, then I think there needs to be some

3 cohesiveness to this whole plan and

4 application. So if we're adding these

5 containers, two new to two existing, then I

6 would hope that they would have some order to

7 the way you have drawn. I would hope that they

8 are all contiguous and they look the same, they

9 are all painted the same color. As part of the

10 condition, we would ask that there's some, you

11 know, maintenance program in place, and that we

12 don't revert back to, as you titled it, the

13 sort of junk yard exhibit that you referred to.

14 Again, it is in a residential

15 community, it's bordered by other homes, so I

16 think we have a responsibility to ourselves as

17 board members of the Architectural Review

18 Board, as well as the other inhabitants of our

19 town, that this gets the same consideration and

20 attention as a new house on your block or our

21 block or somebody else's block. I think that's

22 all we're asking. You, as, you know, the

23 design professional, I'm sure this is a little

24 bit of interesting challenge for you. You have

25 to come up here and you have to represent this

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1 as a betterment to what you were given. Do you
2 feel based on what you brought to this process,
3 that this is a marked improvement?

4 MR. MAIORANO: I would definitely
5 rather the materials be designated to a spot
6 and the site be sort of cleaned up and not
7 scattered amongst the property, containers
8 randomly placed in different areas, so they're
9 sort of, you know, coherent with the street,
10 the house there, and sort of along parallel
11 with this. Obviously, they're all going to be
12 painted the same color and should be up kept.
13 As you mentioned, the site should be continued
14 to be watched after and cleaned up. Like I
15 said, I would rather the materials be stored in
16 a confined space than random construction
17 materials that would make it turn into looking
18 like a junk yard. The way it's zoned,
19 materials can be stored randomly throughout the
20 property, and I would rather see it more
21 confined and enclosed.

22 MR. MCINTYRE: Again, just looking at
23 some of your images, 1D in particular, it looks
24 like -- I see three or four different wheels;
25

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1 car wheel; tractor wheel --

2 MR. MAIORANO: Yes.

3 THE CHAIRPERSON: Is that the proposed
4 gravel area, essentially?

5 MR. MCINTYRE: That's to the right of
6 container number 4.

7 MR. MAIORANO: Yes. Those items, as
8 such, can be put inside the container units and
9 bigger material can be behind the units sort of
10 blocked by the retaining wall and the units as
11 well.

12 THE CHAIRPERSON: That's that spot;
13 right?

14 MR. MAIORANO: Yes, that's that spot
15 there. You could see it if you're standing on
16 the site, but there's a retaining wall behind
17 you and next to you. It's about a 9 foot high
18 retaining wall, as well as the existing
19 vegetation that you see all around it.

20 MR. MCINTYRE: Again, not having gone
21 to the site and looked at the site, but is the
22 intent with the addition of these two storage
23 containers, to take everything that is visible
24 in some of these pictures now and put them in
25

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1 the storage containers?

2 MR. MAIORANO: Exactly. That's my
3 take.

4 MR. MCINTYRE: Has there been sort of
5 an inventory of everything on site to
6 determine, this is good, this is not good, this
7 can get chucked?

8 MR. MAIORANO: That's hard for me to
9 say, but again, the idea is if it's not being
10 junked, it's to be stored in these units.

11 MR. MCINTYRE: Again, not to sort of
12 drill too deep into this, but the two existing
13 containers, are they full; are they empty; do
14 you know?

15 MR. DI SISTO: Hi. I'm Joseph
16 DiSisto. I'm one of the owners of the
17 property. The two containers that are there
18 now are being utilized. I just want to
19 mention, there is also parking for the tenants'
20 cars along the west side of the building.
21 There's a row along west side of the building.
22 I don't know if it's visible. The two
23 additional containers would replace the
24 existing 15 by 40 shed. There is a lot of
25

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1 stuff that has accumulated along the years
2 that's going to be consolidated, and what is
3 old and no longer useful will be --

4 MR. MCINTYRE: Discarded.

5 MR. DI SISTO: -- Scrapped. It's
6 going to be pared down to what's useful, like
7 get rid of all the old stuff.

8 MR. MCINTYRE: Can I ask you just one
9 more question before you sit back down? You're
10 the property owner; are you the operator of the
11 contracting business that --

12 MR. DI SISTO: No.

13 MR. MCINTYRE: So this is a tenant of
14 yours.

15 MR. DI SISTO: (Nodding yes.)

16 MR. MCINTYRE: So I think to point,
17 you being the landlord so-to-speak and the
18 applicant, I certainly think that it's in your
19 best interest to ensure that you sort of
20 implement some sort of a maintenance program
21 with your tenant because as the landlord if
22 that's not the case, I'm assuming you're
23 subject to some sort of penalty in the event
24 that the property is unkept and is
25

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1 non-compliant with local ordinances and rules.
2 So again, I just think if that's something that
3 you can implement as part of your lease with
4 your tenant, I think that that would be a great
5 addition to how this site operates and
6 ultimately how we all want it to look. Is that
7 a fair statement?

8 MR. DI SISTO: Yes.

9 MR. MCINTYRE: All right.

10 THE CHAIRPERSON: Was there any
11 consideration in building an actual shed there
12 on that footprint instead of the four
13 containers?

14 MR. MAIORANO: This is more of a
15 solution where if a new buyer in the future, it
16 could be easily moved out and there's not a
17 massive foundation or something for a bigger
18 shed there. Maybe that shed will have a roof
19 on it and more visible to neighboring
20 residences.

21 THE CHAIRPERSON: Is that a buildable
22 lot?

23 MR. MAIORANO: No, it's not. Just as
24 far as they could be moved out and then maybe

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1 that whole area is parking for vehicles and not
2 storage.

3 THE CHAIRPERSON: So these, are they
4 tenant owned then or --

5 MR. MAIORANO: No. The entire yard is
6 owned by one, you know, contractor, but they're
7 just using -- each one of the units are not
8 rented out for storage, no. One contractor is
9 occupying the yard.

10 THE CHAIRPERSON: These containers,
11 are they owned by the landlord or the
12 contractor?

13 MR. DI SISTO: They're owned by the
14 contractor.

15 MR. MAIORANO: The contractor.

16 MR. DI SISTO: The contractor is also
17 an owner of the building. The contractor is
18 co-owner of the building.

19 THE CHAIRPERSON: Co-owner of the
20 building. So he's really not a tenant. Well,
21 he is because it's a separate thing.

22 MR. DI SISTO: The owner is not the
23 same as the contractor. The contractor as a
24 company is renting from the owner.

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1 THE CHAIRPERSON: Which he happens to
2 half own.

3 MR. DI SISTO: He's a partial owner.

4 MR. MCINTYRE: Again, we're not
5 necessarily looking to drill into the specifics
6 of ownership and responsibility.

7 THE CHAIRPERSON: Well,
8 responsibility, yes.

9 MR. MCINTYRE: Well, let me finish.
10 Our primary concern here is to ensure that this
11 is not a junk yard; right. I think you as an
12 owner, and whatever sort of arrangement you
13 have with whether it's a tenant or whether it's
14 a co-owner, I think it's in everybody's best
15 interest, and it's really our purview to try to
16 ensure that the space looks as good as it can
17 be.

18 As I said initially, this wouldn't be
19 our recommendation as to how to create a sort
20 of accessory building, storage building. This
21 wouldn't be our number 1 choice. That being
22 said, I understand that it gives you
23 flexibility. My only concern, and the Building
24 Inspector is here to, you know, sort of attest

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1 to this, we just want to make sure that as part
2 of this review and possible approval onto the
3 Planning Board, is that there is some sort of
4 responsibility, you being the owner, and with
5 your tenant or whatever that relationship may
6 be, that this yard and this space is maintained
7 to an acceptable level, understanding it's a
8 contractor's yard, but that goes from zero to a
9 hundred. We're looking for something that's
10 presentable, is well maintained, and it doesn't
11 turn back into a junk yard. That's going to be
12 part of our recommendation passing this on, and
13 I think it's in everybody's best interest,
14 primarily you and your partner, to ensure that
15 that continues to happen. That's all we're
16 asking. I don't think that's an unfair
17 request. We just want to make sure that there
18 is that sort of level of attention being paid
19 to it so that, you know, it blends in in the
20 residential neighborhood as opposed to sticking
21 out. Fair? Okay.

22 THE CHAIRPERSON: I also had one more
23 question regarding the parking. I know you
24 said the west side had --

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MR. MCINTYRE: I think is that picture 1G; is that right?

MR. MAIORANO: Yes, exactly, 1G.

THE CHAIRPERSON: So it's on the Dunwoodie side?

MR. MAIORANO: On the Dunwoodie side.

MR. DI SISTO: On Dunwoodie, right.

MR. GARCIA-BOU: I have two questions. These are multiple contractors that are using this space?

MR. MAIORANO: I thought he said one contractor.

MR. GARCIA-BOU: One contractor. They're renting spaces?

MR. MAIORANO: Is it multiple contractors or just one?

MR. DI SISTO: My dad is the primary owner of the property, he was a contractor.

MR. GARCIA-BOU: I just want to know --

MR. MAIORANO: Owners and contractors are using it, and the owners are using it for storage.

THE CHAIRPERSON: Is it subleased to
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other contractors?

MR. DI SISTO: No.

MR. GARCIA-BOU: My second question is, the equipment, where are you parking the equipment; is any equipment being parked on this property?

MR. MAIORANO: This backhoe that's here is in its similar spot, which is confined right here so they could easily circulate in and out and not sort of back and be crammed in so they could move stuff.

MR. MCINTYRE: Do we want to open up the public hearing?

THE CHAIRPERSON: Sure.

MR. MCINTYRE: I would like to make a motion to open up Application 19-19, 157 Montgomery Avenue to the public; do I have a second?

MR. GARCIA-BOU: Second.

MR. MCINTYRE: All in favor.
(All aye.)

MR. MCINTYRE: Is there anybody here that would like to speak with regard to this application?

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THE CHAIRPERSON: Please come up.

MR. MCINTYRE: Come up and introduce yourself.

THE CHAIRPERSON: Give your name and address, please.

MR. SWEENEY: Good evening. Frank Sweeney, 22 Lakeview Avenue. I'm a 50 year resident of the north end.

This is a classic situation where we have residential abutting commercial property.

We also have another issue that basically identifies that the two residential properties that adjoin this property happen to have an elevation difference of probably 10 or 12 feet.

So now we have two residential homes looking directly into the construction yard. Both are good neighbors in terms of trying to make the best of this situation in terms of capability.

I would think in terms of being able to have harmonious transition between residential and commercial, the areas that are primarily in question here is right here along here. It's where the elevation and retaining walls are maintained. They probably need probably 10 or

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12 or maybe 15 foot evergreens in here to give them a little bit protection in terms of being able to look directly into the yard itself.

We all know the yard has not been kept crystal clean. That's a given. The idea is that if we're going ahead looking at this as a new project, we would like to have some sort of buffer zone up here. We would like to determine what the two additional trailers are going to be used for because we basically don't want the existing constructions material laid out here in the yard and not being implemented or put into the construction trailer.

I think what we have here is that this here is a classic story where it's fairly lays out in the Comprehensive Plan in Section 3, things that we need to take a look at in terms of making it harmonious, equitable, and reasonable for both the applicant and the two residents that abut the back end of the parking lot or the construction yard.

I think it's important that the members visit the site. It's a fairly intensive piece of property that is well busied

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every day of the life of it. Review Section 3 of the Comprehensive Plan that lays out what should be done. I know residential and commercial is a tough case, but in the north end, that's our bailiwick. We have more commercial property in that four square blocks than we have in the entire town of Eastchester. So we've been fairly adamant about not only this particular project, but other projects in the north end that we want to take at least reasonable and responsible positions to make sure there's harmony between the residential community and the residential. That's all we're asking. We appreciate your opportunity to take a look at that as well.

MR. MCINTYRE: Before you sit down, are you here representing the properties --

MR. SWEENEY: With the Eastchester Civic Association. This is the area that basically abuts the Woodruff area, not the Montgomery area, the Woodruff area side where the two homes abut it looks into the construction yard.

MR. MCINTYRE: So if I would ask the
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architect to flip that board because I have a question for Mr. Sweeney.

So if you look at image 1D -- if you could point that out to him -- that's what you're talking about?

MR. SWEENEY: That's what I'm talking about.

MR. MCINTYRE: So help me out. Like I'm not sure, and you tell me, Adamo, do you actually have a landing point to root, you know, 15 foot trees like, you know, to mask that?

MR. MAIORANO: There's two very large trees here. What would happen, that root system would be pretty much between the retaining wall and the stockade fence would be pretty much on the property line and the neighbor's house. There is a possibility to fit some shrubbery there but just not to the extent of --

THE CHAIRPERSON: But it would be planted at a higher point?

MR. MAIORANO: Yes. So that retaining wall, again, it's about plus or minus 5 feet
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down to 2 and a half feet, so say 7 foot evergreens, so you're at 13 feet right there because the retaining wall is about 5 feet.

MR. MCINTYRE: If you see the elevation here, you know, you're down considerably. So to be able to plant something that's going to grow up here, you may have a better chance of planting something up high that's going to mask the view into the space. Again, I'm just looking at picture 1D and 1E.

MR. MAIORANO: There is a wood picket fence there.

MR. MCINTYRE: Listen, we understand what you're saying. We understand what you're saying, and we recognize it's a valid claim. Hopefully, we can speak with the applicant's design professional and maybe there is something that we can sort of collective come up with that fulfills --

MR. SWEENEY: That's all we ask. Nothing more than that. Just a little bit of a buffer zone and that the two neighbors or the three neighbors could get along in some sort of reasonable decor and make it work.

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MR. MCINTYRE: As always, thank you very much for coming out.

MR. SWEENEY: Thank you.

MR. MCINTYRE: Anybody else here that would like to speak on behalf of this application? If so, please step up to the podium.

If I could ask that you please introduce yourself and let us know where you reside.

MS. CEESAY: Hi. My name is Mariama Ceesay. I'm at 158 Woodruff Avenue. I'm directly opposite the property in question. We understand this is a commercial zone. When we brought the property, we didn't know, 15 years ago. After we moved in, then we realized what happened. We didn't know what the problem is until we wanted to sell and we couldn't sell. People are coming with new eyes and they saw the property. We did ask the town to do something about it because the value of the property went down from what we bought it for.

So when I visited the town and we spoke about this, you know, one of the issues

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1 that we still have is the front of that is on
2 Dunwoodie in front of our yard there's a fence
3 that's there that collects the garbage, but
4 that's not controlled. The cans are always out
5 there. It's like still is a junk yard in front
6 of our property. That's our driveway. I know
7 the owner has tenants there. He doesn't live
8 in the residence but we do.

10 We also wanted to try to see how
11 like -- whatever you guys are saying, you are
12 on point because you live in the town, you're
13 also property owners. Just you're doing the
14 best you can, but just increase and help us to
15 make sure because sometimes we want to put a
16 fence up high so when we are inside our rooms
17 we don't have to see what's going on there.
18 The containers that are coming in, even from --
19 I have five kids and growing up these kids,
20 they throw their ball in, they cannot find the
21 ball there is so much stuff going on. So I
22 guess you still have to put on the radar to
23 make sure what it's supposed to be.

24 Also, I'm asking whether we can put --
25 our fence is short now, whether we can put a

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1 higher fence so that, you know, when the kids
2 are playing there, the ball doesn't go in
3 there, and also, that the view, we can kind of
4 block the view. That's my main question right
5 now, if we can increase the height of the fence
6 so we do not have to see it. I know our
7 neighbor, he put a tree so the tree could grow
8 high so they don't have to see because they are
9 on the hill. We are seeing it directly. As
10 soon as we walk up, it's right there.

12 So the question is whether we can get
13 a fence, you know, the fence that we share,
14 whether we can put it up, and also the front of
15 our driveway to make sure there is some kind of
16 control that is still not junky because there's
17 still junk there. Wherever it comes from, we
18 don't know, whether it's from the tenants or
19 from the construction area. There's a fence
20 there. After we tried to sell, nobody is
21 buying it. The town asked to have some kind of
22 container or a fence to have the garbage in
23 there but they are not, they are always
24 outside.

That's the questions that I have.

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1 Thank you so much for the good job that you are
2 doing reviewing this.

4 THE CHAIRPERSON: Thank you.

5 MR. MCINTYRE: Thank you.

6 THE CHAIRPERSON: Thank you for
7 coming. As far as the fence, I have a feeling
8 that there's a limit on the height of the
9 fence.

10 MR. KING: Sure. If they want to put
11 a fence higher than what's allowed by zoning,
12 then they have to get a variance for it.

13 THE CHAIRPERSON: Plants can grow as
14 high as they like.

15 As far as the rubbish area, Adamo, was
16 there any consideration for perhaps enclosing
17 that area off in some way? You know, kind of
18 keeping it a little bit more -- whether it's
19 for the construction or for the tenants, you
20 know, the residential tenants, maybe -- I'm not
21 sure exactly where it is, but maybe you know
22 better than I do where on the site.

23 MR. MAIORANO: You're talking about
24 this area when you enter toward the site where
25 the retaining wall is?

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1 THE CHAIRPERSON: Ma'am, is that where
2 the rubbish is being kind of --

4 MR. MAIORANO: That's where he's
5 saying to plant --

6 MR. MCINTYRE: We're talking about the
7 rubbish.

8 MR. MAIORANO: So in this corner when
9 it's trash day or whatnot, let's go to the
10 pictures. So 1G towards the left -- you can't
11 really see it, there's a fence there -- so
12 garbage as times is left there --

13 MS. NEMECEK: It's the one is 1H.

14 MR. MAIORANO: There you go. Exactly/
15 those two garbage cans. There should be a
16 little more consistency as far as taking the
17 garbage out and putting it back in, you know,
18 maybe at a better timely fashion so garbage is
19 not just --

20 MR. LUCA: I think a lot of this has
21 to do with the owner watching his site and his
22 property. There are at least, what, four
23 families in that building?

24 MR. MAIORANO: Exactly.

25 MR. LUCA: And probably 20 people at a

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construction site daily. So if no one is going there daily and 25 people are leaving garbage, then everyone in the neighborhood is going to suffer. It's not a commercial area that's just in the middle of nowhere, it's in the middle of a residential area. I think something needs to be done by the owner on a daily basis.

MR. MAIORANO: That's what they're trying to --

MR. LUCA: I understand the issue with the containers, but this is a trash issue.

MR. MCINTYRE: So again, I think there needs to be some sort of maintenance program put in place there, and I think ultimately as part of a lease, that should be a condition of a lease between a landlord and a tenant. I'm assuming there is leases in place.

With regard to the sort of shielding and the sort of concerns that a number of the residents aired here, do you have any comments on that?

MR. MAIORANO: Like we said, the difference in grade, almost nothing can be done for the residents at 169 and 170. You could

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see it also if you go to the site. There's about a 9 foot high retaining wall, then another 9 foot retaining wall, then a 6 foot high fence. So if any sort of shrubs were planted, these houses, the second floor, you could see here no matter what. If you put a 40 foot high tree --

THE CHAIRPERSON: But 158 Woodruff -- is that your address, 158?

MS. CEESAY: Yes.

MR. MAIORANO: That is a possibility. Again, with the existing trees that are there, maybe we can sort of plant something that will survive in that area between the stockade fence and the retaining wall, let alone that these trees are not sort of killing --

MS. NEMECEK: You columnar plants, Ilex, Hollies, that grow just in a column that are pretty slender. Sky Pencil is one of them that you could use, and they're evergreen.

MR. MCINTYRE: You're talking to a landscape architect here.

MR. KING: That's between those two people. If you wanted to plant something and

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you got permission from your neighbor, you could plant it on your neighbor's property.

THE CHAIRPERSON: So perhaps that could be something you could do. Perhaps they could plant trees on your property, so then they're up high that way.

MR. MAIORANO: It basically would be on the property line. So planting a shrub would be growing against the fence, and then reach a certain point higher than the fence because you can't put an 8 foot, 9 foot, 10 foot high fence. Those trees can help screen again the property at 158.

MR. MCINTYRE: So again, I think as part of this process and as part of any application, whether it's a home, and you've designed enough of them, you know, this is no different. You're bordered by neighbors and you open up the public hearing and the public and your neighbors have an opportunity to speak regarding this particular application or any particular application, and, you know, this is the forum that they have the ability to do so. So just like any other application, this is a

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valid point that's been brought up. I would certainly like you to consider what you've heard here this evening, and if it's something -- I don't think it's widespread, I think it's maybe just a couple of isolated areas, so we would certainly like to sort of see something to take into consideration some of the comments that a number of the neighbors have aired here this evening.

Is this something we're willing to sort of send along to the Planning Board with some of those conditions in place; IE, the foliage and the trees and sort of masking the looking into the space and possibly something about the sort of trash storage and --

THE CHAIRPERSON: Perhaps that could be consolidated in some way.

MR. MAIORANO: Sort of the secondary issue is, as we said, the maintenance of the site, upkeep and being a good neighbor and keeping it clean and coherent.

THE CHAIRPERSON: Sometimes just the fact that you have an area zoned out for garage --

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MR. MAIORANO: Essentially why we're here again is to the get approval, hearing from the neighbors, and creating a space that is more, okay, materials confined to a certain area, materials stored in these sheds, and create, you know, a consistency of vehicles where they're parked, not sort of spread out everywhere and whatnot. Again, now we go into the management of the site and up keeping it and keeping it the way that we have it proposed. THE CHAIRPERSON: There seems to be -- Image number 1 -- that there's like bicycles and stuff in front of the property being stored.

MR. LUCA: A barbecue.

THE CHAIRPERSON: A barbecue.

MR. MAIORANO: Yes, where the residents are. There's an existing barbecue, I believe it looks like in working order, but it should be kept sort of clean. I think there's outdoor seating, chairs.

THE CHAIRPERSON: Is there any other place on the property that that could be put, like a side yard, back yard?

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MR. MAIORANO: I would imagine that's not an ideal spot to keep it. Maybe the owner could speak with --

MR. LUCA: Are the tenants only allowed to use the front yard; is that what it is? There is no side or rear yard?

MR. MAIORANO: Yes. So maybe there is something that they could work out that they could sort of use a smaller area that's not in the front and visible.

MR. LUCA: A lot of this has to do with just it's basically the owner's responsibility -- I wouldn't want to live next to this building, honestly, with bikes and barbecues outside, regardless of the yard. I think it's a matter of the owners have to tell the tenants they can't do that. The bikes have to go in the basement, in their apartment, or provide a shed for the bikes, for example. Again, everybody that lives in the building needs to be clean as well. It's not fair for the other neighbors.

MR. MAIORANO: Of course.

THE CHAIRPERSON: What is this to the
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right of the barbecue on Image 1; for rent sign?

MS. NEMECEK: For rent sign.

MR. MAIORANO: That's a for rent sign. I don't imagine that would stay there.

THE CHAIRPERSON: Is that continuously there?

MR. MAIORANO: Is there still a for rent sign in the front? The existing bicycles and everything and the barbecue in the front -- (Discussion between Mr. Maiorano and Mr. DiSisto.

MR. MAIORANO: It's been rented, so that sign should no longer be there.

THE CHAIRPERSON: It should no longer be there?

MR. DI SISTO: Are you saying that that's not a permissible thing to put a sign there?

THE CHAIRPERSON: It is, but there are limits to the size. According to the sign law, it's 2 square feet on residential real estate, for rent sign, for sale, whatever. That's the maximum on a residential property.

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MR. DI SISTO: So 15 by 15 inches roughly; 2 square feet?

THE CHAIRPERSON: Or 12 by 24.

MS. NEMECEK: Do you have any kind of maintenance staff or do you do the maintenance yourself?

MR. DI SISTO: We do the maintenance ourselves. The barbecue is there. Our tenants have used that front stoop for -- we've been allowing them to have a barbecue there? Is that something that's not -- we've been lenient. We haven't been telling them they can't have it. Is that something that's not permissible?

THE CHAIRPERSON: Maybe you could just put bushes in front of it, you know what I mean, because it is like kind of a patio area; right? Maybe you could just do that and kind of make it a little bit more private for them and shield from the street as far as what's in there.

MR. DI SISTO: This wasn't part of the application.

MR. MAIORANO: We're looking at the
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1 whole site.

2 MR. MCINTYRE: This is not part of the
3 application, but, you know, when you're in this
4 forum and you're representing the property and
5 we're looking at, you know, the various
6 pictures --

7 THE CHAIRPERSON: The property as a
8 whole.

9 MS. NEMECEK: As it exists.

10 MR. MCINTYRE: I just think that, you
11 know, as a result of maybe how this property
12 has evolved, we're kind of in a situation now
13 that needs to be unwound a little bit. It
14 needs to -- the yard is one thing, but, you
15 know --

16 MS. NEMECEK: It's the general
17 condition of the entire property.

18 MR. MCINTYRE: Now we look at other,
19 you know, aspects of the property, and I think
20 there is some obvious concern. Again, we
21 talked about, you know, cleanliness is next to
22 Godliness, but that doesn't happen by accident,
23 especially, you know, if you're relying on a
24 tenant to take care of something or look after

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1 something because, you know, it's not as -- it
2 may be a little bit more transient. It's
3 difficult to police, and we're not here to
4 police it, and the Building Inspector is not
5 here to police it, but there needs to be
6 conditions, you know, along with how we're
7 looking to pass this on.

8 The one condition we talked about was
9 creating some sort of landscape barrier so that
10 the adjacent residents are not forced to look
11 into this junk yard type setting, right.
12 That's number 1.

13 Number 2, you know, there needs to be
14 some sort of orderly maintenance of the garbage
15 disposal and collection, and not just sort of
16 arbitrarily thrown out because somebody is
17 going to pick it off the curb every Monday or
18 every Wednesday or every Friday.

19 Thirdly, you know, looking at picture
20 number 1, you know, if that's the front yard,
21 you know, I'm not sure I'd like to be looking
22 at that. Would you like to look at that across
23 the street if you lived across the street from
24 that? Again, we're not looking to be, you

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1 know, flippanant about this, but again, we all
2 live here, we're just trying to make it as good
3 as can be. You heard one of residents saying
4 that, you know, this is a concern. That's a
5 valid concern. We didn't move to this
6 neighborhood or this community for real estate
7 properties to depreciate. It's got some of the
8 best schools in Westchester County, and that's
9 always going to carry. That's why I live here.
10 That's why I moved here. So, you know, as the
11 property owner, then it's incumbent on you to
12 try and maintain this and enforce and implement
13 some responsibility on the tenants. I think
14 that's what needs to happen here, unless you're
15 going to be there on the weekends cleaning it
16 up. I'm not sure that's something you want to
17 do. Something has to happen. Something has to
18 give here on this for it to be as good as it
19 can be.

20 Listen, I think we spent enough time
21 on this. I think we need to lay down some
22 conditions. If you're looking to go to the
23 Planning Board, then I think you need to
24 address some of the issues that we're going to

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1 sort of layout to you, and then they're either
2 going to grant you approval or they're not.
3 I'm assuming if it's going to continue to
4 operate and look like this, then I got to
5 believe there's going to be some ramifications,
6 and I don't think anybody wants to see that.

7 Is the public hearing still open?

8 THE CHAIRPERSON: Yes, it is. Is
9 there something else that you had another
10 comment? Please come up to the podium.

11 MS. CEESAY: For the short time,
12 because I know the property is not managed by
13 the owner, the tenants are helping out, the
14 garbage is like in my property area. I just
15 want you to verify that. Where the garbage is
16 and the fence, it's very close to my property.
17 If it is around it or inside it, I want it to
18 be moved to another location so we don't have
19 to go through that. This is like weekly stuff.
20 So the garbage, wherever they have it right
21 now, is either in my property or very, very
22 close to it.

23 THE CHAIRPERSON: Can you kind of
24 point on -- take the microphone with you and

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1 point on the photo that's there marked 1H.
2 Adamo, assist her. Is that the fence, that
3 area?

4 MS. CEESAY: Yes. This is my property
5 here. This is inside our property. So if this
6 location here -- when I saw the fence, we had
7 HOPED that it's going to be maintained. I
8 think that's the reason why this fence came,
9 but it's not useful. There's really no use for
10 it because this is always out here. The idea
11 was to put it inside the fence, and then when
12 the garbage truck comes, they take it out and
13 put stuff back in there, but there is no use.
14 This is always junk. I believe this is our
15 property here. If they could move this away to
16 another location for now because there is no
17 plan right now to make sure this is not where
18 it is every week. So if this could all move
19 away, I think that could solve a little of the
20 issues right now. We literally have to pick up
21 the garbage containers. Every little wind that
22 blows, the go all over the place.

23 MR. MCINTYRE: Isn't the garbage only
24 picked up like maybe twice a week; Mondays and
25

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1 Fridays?

2 MS. CEESAY: Yes, but even with that,
3 before the garbage comes, there's junk, and
4 after they pick it up, the containers are
5 flying all over. Nobody is there to supervise.

6 MR. LUCA: Again, that's the owner's
7 responsibility because that's where the
8 sanitation designated the area to put the
9 garbage cans, most likely. When sanitation
10 comes to my home and the garbage is in the
11 street, I take it back and put it behind the
12 fence. Somebody needs to do that.

13 MS. CEESAY: We have to do it and this
14 is not our stuff.

15 MR. LUCA: I understand. Somebody in
16 that building needs to do.

17 MS. CEESAY: I want this evaluated
18 also because this is our property here. So if
19 they put this stuff here and it's not helping
20 us --

21 MR. MCINTYRE: So that's your
22 property? That white picket fence is your
23 property?

24 MS. CEESAY: It is not. The owner put
25

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1 this here. I'm saying, this line here is our
2 property. This is our property line. If this
3 can be moved away from our property line, maybe
4 that will help. Thank you.

5 MR. MCINTYRE: Okay. Thank you very
6 much.

7 So if you can kind of step back up.
8 So we would like you to sort of consider the
9 following:

10 We would like you to take on board
11 some of the comments that the neighbors made
12 this evening, one specifically to the
13 landscaping on the back of the property and on
14 the left of the property, and however and
15 whatever you could do to come up with an
16 effective way of screening the property so that
17 it's not a sort of open from the residents on
18 the higher side looking in, that's certainly
19 something we would like you to sort of
20 consider.

21 Number 2, there needs to be some sort
22 of ongoing maintenance relative to the yard,
23 the contractor's yard. In addition to the
24 residential dwelling, we don't necessarily
25

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1 think it's conducive to being good neighbors
2 the way it's currently represented in picture
3 number 1 where you have barbeques, signs,
4 outdoor furniture, and a collection of
5 bicycles, you know, in the front yard. I don't
6 think that's something that, you know, should
7 be in the front yard of the home.

8 Also, regarding trash storage and
9 collection, I think there should be some more
10 effective way of storing that and placement of
11 that on the garbage pick up and recyclable and
12 sort of leaf and grass cutting sort of days. I
13 think those responsibilities should be born by
14 the landlord, and if that needs to be passed
15 down to the respective tenants, both
16 residential and commercial, then I think that's
17 something that should be implemented.

18 As a board, we don't feel that this is
19 something that we should burden the Planning
20 Board with. It's important enough based on
21 what we've heard here this evening and what
22 we've seen, that we want to see this come back
23 to our board before we can feel confident that
24 we've done our due diligence in passing this on
25

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to the Planning Board.

MR. MAIORANO: This is why we're here. The first step to move forward in a positive direction.

MR. MCINTYRE: Again, we're not looking to be overly excessive in our request here, but again, all I can say is that we all live here, and certainly everybody up here, and this is not something that we feel is representative of what we would like to see in our neighborhood.

MR. MAIORANO: Of course there's the two aspects of, one, managing the property is very big in this case because of, you know, keeping clean order and all the rest of those issues, as well as the screening and whatnot. Some better ideas of creating some harmony amongst the neighbors and whatnot.

MR. MCINTYRE: Listen, there's lots of similar examples of this type of cohabitation in our town. There's lots of multifamily dwellings in our town. There's cohesion and harmony between, you know, multifamily and a residential family; a commercial property and a

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residential property. So it does coexist and harmoniously coexist. This needs to be enhanced on multiple levels.

MR. MAIORANO: As far as keeping a clean site is probably the biggest issue.

THE CHAIRPERSON: You also need a good starting point here. Moving the containers and collecting everything in my place, that's a good starting point. That's one good starting point. Perhaps some screening to the neighbors and some screening to the front could help more. That all needs to be part of the plan, not just something for the Planning Board to come up with, if you know what I mean.

MR. MAIORANO: For sure.

MR. MCINTYRE: So that's pretty much it. We look forward to seeing what you come up with next time we see you and, you know, based on that, I would like to keep the public hearing open so that maybe some of the residents can come back next time and see the enhancements that you propose, and hopefully we can pass this along and be happy about what we've all accomplished together.

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MR. MAIORANO: Okay. Thank you. You got it.

MR. MCINTYRE: Thank you very much.

THE CHAIRPERSON: Next application up tonight is Application 19-20, Applestone Meat Company.

MS. ASCHER: Good evening. My name is Gail Ascher. I'm the architect for the Applestone Meat. I'm working with John Cotugno representing the architect for Applestone Meat Company.

We had been here last September, and we had gotten approval on Applestone, the retail frozen meat customer service and frozen meat vending machine operation. Since then, we had been to the Planning Board and we had gotten approved multiple requests, one of which was security 24/7 operation, which had nothing to do with the ARB, but we had been back to them multiple times. We attained the approval of the Planning Board.

We're back because the tenant was able to obtain the space next door. GNC has closed. They were able to obtain the next door space,

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so they're expanding. So that's why we're back here. We're not changing significantly any of the materials, except on the front facade, which I'll discuss, and I could show you a photo. Essentially, we're just maintaining what we proposed, removing a small window in the back, moving the sign to center it, adding a few of the lights, gooseneck lights. So that's essentially what we're back for.

THE CHAIRPERSON: Okay. If you could definitely talk about the elevation because I know that was really kind of a key point when you were last here with us.

MS. ASCHER: This is the existing rear.

THE CHAIRPERSON: Could you take the mic with you, please, so that those at home could hear as well.

MS. ASCHER: This is the existing rear facade, this is the new proposed facade. As you could see, we're really not changing the location of the sign or anything. We're adding one lamp, we're removing a window, we're putting a solid door instead of a glass door.

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1 This is going to be the employee entrance. I
2 think the public is going to stop here any way.
3 This is really going to be used in plan -- you
4 could see we're using the existing space that
5 they had prior for just adding more vending
6 machines. This side will mostly be customer
7 service and their own storage and their own
8 office operation, behind the scenes. I don't
9 think the public is ever really going to be
10 going here.

12 Now the front elevation what
13 originally was here -- right now you could see
14 sort of a stucco that needs to be tidied up.
15 He was planning on painting it, you know,
16 patching up and painting, but he has a -- I
17 could show it to you on my computer. They want
18 to use a metal system, a metal ribbed -- sorry,
19 just give me one minute to get the picture.
20 It's going to be black, and actually the pet
21 store next door has a similar little piece like
22 that so he thought it would tie in nicely. He
23 did it on his original store up in Stone Ridge.
24 This is it.

25 THE CHAIRPERSON: Could you tilt it a
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1 little bit? Okay, much better.

3 MS. ASCHER: I'll show you the actual
4 store in Stone Ridge. We couldn't get a sample
5 in time.

6 THE CHAIRPERSON: It looks almost like
7 a standing seam metal roof.

8 MS. ASCHER: That's actually their
9 store in Stone Ridge.

10 MR. MCINTYRE: So it's like a standing
11 seam.

12 THE CHAIRPERSON: A vertical standing
13 seam.

14 MS. ASCHER: Yes. The sign will be
15 white. This will sort of disappear and the
16 sign will pop out more.

17 THE CHAIRPERSON: Okay. Yes, much
18 more visible.

19 MS. ASCHER: So that's pretty much it.

20 THE CHAIRPERSON: I don't know if you
21 came before because I'm on the sign committee
22 as well, but --

23 MS. ASCHER: I didn't present to the
24 sign committee. I think they're having
25 somebody else do the sign.

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1 THE CHAIRPERSON: It will have to come
2 as a separate application.

4 MS. ASCHER: You haven't seen this yet
5 at the sign committee?

6 THE CHAIRPERSON: I don't think we
7 have. I remember seeing your initial proposal,
8 but no.

9 MS. ASCHER: I think that sounds right
10 because they're not quite there yet, but it
11 will be soon.

12 MR. MCINTYRE: I would like to make a
13 motion to open up Application 19-20, 735 White
14 Plains Road, to the public hearing; do I have a
15 second?

16 MS. NEMECEK: Second.

17 MR. MCINTYRE: All in favor.
18 (All aye.)

19 MR. MCINTYRE: Anybody here that would
20 like to speak? Going once, going twice.

21 Obviously not. I would like to make a motion
22 to close Application 19-20; do I have a second?

23 MS. NEMECEK: Second.

24 MR. MCINTYRE: All in favor.
25 (All aye.)

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1 MR. MCINTYRE: So the public hearing
2 is now closed. This is pretty straightforward.

4 THE CHAIRPERSON: I just wanted to
5 cover what changes were made from last time to
6 now as far as the back; not really anything
7 other than the sign relocating?

8 MS. ASCHER: Like I said, the
9 gooseneck lamp, the sign relocating,
10 eliminating the window, and the solid door as
11 opposed to a glass door.

12 THE CHAIRPERSON: The location of the
13 lift, the vertical --

14 MS. ASCHER: It's staying there.

15 THE CHAIRPERSON: Same place.

16 MS. ASCHER: I think they want to keep
17 that.

18 THE CHAIRPERSON: For accessibility
19 purposes?

20 MS. ASCHER: Yes.

21 THE CHAIRPERSON: Okay.

22 MR. MCINTYRE: Anything else?

23 (No comments.)

24 MR. MCINTYRE: I would like to make a
25 motion that we move Application 19-20,

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Applestone Meat Company, 735 White Plains Road, on to the Planning Board with really -- I don't think we have any sort of stipulations.

THE CHAIRPERSON: Thanks for sprucing it up.

MR. MCINTYRE: We look forward to seeing Applestone Meat Company.

THE CHAIRPERSON: Much nicer facade than it was before.

MR. MCINTYRE: All in favor.
(All aye.)

MR. MCINTYRE: Okay. Good luck.

MS. ASCHER: Thank you.

MR. MCINTYRE: Thank you.

THE CHAIRPERSON: Our next application is Application 19-18, 24 Shady Lane.

MR. IANNACITO: Good evening. My name is John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. Leone, the owners of the subject property. We are proposing an addition and alterations to a single family residence located at 24 Shady Lane.

I'll come over to the drawings there. So the proposed scope of work is the

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construction of a two story addition at the side of the existing residence, which is highlighted here on the survey. The proposed addition on the ground floor will include an expansion of the existing garage, and then on the second floor it will consist of a new bedroom and an expansion of an existing bedroom.

Here's the front elevation. So the existing front elevation and proposed. We're basically just pushing it over to the side and increasing the gable end on the front facade. The right side, they'll be no change on the right side at all. The rear just gets expanded over to the side, and then on the left side is basically just getting pulled out in exactly the same form and shape and massing.

Here's a rendering of the front facade. All the proposed materials will match existing. The wall surfaces will be stucco in a white finish. The windows will be vinyl clad in a white finish. The roof will be asphalt in a charcoal finish. The trim will be AZEK in a white finish. The shutters will be composite

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in a black finish. The gutters and leaders, aluminum in a white finish. The overhead doors will be fiberglass in a white finish.

THE CHAIRPERSON: My first impression when I look at that rendering is that the door is just like a little bit hidden.

MR. IANNACITO: The front door?

THE CHAIRPERSON: Yes.

MR. IANNACITO: It's completely existing. If you look at the floor plan, the entrance is set in a little bit. This is an existing corner right here. You walk in, there's a wall right there that blocks the view into the living room. This actually was recently updated not too long ago, so we're not proposing any interior alterations on that side of the house.

THE CHAIRPERSON: I wasn't thinking interior as much as just something to highlight it on the outside. I don't know if there's an answer to that issue, but it just looks a little kind of tucked away.

MR. IANNACITO: If you're looking at it from this side because this is forward of

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that, it is hidden a little bit. From the other side, you probably see a little bit more of it, but it is tucked into that corner. If you look at the plan, there's a very little reveal at that corner. It's an existing condition, and we weren't proposing to do anything there.

THE CHAIRPERSON: All right. Because of the extra space, is there any need for any more HVAC equipment or anything like that?

MR. IANNACITO: I don't believe this house has air conditioning. I'll check into it. I didn't show them on the survey. If it does have air conditioning, I will show the condensers on the outside to the Planning Board. We'll have to look at the system and see if we have to add a second air handler if it has air conditioning. If not, the heating would be baseboard heating and it will get expanded into the bedrooms.

MR. LUCA: Is there a reason why on the new roof line you don't have soffits?

MR. IANNACITO: I'm sorry.

MR. LUCA: Soffits.

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MS. NEMECEK: Because it seems a little flat.

MR. LUCA: With a gable it only projects --

MR. IANNACITO: We were trying to match the existing on the other side. We can extend the soffits a little bit.

MR. LUCA: Also, the window, the little window, what's the purpose of it?

MR. GARCIA-BOU: That's an existing window.

MR. IANNACITO: It's there.

THE CHAIRPERSON: It let's light in. It's a window, it lets the light in.

MR. IANNACITO: It's a window that's there. Let's see. In the floor plan, it's this little storage area inside the garage. We weren't proposing to remove it. I think it kind of helps to have something down there.

MS. NEMECEK: And the stone, the stone is existing on the house; right?

MR. IANNACITO: It's existing, yes. Right now this piece here is stone.

MS. NEMECEK: It's like two disparate

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colors. It looks like this is all gray and this is all stone and never the twain shall meet. How can you bring some of that stone to that --

MR. IANNACITO: I don't think we'll ever match the stone.

MS. NEMECEK: I know it's kind of older. You said it's at the window now presently?

MR. IANNACITO: Yes. It just stops and then the stucco starts.

MS. NEMECEK: Yes. Is there any way you could salvage some of it and use a little bit to do --

MR. IANNACITO: I mean, when you look --

MS. NEMECEK: It just look like two separate --

MR. IANNACITO: It's stucco. We thought about doing siding instead of stucco, but then that would mean we would have to re-side the entire house.

MS. NEMECEK: Do you have any lighting?

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MR. IANNACITO: At the garage door we'll probably have some. I'm not sure if we'll do them on the side or on the top. I can show lighting for the Planning Board. I'll talk to the owners to see what kind of lighting they want.

THE CHAIRPERSON: When you center it over the garage door, it's going to be like --

MR. IANNACITO: It's probably not good to have it centered.

THE CHAIRPERSON: -- Weirdly spaced under the other windows.

MR. GARCIA-BOU: I would put it on one side or the other.

MR. MCINTYRE: Left and right.

MR. IANNACITO: We could definitely add lighting down there. I don't know if there are any existing fixtures on the front door.

MR. MCINTYRE: There may be one above the door.

MR. IANNACITO: We could add a fixture here to match.

MR. MCINTYRE: There's one above the door in like the overhang.

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MR. IANNACITO: The budget on this job is a concern. They're just looking to expand it and try to tie it in as best as possible.

THE CHAIRPERSON: Right now that house on the side where you're expanding it, it is stucco and you're going to do stucco again?

MR. IANNACITO: The upper part is all stucco and then the sides and the rear are all stucco. The only part that's stone is this piece and this little piece.

THE CHAIRPERSON: So it's real stucco then?

MR. IANNACITO: Yes.

MR. MCINTYRE: So it's just slab on grade; right? There's no basement underneath the garage?

MR. IANNACITO: It's slab on grade. It's a split level home, so there is a basement under this portion of the house. You go up half a flight to the bedroom, half a flight down to the garage, and then another half a flight down to the basement.

MR. MCINTYRE: It looks like the property slopes.

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MR. IANNACITO: It does climb up here a little bit, so there will be a small retaining wall, and then it does slope up at the other end.

THE CHAIRPERSON: We're just kind of mulling over the fact that it has the siding now on the very top.

MR. IANNACITO: On the dormer?

THE CHAIRPERSON: No. Above the --

MR. IANNACITO: This little piece?

THE CHAIRPERSON: Yes.

MR. IANNACITO: We could do that.

THE CHAIRPERSON: I don't know if it's the right thing.

MR. IANNACITO: I think it's better to have one material all the way through.

THE CHAIRPERSON: Also right now those flower boxes do add a little something. Would they put them back?

MR. IANNACITO: The flower boxes at these windows?

THE CHAIRPERSON: Yes.

MR. IANNACITO: I'm sure they could add the flower boxes.

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THE CHAIRPERSON: It gives it a little color.

MR. MCINTYRE: If you could beef up the fascia soffit detail so it, you know, gives it a little bit more definition as opposed to it being flat.

MR. IANNACITO: So these overhangs would go up and these would come out.

MR. MCINTYRE: Right. I think it gives it a little more texture, depth and definition. We could talk about do this, do that, add something over the garage, but I don't think that this is the right application to do that.

MR. IANNACITO: It's a split house and basically keeping that gable similar to what's existing today just larger. It kind of fits in.

MR. MCINTYRE: Exactly. It's a nice neighborhood, nice homes, and I think this --

MR. IANNACITO: We're not looking to reinvent the split.

MR. MCINTYRE: That's right. Just to kind of go through the motions here, I would

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like to make a motion that we open up Application 19-18, 24 Shady Lane, to the public hearing; do I have a second?

THE CHAIRPERSON: Second.

MR. MCINTYRE: All in favor.

(All aye.)

MR. MCINTYRE: Anybody here? Looks like nobody is here, so I would like to make a motion to close Application 19-18; do I have a second?

MR. GARCIA-BOU: Second.

MR. MCINTYRE: The public hearing is now closed on this application.

Do we have any sort of other comments other than the sort of extenuating the gable and the rake and the eaves?

MS. NEMECEK: The lighting.

MR. IANNACITO: I have extend rakes, extend soffits, lighting, and flower boxes.

MR. MCINTYRE: So based on that, I would like to make a motion --

MR. KING: Check on the AC too.

MR. IANNACITO: AC units. Okay.

MR. MCINTYRE: I would like to make a

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motion to approve Application 19-18 on to the Planning Board; do I have a second?

MR. GARCIA-BOU: Second.

MR. MCINTYRE: All in favor.

(All aye.)

MR. MCINTYRE: Very good. Well done. Thank you, John.

THE CHAIRPERSON: John's up for the next one, which is Application 19-11, 118 Siwanoy Boulevard.

MR. IANNACITO: Good evening again. John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. Yaghoubi, the owners of the property. We are proposing an addition and alterations to the existing single family residence.

The proposed scope will include removal of a one story garage on the side and construction of a two story addition on that side. The proposed addition did require a variance, and that was granted on May 14th, 2019.

So again, here on the first floor the addition consists of expansion of the existing

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2 garage, which is very tight today, and at the
3 back a laundry room and exercise room, and a
4 second story, which is set a little further
5 back than the facade of the garage, which
6 consists of a new master suite, bedroom,
7 bathroom, and two closets.

8 Here we have the front elevation.

9 Here is the proposed garage door and the
10 bedroom above. So the garage will have a small
11 roof above it, and then the bedroom area is set
12 further back.

13 This is the side elevation. This is
14 the two story addition at the rear and the
15 side.

16 This is a rendering of the front
17 facade. Again, all the materials here will
18 match existing. The walls will be brick in a
19 whitewash finish. The roof will be asphalt in
20 a charcoal finish. Shutters are composite in a
21 hunter green finish. The overhead door is also
22 going to be composite. The eaves and the
23 soffits will be AZEK in a white finish. The
24 windows will be vinyl clad in a dark bronze
25 finish to match existing.

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2 MR. MCINTYRE: Is the brick purchased
3 with that finish on it?

4 MR. IANNACITO: That I'm not sure of.
5 It looked like it was painted.

6 THE CHAIRPERSON: It's going to match
7 but you don't know how essentially.

8 MR. IANNACITO: I think it will match.
9 There's not one situation here where brick will
10 be butted up against each other. It's probably
11 going to look a little different because it's
12 new brick, it's not going to be weathered.
13 We'll try to get it as close to possible. I
14 think it will be easier to get a white wash
15 brick to match.

16 MR. MCINTYRE: Yes, that's why I asked
17 the question. It's nice. I like that finish.

18 MR. GARCIA-BOU: Lighting?

19 MR. IANNACITO: The lighting on this
20 one, I think we're going to probably end up
21 with some lights in the soffit here because
22 there's not much space on either side of that
23 garage door. There's a sliding door in the
24 back which leads out from the exercise room
25 onto the deck, we'll probably have some lights

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2 on either side of this door. I'll show those
3 for the Planning Board. I always forget the
4 lighting.

5 THE CHAIRPERSON: What about something
6 to the left of the front door? There's kind of
7 a big space there.

8 MR. MCINTYRE: There's a powder room
9 right behind there. I guess if we could get a
10 light in there. I think they have a light
11 above the door. This is a metal canopy above
12 the door, so they have a light above the door.

13 MS. NEMECEK: You could put a shrub
14 there.

15 MR. IANNACITO: Yes, something taller.

16 THE CHAIRPERSON: Good idea. It just
17 looks like it needs something over there, but I
18 don't know what. Good idea.

19 Any other comments or questions
20 regarding this? Again, the AC stuff going --

21 MR. IANNACITO: This one I have the AC
22 on the plan.

23 MR. GARCIA-BOU: It's existing; right?

24 MR. IANNACITO: Two AC units here. I
25 can't remember if there's two in the existing

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2 house or if I added one already. I'll verify
3 whether there's going to be a third one.

4 THE CHAIRPERSON: They are tending to
5 get smaller these days. Sometimes when you
6 replace one with two, it takes up the same
7 footprint.

8 MR. IANNACITO: We're dealing with the
9 exercise room and laundry room in the back and
10 the bedroom suite upstairs.

11 THE CHAIRPERSON: I would like to open
12 up Application 19-11 for a public hearing.

13 MR. GARCIA-BOU: Second.

14 THE CHAIRPERSON: All in favor.
15 (All aye.)

16 THE CHAIRPERSON: Anyone here?
17 (No comments.)

18 THE CHAIRPERSON: No. I would like to
19 make a motion to close the public hearing for
20 Application 19-11.

21 MR. GARCIA-BOU: Second.

22 THE CHAIRPERSON: All in favor.
23 (All aye.)

24 THE CHAIRPERSON: Any other comments
25 or questions from this side?

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2 MS. NEMECEK: No.

3 MR. LUCA: No.

4 THE CHAIRPERSON: Then I would like to

5 make a motion to move Application 19-11 along

6 to the Planning Board with a recommendation for

7 approval with the few --

8 MR. IANNACITO: Lights and AC units.

9 THE CHAIRPERSON: Yes. Okay.

10 MR. IANNACITO: Okay. Very good.

11 Thank you.

12 THE CHAIRPERSON: Thank you very much.

13 As always, these are really helpful.

14 MR. IANNACITO: I wish everyone a

15 great summer.

16 MR. MCINTYRE: Thank you. You too.

17 THE CHAIRPERSON: Thank you. I would

18 like to make a motion to close the ARB meeting

19 of June 2019.

20 MR. MCINTYRE: Second that.

21 THE CHAIRPERSON: All in favor.

22 (All aye.)

23 THE CHAIRPERSON: Thank you very much.

24 Good night.

25 MR. MCINTYRE: Thank you.

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2 (MEETING ADJOURNED.)

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2 CERTIFICATION

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4 STATE OF NEW YORK)

5) Ss.

6 COUNTY OF WESTCHESTER)

7 I, DINA M. MORGAN, Court Reporter and

8 Notary Public within and for the County of

9 Westchester, State of New York, do hereby

10 certify:

11 That the above transcript was taken from

12 a videotape of the actual hearing. I was not

13 present for such hearing. The videotape was

14 taken and transcribed by me to the best of my

15 ability.

16 And, I further certify that I am not

17 related to any of the parties to this action by


18 blood or marriage, and that I am in no way

19 interested in the outcome of this matter.

20 IN WITNESS WHEREOF, I have hereunto set

21 my hand this 17th day of July, 2019.

22

23 

24 DINA M. MORGAN

25 Court Reporter

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