

1 TOWN CLERK
2 EASTCHESTER, N.Y.

EASTCHESTER PLANNING BOARD - 1/24/19

3 Returning with us is Gail Ascher, who I know
4 has been here previously representing our

2019 MAR 12 PM 3:34

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TOWN OF EASTCHESTER
Building and Planning Department

TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
JANUARY 24, 2019

MAR 12 2019

RECEIVED

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

13 BOARD MEMBERS IN ATTENDANCE:

14 CHAIRMAN JAMES BONANNO
15 PHILIP NEMECEK, MEMBER
16 BILL WEST, MEMBER

17 EASTCHESTER EMPLOYEES IN ATTENDANCE:

18 MARGARET UHLE, DIRECTOR OF PLANNING
19 ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
20 JAY KING, BUILDING INSPECTOR

21
22 Dina M. Morgan, Reporter
23 25 Colonial Road
24 Bronxville, New York 10708
25 (914) 469-6353

DINA M. MORGAN, REPORTER

5 There have been two prior meetings on
6 this particular application before I became
7 involved, and I had a chance to review the
8 transcripts on those two meetings. In
9 reviewing them, I identified a couple of
10 particular points of interest and perhaps
11 concern and one of those was security. I
12 confirmed with Margaret that the board is in
13 receipt of our letter to you on November 2nd
14 indicating that we would like to alleviate the
15 security concern by accepting, gladly, a
16 condition of this approval, that we could
17 operate for 24 hours but with a manned security
18 guard in the overnight hours. What we are
19 proposing to the board for your consideration
20 is a 12 a.m. to 6:00 a.m. time frame in which
21 we would have that security present.
22 Obviously, you know, that's for you to consider
23 and come back to us with any of your comments.

24 I understand, also, that the
25 Eastchester Police Department has been

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2

1 EASTCHESTER PLANNING BOARD - 1/24/19

2 THE CHAIRMAN: Good evening. This is
3 the Town of Eastchester Planning Board meeting
4 of January 24th, 2019. If everyone would rise
5 for the Pledge of Allegiance, please.

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

8 THE CHAIRMAN: I would just like to
9 apologize for the delay. We just all got off
10 work late. We will get going right now.

11 The first application is 18-03,
12 Applestone Meat Company.

13 MR. PETTINELLA: Good evening. My
14 name is John Pettinella. I'm the attorney for
15 the Applestone Meat Company. I want to
16 introduce a few members of the team for this
17 project that are here this evening to both
18 provide some further insight and answer any
19 questions that the board has. We have Joshua
20 Applestone, who is the founder and creator of
21 the company. I have Jeff Lefeld. Jeff is our
22 lighting designer, and he'll speak to what I
23 saw as perhaps one of the board's questions or
24 concerns, which was the lighting for the
25 overnight hours that we're proposing.

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4

1 EASTCHESTER PLANNING BOARD - 1/24/19

2 contacted with reference to this application by
3 the town to get their input with respect to any
4 security concerns that they have. It's my
5 understanding -- Margaret, you could correct me
6 if I'm wrong -- it's my understanding that with
7 a security guard present on the premises over
8 night, any potential concerns that they may
9 have had have been alleviated as a result of
10 that.

11 The other issue that seems to have
12 been raised in the prior two meetings was
13 lighting. Now, each of us -- I'm a resident of
14 the town as well -- each of us knows this
15 property very well. Trader Joe's is a very
16 popular store. It's located directly across
17 the street from the Greenvale School. To the
18 left is Citibank, as you know. There is some
19 residential present in the immediate vicinity,
20 but the location of this store set back from
21 the parking lot with proper lighting, I don't
22 believe would pose any sort of obtrusiveness or
23 unsightliness to the neighborhood, but I have
24 with me, Jeff Lefeld, who is the lighting
25 designer, who actually has done their other

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EASTCHESTER PLANNING BOARD - 1/24/19

stores and future stores that are in the works, and I would like to let him come up and discuss it with you. He actually brought props with him tonight.

MR. LEFELD: Good evening. Thank you for the introduction. I think I should maybe begin by giving you all a clarification. I have not at this point in any way, shape, or form been retained to review the existing street lights or exterior lighting in the area of the property. I certainly can review it. I have extensive experience in designing street lighting for other projects, but I don't know at this point what the color temperature of the town street lights are, what the foot candle levels are on the ground, what the code is, whether they're dark sky compliant -- I, of course, assume they are -- what their bug ratings are. I don't have any of that information. My main objection and task for the Applestone Meat Company is to design, at the appropriate time, the interior lighting for the best possible retail experience for visitors and customers of the Applestone Meat

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

Company, and also create lighting that is extraordinarily energy efficient and beautiful.

I did bring just a small sample, not to sell you but to show you that we are very adept at understanding what human beings like to experience when they are in an environment with lighting. The easiest way for me to do that would be to simply take a simple product, which we call a luminare, and to show you that the lighting, which I'm controlling on my phone, can be very pleasing, and can be controlled so that it could be dimmed and set at a level exactly to where it needs to be so that the environment is completely friendly to visitors, energy efficient, and doesn't create what, unfortunately, I deal with a lot in my field of expertise is what we call disability glare. Everywhere we go where we see LED's employed, they're too bright, they're the wrong color. I'm brought in by Applestone to make sure that doesn't occur, and that will be my task for the interior and some very, very specific sign lighting for the property here in Scarsdale.

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EASTCHESTER PLANNING BOARD - 1/24/19

If there's anything else that you would like me at some point to address for Applestone for the town, I would be happy to do it.

MR. NEMECEK: I would point out that the store location is, in fact, in Eastchester, otherwise you wouldn't be before us.

MR. LEFELD: Eastchester. Excuse me.

MS. UHLE: It is a Scarsdale mailing address.

MR. NEMECEK: It's a Scarsdale P.O., post office address, but most decidedly in Eastchester.

MR. LEFELD: And proudly so.

THE CHAIRMAN: So the lighting is going to be used at what areas; inside the store? Could you sort of run us through where that particular lighting is going to be applied.

MR. PETTINELLA: In reviewing the prior transcripts from the other two meetings, Mr. Bonanno, I noticed that one of the concerns potentially was -- the store is going to be operating for 24 hours, it's available to

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EASTCHESTER PLANNING BOARD - 1/24/19

consumers during the overnight hours -- one of the concerns that I had noted was that potentially there might have been some question of how bright is it going to be. Is it going to be an eyesore for the neighboring residents. So I wanted to bring Mr. Lefeld here to address that --

MR. NEMECEK: I'm pretty sure -- if I could interrupt you -- I'm pretty sure that that conversation about lighting, which I believe Mr. Pulaski might have been involved in, I recall the thought was, in particular, if there were 24 hour operations, that, as you said, I believe it was Mr. Pulaski's concern that there might be glare spilling out the front and the back, but there was a competing interest, which I believe I expressed and I think Margaret may have expressed as well, that particularly if there was not -- this was before we were advised that there would be a security guard there from 12 to 6 -- that the last thing we would want is to basically darken this place such that it might be more conducive to mischief. So I think the lighting issue --

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9

1 EASTCHESTER PLANNING BOARD - 1/24/19
2 we usually don't get into the issue at all of
3 telling store owners or businesses how to light
4 the interior of their property. The signage is
5 another issue. And certainly if the lighting
6 were such that it would be causing -- whatever
7 the terminology that was used -- effectively
8 would be disabling to people on the exterior,
9 of course that would be a concern. I think the
10 context in which the lighting came up was --
11 MR. PETTINELLA: Was more along the
12 lines of security.
13 MR. NEMECEK: -- Related to the
14 security issue, which appears to be addressed.
15 I like the prop. I like the way we can adjust
16 the lights. I'm absolutely certain that it's
17 in the owner's interest, the business' interest
18 to do this right, and I'm sure you will. The
19 fact that you've gone to the extra expense of
20 retaining an expert to get it just right is
21 certainly encouraging to see the level of
22 detail that has gone into this operation, but I
23 think the lighting issue -- please correct me
24 if I'm wrong --
25 MR. PETTINELLA: I had read, I
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10

1 EASTCHESTER PLANNING BOARD - 1/24/19
2 believe, a comment during the public hearing
3 from one of our residents that was concerned
4 potentially about how the light would project
5 out into the street and into the neighborhood.
6 I wanted to have Mr. Lefeld here just to
7 clarify that it's not going to be the lights on
8 Haindl Field that you could see from across the
9 street.
10 MR. NEMECEK: For all I know, we could
11 get four or five comments from the general
12 public today on the lighting issue. I'm
13 telling you from my perspective, and I was
14 here -- I wasn't here for the second meeting,
15 but I was here for the first, and I recall that
16 issue coming up at that point and I remember
17 that context in which it came up.
18 MR. PETTINELLA: Okay.
19 THE CHAIRMAN: I wasn't at the
20 meeting, but it appears after your comments,
21 that it was more about the concern that there
22 was adequate lighting such that it wouldn't
23 attract mischief in the area.
24 MR. NEMECEK: Adequate without going
25 over the top.
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11

1 EASTCHESTER PLANNING BOARD - 1/24/19
2 THE CHAIRMAN: And that's adjustable,
3 so there is clear opportunity to raise/lower.
4 MR. PETTINELLA: There was just one
5 other area that I noticed again in my review,
6 and that was this entire concept of a 24 hour
7 operation it's not setting a precedent within
8 the town. Any one of us that lives here close
9 to the area knows we have at least one 24 hour
10 convenience store. We have multiple 24 hour
11 banks. They provide access for cash. This
12 concept is more along the lines of the ATM than
13 it is to the convenience store. These are
14 going to be single consumers that come in at
15 various times in the morning, in the evening,
16 perhaps overnight hours. They'll go in,
17 they'll put their credit card into these state
18 of the art machines, they choose what they
19 want, then they walk it. It's similar to you
20 walking into an ATM and making a deposit and
21 taking cash. We're not really setting new
22 ground here. There's no precedent that I
23 believe and we believe that is going to be in
24 any way detrimental to the town. We have
25 multiple households in town where all the
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12

1 EASTCHESTER PLANNING BOARD - 1/24/19
2 adults within the household work. I'm sure you
3 experience this with your own families, as have
4 I, that time to do errands like shopping grows
5 increasingly scarce. So the potential for
6 someone to go out at any given time in the
7 evening or overnight and pick up dinner for the
8 next day, do their shopping, do a lot of
9 different things that they might do, I think is
10 a positive experience for us. We're not in any
11 way going to be obtrusive, we're not going to
12 do any harm to the town.
13 In addition to the armed -- excuse
14 me -- to the security -- not armed security --
15 there are 24 hour cameras that monitor each and
16 every facet of the facility upstairs and
17 downstairs and it's monitored.
18 With that, if there is anything else
19 that you might want to ask, I have everyone
20 here available. Otherwise, I think we've
21 hopefully addressed any one of the concerns
22 that you might have had.
23 THE CHAIRMAN: So the security, just
24 so people who might not have heard before, is
25 going to be for what hours?
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EASTCHESTER PLANNING BOARD - 1/24/19

MR. PETTINELLA: We're proposing 12 a.m. to 6 a.m.

THE CHAIRMAN: That's going to be a guard on premises within the confines of the store monitoring cameras and also --

MR. PETTINELLA: In addition to the cameras. The cameras are centralized to them. They monitor the existing locations that are currently operating in upstate New York, and this would be simply be in addition. It is monitored 24 hours a day.

THE CHAIRMAN: I see. So the cameras feed back to upstate New York and the gentleman on the site is on site?

MR. PETTINELLA: Josh, do they go to you or do they go to a security company?

MR. APPLESTONE: Both.

MR. PETTINELLA: They go to both.

MS. UHLE: So I think we all know this, but really at the last meeting I think there was just really one point that the board asked to be addressed. I think the applicant did a good job of explaining the 24 hour business model, I think everything was

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EASTCHESTER PLANNING BOARD - 1/24/19

addressed, except for board members at that point still felt somewhat uncomfortable with it being not the 24 hour aspect as much as the 24 hour aspect without any additional security measures. So at that point I do believe that the applicant had at that time already talked about the camera monitoring and recording and also the design of the building. I think

subsequent to that to address the concerns of the board in their letter of November 2nd, they came back with a proposal for the overnight security, and I believe it was also the first time we saw the issue with having a motion detector so it would be somewhat dim when somebody wasn't in there. So I really think this November 2nd letter is what responds to your concerns. I'm not sure if you have any additional questions about those.

MR. WEST: Did you guys explore the card reader access like the banks?

MR. PETTINELLA: Josh, you could come up.

MR. WEST: The card reader access.

MR. APPLESTONE: We don't think that's

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EASTCHESTER PLANNING BOARD - 1/24/19

secure enough. We would rather have someone there. We just think it's safer and it's easier and it's more foolproof. I love automation, but I also believe that the concerns of the town should be addressed appropriately, and it's just easier to nip that in the bud with a security guard.

MR. NEMECEK: If you could refresh my recollection on this; there is going to be at least one individual present during certain hours of the day I guess to do stock but also to --

MR. APPLESTONE: We have a customer service center that's open 11 - 6 every day, seven days a week. We have the security guard coming in I honestly think it's going to be 10 to 6 just to make sure we have a full shift for a security guard to make a living to have a full 40 hours a week. We proposed midnight to 6 because that's what I would think would be the concerned hours. After talking to the security company, we're going to wind up training this person to be an ambassador for us so people could still ask questions if there

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EASTCHESTER PLANNING BOARD - 1/24/19

are issues. So we'll be giving them most likely 10 to 6, but we asked for 12 to 6.

MR. NEMECEK: Okay. The customer service representatives, not the security/ambassador, what are their hours again?

MR. APPLESTONE: They're there --

MS. GARFEIN: I usually get in around 8 in the morning and I will go until about 6:30.

MR. APPLESTONE: She has to stock the machines. There's more than one person. Hilary is the manager of the store.

THE CHAIRMAN: So there are multiple people that are going to working in this store?

MR. APPLESTONE: Oh, yes, sure. The concept itself is new. I'm not surprised by the pushback. It's a new concept. It's very weird in a lot of ways. It's worked out very, very well upstate. We're tracking sales now on machines versus customer service, people needing to talk to a person, sometimes just an ease of sale to talk to someone for two minutes and then go to the machines and never talk to

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17

1 EASTCHESTER PLANNING BOARD - 1/24/19

2 them again. They're there just to ease

3 customers. We do special orders, of course,

4 like any other normal butcher shop, pick up

5 over the counter certain hours. Now that we

6 have an ambassador 24/7, who know, maybe we'll

7 be doing pick up all the time. All the years

8 we've been doing this, the machine sales have

9 increased and the counter sales have decreased.

10 We really do a lot of incentives for people to

11 talk to us over the counter. We really want

12 interaction, we want community interaction. It

13 just happens to be that they don't need to.

14 MR. NEMECEK: By the way, I did a

15 little independent research looking into

16 articles about the concept and your company. I

17 did note that one of aspirations is to open up

18 operations in the city. Just out of curiosity,

19 how is that going along?

20 MR. APPLESTONE: How's --

21 MR. NEMECEK: The city being New York

22 City.

23 MR. APPLESTONE: How's it going?

24 MR. NEMECEK: Yes.

25 MR. APPLESTONE: It's going great. As

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18

1 EASTCHESTER PLANNING BOARD - 1/24/19

2 a company, we stumbled on to something. We're

3 designing our own machines, our own app. It

4 cost millions of dollars and years to do.

5 We're three quarters of the way through with

6 that. I would like to be opening in Manhattan

7 with new machines that we would wind up putting

8 in in Scarsdale, we're just trying to get it

9 going.

10 MR. NEMECEK: Or Eastchester.

11 MR. APPLESTONE: Eastchester. I'm

12 sorry.

13 MR. NEMECEK: That's two strikes,

14 guys.

15 MR. APPLESTONE: Automation has taken

16 over a lot of stuff and it's take over jobs.

17 For us as a company, we're able to pay our

18 people more, we're able to give health

19 insurance, little things that I would never be

20 able to do being in the industry for so long.

21 I'm very proud of what we do. I know it's

22 different, but we're trying to make the softest

23 impact possible to just get it going to see if

24 it works.

25 THE CHAIRMAN: Standby. This is an

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19

1 EASTCHESTER PLANNING BOARD - 1/24/19

2 open public hearing, so we're going to see if

3 there are any comments from the public.

4 Comments from the public regarding

5 this application?

6 MR. NEMECEK: Application 18-03.

7 MS. UHLE: She's the applicant. We're

8 looking for the public.

9 MR. NEMECEK: Are you a resident of

10 the Town of Eastchester?

11 MS. UHLE: If there are no other

12 comments, then sure, yes.

13 THE CHAIRMAN: There is no one else,

14 so come on up if you want to comment. Just

15 state your name and --

16 MR. NEMECEK: State your name and

17 don't say Scarsdale.

18 THE CHAIRMAN: Right. And your

19 relation to this.

20 MS. GARFEIN: I'm sorry, I'm deaf in

21 one ear so it's hard for me to hear.

22 THE CHAIRMAN: He said don't say

23 Scarsdale.

24 MR. GARFEIN: Good evening. My name

25 is Hilary Garfein and I grew up in Lake Isle

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1 EASTCHESTER PLANNING BOARD - 1/24/19

2 and then lived on Garth Road when I married my

3 husband. In between, I lived in New York City

4 and I worked on Wall Street frequently working

5 16 hour days. It was at that time in my life

6 that I began to appreciate living in the city

7 that never sleeps. Out of necessity, I needed

8 to shop when many traditional businesses were

9 closed. I'm here to speak in favor of the

10 Applestone Meat Company and specifically in

11 favor of their 24 hour business model.

12 The last time this matter was before

13 the Planning Board, concerns were raised as to

14 the need for this store to be open 24 hours,

15 and someone said something to the effect of,

16 who needs to buy a steak at 3 a.m. I want to

17 address that issue because I was concerned that

18 the board was not taking into consideration the

19 many hard working Americans who don't have a

20 traditional 9 to 5 workday. These good people

21 who don't work the traditional 9 to 5 workday

22 make all our lives better, safer, and more

23 enjoyable. These people cross all

24 socioeconomic lines.

25 Let me tell you about our customers.

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<p style="text-align: right;">21</p> <p>1 EASTCHESTER PLANNING BOARD - 1/24/19</p> <p>2 These hard working people are our late evening</p> <p>3 and early morning customers, and they fall into</p> <p>4 the following categories and professions:</p> <p>5 Our public safety and first responder</p> <p>6 customers are made up of police officers and</p> <p>7 firefighters, paramedics, ambulance drivers,</p> <p>8 hospital employees, emergency room doctors,</p> <p>9 surgeons, nurses, pharmacists, and all the</p> <p>10 support staff.</p> <p>11 Our essential service customers are</p> <p>12 made up of gas and electric employees,</p> <p>13 telephone and water company employees, and</p> <p>14 their 24 hour response personnel.</p> <p>15 Our general business customers are</p> <p>16 made up of call center and customer service</p> <p>17 employees, office cleaners, highway</p> <p>18 construction workers, and financial industry</p> <p>19 workers straddling world market.</p> <p>20 Our entertainment industry customers</p> <p>21 include restaurant workers, chefs, servers,</p> <p>22 dish washers, bartenders, movie and theatre</p> <p>23 employees, performers, stage hands, and</p> <p>24 musicians, hospitality and hotel workers,</p> <p>25 television and radio engineers, personalities,</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">23</p> <p>1 EASTCHESTER PLANNING BOARD - 1/24/19</p> <p>2 probably meet one of our first responders</p> <p>3 shopping for dinner. You can shake their hand</p> <p>4 and thank them for their service, and then they</p> <p>5 can shake yours and thank you for approving a</p> <p>6 24 hour business model that makes their lives</p> <p>7 better. Thank you.</p> <p>8 THE CHAIRMAN: Thank you for those</p> <p>9 comments. She's a keeper.</p> <p>10 Seeing that there's no comments from</p> <p>11 the public, we're going to close the public</p> <p>12 hearing on this. So I make a motion to close</p> <p>13 the public hearing on Application 18-03,</p> <p>14 Applestone Meat Company.</p> <p>15 MR. NEMECEK: Second.</p> <p>16 THE CHAIRMAN: All in favor.</p> <p>17 (All aye.)</p> <p>18 THE CHAIRMAN: So I think we addressed</p> <p>19 everything.</p> <p>20 MR. NEMECEK: I think while Mr.</p> <p>21 Applestone is correct that there is, I think,</p> <p>22 some natural resistance to the concept as</p> <p>23 something of a foreign concept, I think the</p> <p>24 concession that you've given the town of</p> <p>25 Eastchester with respect to the presence of</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>
<p style="text-align: right;">22</p> <p>1 EASTCHESTER PLANNING BOARD - 1/24/19</p> <p>2 and support staff.</p> <p>3 Our transportation customers include</p> <p>4 train and subway conductors, bus drivers, cab</p> <p>5 drivers, airplane pilots, flight attendants,</p> <p>6 and air traffic controllers.</p> <p>7 Finally, our security customers</p> <p>8 include prison guards, state troopers, the</p> <p>9 coast guard, the national guard, and the US</p> <p>10 Military. These people deserve to shop when</p> <p>11 it's convenient for them and they do.</p> <p>12 I start my day at the Applestone Meat</p> <p>13 Company at 8 a.m., and one of my first</p> <p>14 responsibilities is to replenish the meat</p> <p>15 products sold overnight. On average, we sell</p> <p>16 between 35 and 50 pieces of meat each night and</p> <p>17 more on the weekends. The 24 hour business</p> <p>18 model work for everyone. It allows our</p> <p>19 customers to have access to some of the finest</p> <p>20 meats around. I hope to manage the Eastchester</p> <p>21 store and would be happy to serve you between</p> <p>22 11 a.m. and 6 p.m. when our customer service</p> <p>23 window is open for business. But I also</p> <p>24 challenge you to set your alarm clock to 3 a.m.</p> <p>25 and come by the store at that time. You'll</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">24</p> <p>1 EASTCHESTER PLANNING BOARD - 1/24/19</p> <p>2 security personnel there between the hours at</p> <p>3 least of midnight and 6, and making that a</p> <p>4 condition of the approval, allays the concerns</p> <p>5 that I have concerning security. I can speak</p> <p>6 for myself. I believe the Police Department</p> <p>7 also looked into the issue and came to that</p> <p>8 conclusion as well.</p> <p>9 MS. UHLE: That's correct.</p> <p>10 THE CHAIRMAN: Thank you for your</p> <p>11 attention to that.</p> <p>12 That being said, I'm ready to make a</p> <p>13 motion to approve this application subject to</p> <p>14 the security which we discussed.</p> <p>15 MS. UHLE: I think the conditions</p> <p>16 would be all of the security measures as</p> <p>17 indicated in the letter dated November 2nd,</p> <p>18 including the security guard.</p> <p>19 THE CHAIRMAN: So subject to that, I</p> <p>20 make a motion to approve this application,</p> <p>21 18-03, Applestone Meat Company.</p> <p>22 MR. NEMECEK: Second.</p> <p>23 THE CHAIRMAN: All in favor.</p> <p>24 (All aye.)</p> <p>25 THE CHAIRMAN: Welcome to Eastchester.</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>

EASTCHESTER PLANNING BOARD - 1/24/19

(Applause from the audience.)

THE CHAIRMAN: The next application is 16-14, Gas Mart.

MR. TUDISCO: Excuse me. Could you please take it outside, we have another application.

MR. VILLANI: Good evening. My name is Jonathan Villani with Annunziata Villani Design Consultants representing 600 White Plains Road Gas Mart. We've been to the Planning Board on several occasions, and I really think we got it this time.

We had several meetings with Joseph and Margaret and pretty much ironed out all the particulars with the site improvements. I know Joseph Cermele issued a final comment sheet. I think the only aspect of it that needs to be discussed is the proposed lighting and the scheduling of the lighting, number 4, and then there are some conditions that Margaret has issued prior to issuing of a permit. Correct me if I'm wrong, Margaret, that seems to be the only thing that seems to be something under discussion?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

MS. UHLE: Yes. I did explain this in meeting notes to Planning Board members, if you recall, prior to this application going to the Zoning Board for a use variance, the Planning Board spent quite a few meetings with the applicant talking about traffic and parking and on site circulation issues. There was a lot of focus on those issues. The physical layout was essentially established before it went to the Zoning Board. Then when it came back to you, the board basically said, okay, we're happy with the layout, but we need to see more detail with regard to some of the proposed fencing, the proposed retaining wall at the back, landscaping, that type of thing.

At that point, you also talked about the potential of having the applicant address storm water on the site. Even though that was not a zoning requirement, it was something you felt was important for the applicant to address to an extent. So Joe Cermele, our engineering consultant, and I and the highway superintendent actually worked quite a bit with the applicant just to go over all those

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

additional details that you had requested. So in my meeting notes, I kind of summarized all of the things that were done, and I think other than a few outstanding issues, kind of loose ends that need to be resolved, that the applicant has been very responsive to all of these things.

I had sent you potential conditions of approval, and it looks like there's quite a few of those, but most of those are things that just remind the applicant and the town that the applicant has to coordinate with the New York State DOT or coordinate with the town highway department. There's that slope at the back of the property, if you look at that, actually there's been a lot of debris and disturbance to that slope and there's a lot of overgrowth, so we had asked that the applicant prepare a landscape plan that addresses how they're going to clean it up, regrade it, stabilize it, plant it. So those are kind of the typical types of conditions that you would see normally. Otherwise, I think in terms of the trash enclosure, the fencing, the guardrail, all of

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

that kind of thing has been pretty thoroughly addressed on your plan.

MR. NEMECEK: The snow removal area.

MS. UHLE: Snow removal. We tried to be very thorough.

THE CHAIRMAN: Just in general, the comments that are here have been addressed?

MS. UHLE: All the bullets here. That was a summary of everything that the applicant did in order to respond to your concerns from previous meetings or our engineer's concerns or my personal concerns.

THE CHAIRMAN: The most recent memo from Mr. Cermele dated January 22nd are his final comments, but I haven't had a chance to review them. They're all sort of minor?

MS. UHLE: Yes, they're minor, and they're also already reflected in the draft conditions of approval that I've given to you. Some of them have already occurred. For example, he talked about meeting with town staff to review landscape issues, that's already done.

THE CHAIRMAN: That's already

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

transpired. So as you said, the only thing that remains is what's in here as conditions before approval.

MS. UHLE: And those are all things that have already been forwarded to the applicant or the applicant's architect. I think the only outstanding thing is earlier on you had discussed hours of operation. What are your current hours of operation?

APPLICANT: 6 p.m. to 12.

MS. UHLE: 6 to 12. I guess that's what the current hours are. The Chester Heights was limited to 6 to 11. That's up to you.

THE CHAIRMAN: I prefer 6 to 11. Is it really 12? Because I've been there and it's really not open at 12. I would rather 11 because I've been there and it's desolate there and there's nobody around.

MR. NEMECEK: He's on his way to buy his meat in the middle of the night.

THE CHAIRMAN: I will.

MS. UHLE: I think with Chester Heights, and it might be similar with this

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

particular service station because it is in a residential area, there is concern, especially with the convenience store of traffic coming and going and people hanging out at the convenience store, et cetera, beyond 11:00. Again, that's up to you, but it is kind of in a residential area.

THE CHAIRMAN: I'll tell you the truth, I get my gas there. It's the cheapest around. I purchase my gas there, it's the cheapest around, but it's definitely rundown. What's been proposed here is a huge improvement, and we certainly look forward to it. I appreciate what you're doing for the community because it's going to be much more presentable. I would rather the hours just be such that it's more conducive to the residential area.

MR. NEMECEK: I don't think it's a hardship to close at 11 instead of 12. I do also appreciate the fact that we've been through this application in fairly exhaustive detail. This is a 2016 application. We're now in 2019. I know that Margaret has noted in her

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EASTCHESTER PLANNING BOARD - 1/24/19

notes to us, and she underlined that based on prior Planning Board comments and a number -- she underlined, number -- of meetings with town staff and the town's engineering consultant. So I understand we've put you through a lot to get here, and I know you understand that we do so to protect the interest of the residents of our great Town of Eastchester.

One of the concerns that has been voiced at a few of the meetings that we've had on this application is concerns of nearby residents, and it is in a residential area. So I would certainly be very much in favor of limiting the hours between 6 a.m. and 11 p.m.

MR. VILLANI: Okay.

THE CHAIRMAN: That was easy. Thank you.

MR. VILLANI: We do understand it's a unique site and unique circumstances.

THE CHAIRMAN: Thank you. Is this still open?

MS. UHLE: Yes.

THE CHAIRMAN: Good. So let me see if there's anyone here to comment on this. Any

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EASTCHESTER PLANNING BOARD - 1/24/19

comments from the public on this application, Gas Mart, 600 White Plains Road?

(No comments.)

THE CHAIRMAN: So then I make a motion to close this application, 16-14, Gas Mart.

MR. NEMECEK: Close the public hearing.

THE CHAIRMAN: Close the public hearing.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Unless there's any other comments, but I think we've certainly made enough comments, so I'll make a motion to approve this application.

MR. NEMECEK: Do we need a resuscitation of the conditions?

THE CHAIRMAN: No.

MS. UHLE: It's subject to all the conditions. These were forwarded to the applicant and the applicant's architect, so he's aware of it. If you would like me to, I can go over them quickly; otherwise, they're

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1 EASTCHESTER PLANNING BOARD - 1/24/19
2 part of the record.

3 THE CHAIRMAN: They're on the record,
4 so subject to those conditions.

5 MS. UHLE: Including the condition of
6 the hours of operation.

7 THE CHAIRMAN: And the hours of
8 operation from 6 a.m. to 11 p.m.

9 MS. UHLE: That's good.

10 THE CHAIRMAN: Based on those
11 conditions, I make a motion to approve this
12 application, 600 White Plains Road.

13 MR. NEMECEK: Second.

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

16 THE CHAIRMAN: Great. Welcome to
17 Eastchester.

18 MR. NEMECEK: Make it happen.

19 THE CHAIRMAN: Next application,
20 18-46, 11 Mill Road.

21 MR. FAUSTINI: Good evening. My name
22 is Nick Faustini, I'm an architect. I'm here
23 on behalf of Claire Mill Capital. They're the
24 owners of the building at 11 Mill Road. We
25 actually presented this application last fall.

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1 EASTCHESTER PLANNING BOARD - 1/24/19
2 At that time, we were proposing a rear yard
3 addition to the building. That addition was to
4 include a basement stair or access providing a
5 stair access to the basement, as well as a
6 refuse room or trash room.

7 Since then, the project has been value
8 engineered so that addition is no longer
9 planned. So we're back here tonight with some
10 minor revisions to the site. We do have an
11 existing basement access at the rear of the
12 property. It will stay. We are proposing the
13 trash to be stored on the exterior and
14 surrounded by privacy fencing. At that time,
15 the addition at the rear also was going to
16 support the HVAC units on the roof, but now
17 that addition is no longer part of the project,
18 so we proposed a mechanic platform to support
19 the HVAC units. Those are essentially the
20 changes to the site.

21 In terms of changes to the use, we
22 were originally proposing a rear lobby that
23 provided a hallway to the front stair. Now the
24 first floor level is going to be entirely
25 retail, so there is no longer a rear lobby, but

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1 EASTCHESTER PLANNING BOARD - 1/24/19
2 there is an accessible ramp to the retail
3 store. We also had two retail stores at that
4 time, now it is one store. The prospective
5 tenants have expressed interest in a larger
6 space and the spaces that we had originally
7 planned were two small. So now it's just going
8 to be one retail space, and it will be
9 accessible.

10 I can run you through the plans, if
11 you would like.

12 THE CHAIRMAN: Could you just point
13 out where the ramp is going to be.

14 MR. FAUSTINI: The ramp on the
15 original application was also in the same
16 location. It actually used to face Parsons.
17 Now we've just reversed it. Mirror image. Now
18 it faces the parking area. This is the ramp
19 here. It only addresses an 8 inch rise in
20 elevation, so it's only 8 feet long. The
21 mechanical platform is in this general area
22 here. There is a basement stair that will
23 remain, and the mechanical platform is being
24 built over the stair.

25 I'll just flip to the exterior

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1 EASTCHESTER PLANNING BOARD - 1/24/19
2 elevations. So looking at the rear of the
3 building, you can't see it, but there is an
4 angle line here, that's the basement stair that
5 currently exists today. This is the mechanical
6 platform that will be built over that basement
7 stair, and the refuse area will be behind this
8 fence in here. There are two HVAC units behind
9 this are for the retail component. They're a
10 larger unit, so they need more space and they
11 don't fit on the mechanic platform.

12 MR. WEST: So you said the ramp is
13 accessible from within the parking lot as
14 opposed to from the sidewalk?

15 MR. FAUSTINI: Yes.

16 MR. WEST: And that meets all safety
17 and --

18 MS. UHLE: Yes.

19 MR. FAUSTINI: Yes. This is the ramp
20 here. It's only an 8 inch step, but it
21 provides the access from the parking area.

22 THE CHAIRMAN: So the mechanical
23 equipment are on the top of that platform?

24 MR. FAUSTINI: Yes. This dash line
25 here, which represents each unit, they're

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EASTCHESTER PLANNING BOARD - 1/24/19

1 behind this slat fencing.

2 THE CHAIRMAN: They don't extend
3 beyond their screen beyond that fencing? They
4 don't project above that fence area, they're
5 all low enough such that they're --

6 MR. FAUSTINI: They're basically at
7 the same height. I'm just showing them a
8 little bit higher just so you could get a sense
9 of where they are.

10 I provided a handout which shows the
11 type of fencing we're proposing. It's black
12 slat fencing around the units, and this will be
13 solid privacy fencing around the refuse area.

14 THE CHAIRMAN: That's the same
15 equipment that would have been on the roof of
16 the addition that was proposed?

17 MR. FAUSTINI: Yes, it was originally
18 planned to be on the addition.

19 MR. NEMECEK: What's the reason behind
20 changing the plan; was it a cost thing; is it
21 because the retail tenancy changed; was it some
22 combination of that?

23 MR. FAUSTINI: It was a combination.
24 It was cost as well as the retail tenants were

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EASTCHESTER PLANNING BOARD - 1/24/19

1 looking for a larger space, and we were carving
2 a significant part out of the retail as a
3 common space, as a hallway. So we had to
4 revisit the plan, and at that point we decided
5 to just remove it.

6 THE CHAIRMAN: So you said now the
7 ground floor is all retail; correct?

8 MR. FAUSTINI: Yes.

9 MR. NEMECEK: Single retail.

10 MR. FAUSTINI: Single retail.

11 THE CHAIRMAN: Before it was
12 residential; is that right?

13 MR. FAUSTINI: It was two retail
14 tenants, and there was a common hallway which
15 extended from the rear of the building to the
16 front of the building. I'll just flip to it.
17 We originally had a rear lobby and there was a
18 hallway that connected it to the front stair
19 and that created two separate retail spaces,
20 but one of the spaces became too small and less
21 desirable for most prospective tenants. Most
22 expressed interest in the entire space. So
23 that's why we have since removed the rear lobby
24 as well as the hallway.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 THE CHAIRMAN: Great.

2 MR. NEMECEK: I will say that you've
3 done a spectacular job refurbishing that
4 building, which I, as a long time resident, I
5 live right over here in the Huntley Estates
6 area, and I pass Mill Road on my way to the
7 train station every day, and I always
8 recognized it was a really beautiful building
9 and always hoped that something could be done
10 to accentuate that. I'm very happy with the
11 work that's gone into that. It really pops.

12 MR. FAUSTINI: Thank you.

13 THE CHAIRMAN: So can you divulge who
14 the retail tenant is?

15 MR. FAUSTINI: We don't have one yet.
16 It's a vanilla box layout right now.

17 THE CHAIRMAN: This is still an
18 open --

19 MS. UHLE: It is not a public hearing.

20 THE CHAIRMAN: Because we closed it;
21 right?

22 MS. UHLE: Well, it's actually a
23 completely separate application at this point.
24 It's a new application to amend the original

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EASTCHESTER PLANNING BOARD - 1/24/19

1 approval, but it's not even so much as an
2 amendment as it is kind of a different
3 scenario.

4 However, that being said, because when
5 they were proposing the 149 square foot one
6 story addition, that was noticed as a public
7 hearing before the ARB and the Planning Board,
8 no one came out to comment on either of those
9 applications. Because this is such a modest
10 thing that they're doing now, I actually
11 indicated that they did not need to notice a
12 public hearing for this, but under those
13 circumstances the Planning Board needs to just
14 by resolution say that a public hearing is not
15 required under these circumstance. If you vote
16 to approve it, as part of that vote you could
17 also indicate that a public hearing was not
18 required.

19 THE CHAIRMAN: So I think we're done
20 then. So I'll make that resolution and then
21 we'll approve this. So I make a resolution
22 to --

23 MR. NEMECEK: A motion to resolve.

24 THE CHAIRMAN: Make a motion to make a
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41

1 EASTCHESTER PLANNING BOARD - 1/24/19
 2 resolution --
 3 MR. NEMECEK: A motion to resolve.
 4 THE CHAIRMAN: A motion to resolve
 5 that a public hearing will not be required for
 6 this application, 18-46, 11 Mill.
 7 MR. NEMECEK: Second.
 8 THE CHAIRMAN: All in favor.
 9 (All aye.)
 10 THE CHAIRMAN: Then I make a motion to
 11 approve this application, same number, 18-46,
 12 11 Mill.
 13 MR. NEMECEK: As amended.
 14 THE CHAIRMAN: As amended. All in
 15 favor.
 16 MR. NEMECEK: Second.
 17 THE CHAIRMAN: Second. All in favor.
 18 (All aye.)
 19 THE CHAIRMAN: Thank you. Good job.
 20 Next Application 18-49, 151 Overhill.
 21 MR. MAIORANO: Good evening, board
 22 members. My name is Adamo Maiorano on behalf
 23 of the architect, John Iannacito. He
 24 apologizes he wasn't able to make it today, so
 25 I'm filling in.

DINA M. MORGAN, REPORTER

42

1 EASTCHESTER PLANNING BOARD - 1/24/19
 2 THE CHAIRMAN: You're filling in for
 3 John?
 4 MR. NEMECEK: You're filling in for
 5 Iannacito?
 6 MR. MAIORANO: Yes.
 7 MR. NEMECEK: Collusion. I call it
 8 collusion.
 9 THE CHAIRMAN: Big shoes to fill, but
 10 I think you could do it.
 11 MR. MAIORANO: To explain the project,
 12 the Forgione residence is located at 151
 13 Overhill Road. It is currently situated in
 14 an R-10 zoning district. The existing
 15 residence as it sits today is a one and a half
 16 story ranch style home, and the proposed
 17 additions with consist of mainly a one story
 18 addition over a majority of the footprint of
 19 the dwelling, as well as a two story right side
 20 front addition to extend the garage out, and a
 21 one story addition in the rear of the dwelling.
 22 They'll just be some minor site
 23 improvements and alterations. The existing AC
 24 units on the right-hand side will be replaced.
 25 There is an existing patio in the rear that

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43

1 EASTCHESTER PLANNING BOARD - 1/24/19
 2 will be removed and there will be a new patio
 3 in it's place. The existing driveway will have
 4 some minor alterations to accommodate for the
 5 new garage addition, as well the new front
 6 stairs leading into the front door, which also
 7 there is a proposed new front covered porch
 8 connecting the right side addition and the left
 9 side of the dwelling. Lastly, the existing
 10 rear areaway going down to the basement will be
 11 removed, and he is proposing it on the
 12 left-hand side, which is here.
 13 So here in the middle is the existing
 14 elevation of the house and the proposed is up
 15 top. So mainly that's the one story addition
 16 over the dwelling. The elevations will receive
 17 new HardiePlank siding throughout, the roof
 18 will be asphalt shingle roof, it's a charcoal
 19 color. The house will receive all new windows,
 20 Andersen 400 series windows. All of the trim
 21 and everything is of a white AZEK. The
 22 proposed front covered porch will have AZEK
 23 columns in the middle and a composite railing,
 24 which is a white finish, above it. The house
 25 is clad with existing brick. It will be

DINA M. MORGAN, REPORTER

44

1 EASTCHESTER PLANNING BOARD - 1/24/19
 2 removed but not entirely. What he's doing is
 3 creating a water table underneath the sill of
 4 the windows to wrap around the residence. The
 5 stone that is on the left-hand side will
 6 actually all be removed, and then the brick
 7 will continue along that front side, and that
 8 brick will be painted white to match the
 9 siding. As far as the other stuff, the
 10 shutters are black composite shutters,
 11 fiberglass garage door, fiberglass front door,
 12 and the accent roof over the garage is a
 13 standing seam copper roof.
 14 This is basically a rendering showing
 15 what the proposed front elevation would look
 16 like.
 17 THE CHAIRMAN: I was going to
 18 compliment you on the rendering but --
 19 MR. MAIORANO: What's that?
 20 THE CHAIRMAN: I was going to
 21 compliment you on the rendering.
 22 MR. MAIORANO: Oh, thank you.
 23 THE CHAIRMAN: It looks very nice.
 24 MR. NEMECEK: Where's the brick? You
 25 said there's painted white brick.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

MR. MAIORANO: It's right along here.

MR. NEMECEK: It looks like it's just a small band on the bottom.

MR. MAIORANO: Exactly. It's basically like a water table underneath the sill that will wrap around the house. If you look in the pictures, it's very hard to match that brick. As you're going up, it's going to be a wacky condition where it's one story and the rest is siding, so it was a good idea to bring it down.

THE CHAIRMAN: It's white Hardie Board?

MR. MAIORANO: White HardiePlank siding, yes.

THE CHAIRMAN: It's very nice. Okay. Questions, guys?

MR. MAIORANO: In reference to the Architectural Review Board, it did receive approval with no further comments.

MR. NEMECEK: Who presented it?

MR. MAIORANO: I didn't present that one, John did.

MR. NEMECEK: Since we have a

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EASTCHESTER PLANNING BOARD - 1/24/19

substantial viewing audience at home and they would not forgive us if we didn't ask this question and sort of how stoke to this rivalry, how would you make this better if you were to designing it instead of Iannacito?

MR. MAIORANO: That's a very tough question. My honest opinion --

MR. NEMECEK: It's a tough one.

MR. MAIORANO: I mean, just looking at it, the existing residence is out of context. In that area, mainly they're really predominant houses much bigger than what's existing today, and I think his proposed house does fit the context of the site, and mainly it does actually fit the context of the neighborhood too very well.

MR. NEMECEK: So you would have done something like this; right?

MR. MAIORANO: Yes.

THE CHAIRMAN: Well played. You would have done the same thing.

MR. NEMECEK: More or less.

THE CHAIRMAN: Then I make a motion to open the public hearing on this application,

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EASTCHESTER PLANNING BOARD - 1/24/19

18-49, 151 Overhill.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor. (All aye.)

THE CHAIRMAN: Comments? No. Close Application 18-49, 151 Overhill Road.

MR. NEMECEK: Public hearing on the application.

THE CHAIRMAN: I keep doing that. The public hearing on 151 Overhill Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor. (All aye.)

THE CHAIRMAN: I was going to ask for samples of the white Hardie Board but there's really nothing to look at.

MR. MAIORANO: They're here.

THE CHAIRMAN: I've never seen white. It looks really nice. The trim is the AZEK? It's white trim on white --

MR. WEST: John always does nice pictures. Do you do nice color pictures when you do stuff?

MR. NEMECEK: Is John going to have to

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EASTCHESTER PLANNING BOARD - 1/24/19

pay you back by handling one of your matters at some point? Okay. Don't worry, I'll ask him the same question I asked you.

THE CHAIRMAN: Thank you. So I make a motion it approve this application, 18-49, 151 Overhill.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor. (All aye.)

MR. MAIORANO: Thank you.

THE CHAIRMAN: Thank you.

MR. NEMECEK: You could tell John we don't bite, he can come back.

THE CHAIRMAN: The next application is 18-38, 5 Lieb Place.

MR. NAKOS: Good evening, members of the board. My name is Niko Nakos. I'm the architect for Quibus, and we are doing a small renovation modification to 5 Lieb Place in Eastchester, not Scarsdale. Just want to make sure.

Our renovation consists of a small addition of a shed dormer over the existing pitched roof of the garage, we are also

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EASTCHESTER PLANNING BOARD - 1/24/19

1 replacing the damaged slate with a new slate
2 roof, the peeling siding with new cedar siding,
3 and the trim with AZEK trim, a composite
4 material.

5 The ARB had expressed two concerns at
6 our last hearing:

7 One, we had a metal flue pipe for a
8 glass fireplace that was kind of sticking out.
9 We had a metal flue pipe sticking out in this
10 region over here. We've boxed that in and
11 matched the brick work to the existing brick
12 fireplace, which we'll be extending. The
13 second concern from them I believe was the
14 indication of where the air handlers are going.
15 There's no current air handler on the premises,
16 there's no AC. We are adding air conditioning
17 units, and the air handlers will be going in
18 the back of the building where the new office
19 area is. You can see this area indicates the
20 addition of the dormer. We're going to match
21 some of the stone work that's existing on the
22 garage currently on the other side so there's a
23 balance, and we're looking to replace the
24 existing front portico with a new front portico

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 because it's falling off of the home. There's
2 no change in footprint to the home at all, and
3 no impact to the site aside from the mechanical
4 pad in the back of the house.

5 THE CHAIRMAN: It's pretty
6 straightforward.

7 MR. NAKOS: We try. It's a really
8 lovely home. We're just updating the finishes
9 on it. It's been a few years. It's probably
10 one of the larger homes in that neighborhood if
11 you look at some of the comparison pictures.
12 We really love the broken roof lines, how
13 everything is kind of scaled down. The
14 intention was definitely not to make a two
15 story box with a triangle on top of it.

16 THE CHAIRMAN: The texture of the
17 dormers sort of --

18 MR. NAKOS: It kind of gives you a
19 little relief from the soffit line of just that
20 ridge.

21 THE CHAIRMAN: Right. That's what we
22 like to see. So let's do the public hearing.

23 MR. NEMECEK: Someone is going to be
24 very happy to get air conditioning too.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 MR. NAKOS: Yes.

2 THE CHAIRMAN: So I make a motion to
3 open the public hearing on Application 18-38, 5
4 Lieb Place.

5 MR. NEMECEK: Second.

6 THE CHAIRMAN: All in favor.
7 (All aye.)

8 (No comments.)

9 THE CHAIRMAN: Close the public
10 hearing on the same application, 18-38, 5 Lieb.

11 MR. NEMECEK: Second.

12 THE CHAIRMAN: All in favor.
13 (All aye.)

14 THE CHAIRMAN: Pretty straightforward.
15 Thank you. Very nice job.

16 Make the motion to approve the
17 application, 18-38, 5 Lieb Place.

18 MR. NEMECEK: Second.

19 THE CHAIRMAN: All in favor.
20 (All aye.)

21 THE CHAIRMAN: What's going on there?

22 MS. UHLE: I'm paying him. He
23 accidentally overpaid by \$20 an application
24 fee, and I promised that I would remember to

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EASTCHESTER PLANNING BOARD - 1/24/19

1 bring it tonight, and I forgot until I saw him.

2 MR. NEMECEK: So for the record, it
3 looks like Margaret lost the bet.

4 MR. NAKOS: Have a good evening.

5 THE CHAIRMAN: Thank you. You too.
6 The next application is 18-47, 69 Lake Shore.

7 MR. HAYNES: Good evening, members of
8 the board. My name is Tom Haynes from Haynes
9 Architecture. I'm presenting tonight an
10 application for 69 Lake Shore Drive, where we
11 are proposing additions to the left side of the
12 existing house, the front center of the
13 existing house, and to the right side. On the
14 left side you'll see that we are proposing a
15 two story addition. It's bedroom alterations
16 on the second floor, and below that at grade
17 level would be a garage. The owner has a need
18 for adding an additional garage to the
19 property. At the front center, we are
20 extending the foyer, pulling the foyer out and
21 covering a platform with a portico and
22 proposing new stairs, and to the right-hand
23 side we have a one story addition which we are
24 proposing a family room. Interior alterations

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

will also be done throughout.

When we presented at the Architectural Review Board, they had a few comments for us, which we completely understood. We actually agreed with the comments and we've made the changes. Off the top of my head, one of them was widening the front door, minimizing the size of the side lights to sort of play with the scale of that entrance where it made a little bit more sense. Prior the door was a 36 inch door, it looked a little narrow, so we took that into consideration and agreed. They had suggested that we add simulated divided lights to the side lights themselves and to the transom above the entrance door. They requested that we add simulated divided lights to the windows in the garage doors. The fixed decorative window on top of the center gable there, they had requested that we raise that 12 inches. That was all of the comments, I believe. So, as I mentioned, we did take that into consideration, we did think they were good suggestions, and we did make those changes.

So for tonight what I have in front of

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

you is, the top elevation is the proposed -- well, actually, the ARB approved front elevation. I have a small request tonight if we could consider this. I spoke with Margaret last week or a week and a half ago about something that came up unexpected from my client. When we obtained the ARB approval, shortly thereafter the client actually requested to make a minor change to the project, which involved the exterior. So I wasn't sure how that was going to be handled, and seeing that the process is to go for an ARB approval first and then to the Planning Board, Margaret suggested that maybe I could bring in an elevation of what his request is and see if it's something that maybe could be considered tonight. I don't think it's a drastic change, but I could go over that with you very quickly.

At the front elevation at the front right side where the family room is, we raised the roof up slightly higher. I think that it's actually more proportioned and actually does work better, in my opinion, and we also are carrying the transoms above the double window

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

in the front there where it was missing on the first go about.

As we go to the right-hand side elevation, you can see -- which is the third sheet, I think, on the pass out -- on the top left and right elevations, that's showing the right side, so the one on the left shows how our family room was just a one story piece, and the request of the homeowner was to actually add a dinette that would tuck almost in the back right corner of the house in that void that's there. So just to simplify this, we carried the gable up and over full from left to right, and we'll have a covered patio on the exterior side and underneath that gable will house the dinette. I included a floor plan in there as well so you can see. At the very corner, we'll have a column that would be similar in language to the front columns at the portico.

MS. UHLE: Tom, do you have another set you could give to Mr. King and for our records as well of everything you gave to us up here? Thank you.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

MR. HAYNES: Lastly, the homeowner had also made a request for -- he's considering bricking the left side and the right side as well as the front to carry that brick around. Currently, the proposal is to have cement stucco finish on the left side, the rear, and the right side. So he did ask if we could bring that up here as well, and again, just make that proposal. Hopefully, we could get a favorable approval and something that might be a conditional approval tonight.

In that packet as well, I do have a 3-D model that was renovated as well to get a better idea of the roof lines that we're requesting tonight. That 3-D model would vary from the one that was submitted originally as part of the Planning Board's submission.

THE CHAIRMAN: It seems like everything is here. It's very handsome. Where is this?

MR. HAYNES: Again, the brick would be the same brick.

THE CHAIRMAN: I understand.

MR. HAYNES: I have a sample. It's

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

similar. The cement stucco colors, which I have here, is similar to this color here, and the other trim would be white AZEK. Again, the brick would be similar, here the window colors are going to be similar, and the trim colors are going to be similar as well. The trim is going to match the stucco.

THE CHAIRMAN: In my opinion, the changes actually enhance it, especially the front elevation. It seems like it should have lined up any way. I like that. The side elevations are the side elevations. So I have no objections to that.

MR. WEST: Looks fine.

THE CHAIRMAN: Are you guys okay with that?

MR. NEMECEK: Yes, I am. I do want to caution that I think for the reasons you expressed, I know I'm not all too happy about approving things that have not gone through the ARB. I think, you know, looking at the sensible changes, I'm not going to hold things up on account of that, but, certainly, we have that process in place for a reason. I happen

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

to know the ARB works very hard to try to get things just right, and, certainly, I don't want to be seen as endorsing an end around, that you put in something that you think might look like something we would like but you get to change it. I understand it's not something that we ordinarily deal with. I believe we certainly have the power to approve of something even if the ARB vehemently objects to it.

MS. UHLE: There are times when applicants go to the ARB and then they want to make significant changes, and we just tell them they have to go back to the ARB. In this case, I would say 99.5 percent is the same, and the changes that were proposed are very much in line with what was approved. They're almost to the extent that they're almost field changes that even the Building Inspector and I would have potentially been able to make. Since the applicant already indicated that that's the way they were going, I thought it was better for them to show you under any circumstances. Just to be clear, if they're more extensive, then they're just back --

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

MR. NEMECEK: I actually think the rear elevation changes are more substantial from the front, but since they are in the rear, it's --

MS. UHLE: It's the front that's the threshold that brings it to the ARB in the first place.

MR. NEMECEK: I just wanted to go on record, I understand that -- I'm not insinuating that was the intent here, but because we have to face applicants on a monthly basis, I don't want somebody to say, hey, Haynes Architecture came in here, they got a break, how about me.

MR. HAYNES: Our intent was just to be completely transparent. Our biggest fear was -- particularly with a client that is somewhat changing their mind a little bit too much, in my opinion -- he is actually a long time client, so I could say that -- our fear was that if they made these changes, number 1, in the field, we wouldn't want that to happen, and part of why it was so important if we could get the approval on particularly the dinette is

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

because obviously when they excavate for the foundation they want to do it all at once. If we lost a month or two months moving forward, that's why the request came in this evening.

THE CHAIRMAN: It's better that you come to us before you do it.

MR. HAYNES: Exactly. I wouldn't want that. Margaret, knows I would be fully transparent.

MS. UHLE: If it were more extensive than this, and it has happened before, we wouldn't have allowed it to proceed here, or if we allowed something to proceed and you thought it's too much of a change, you always have the authority to send it back to the ARB, but this seemed modest enough and appropriate enough.

THE CHAIRMAN: I think we're all agreed on that. Let's see if there are any comments from the public. I highly doubt it. I make a motion to open the public hearing on Application 18-47, 69 Lake Shore.

MR. NEMECEK: Second.
(All in favor.)
(All aye.)

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 THE CHAIRMAN: Close the public
2 hearing on Application 18-47, 69 Lake Shore.
3 MR. NEMECEK: Second.
4 THE CHAIRMAN: All in favor.
5 (All aye.)
6 THE CHAIRMAN: I think it's very
7 handsome. Unless there's any other comments,
8 there's no conditions, right, so we're good to
9 go.
10 So I make a motion to approve this
11 application, 18-47, 69 Lake Shore Drive.
12 MR. NEMECEK: Second.
13 THE CHAIRMAN: All in favor.
14 (All aye.)
15 THE CHAIRMAN: Great. Thank you.
16 MR. HAYNES: Thank you for considering
17 it. I really appreciate it.
18 THE CHAIRMAN: We're reasonable guys.
19 I think you're staying for the next one; is
20 that right?
21 MR. HAYNES: Yes.
22 THE CHAIRMAN: So the next application
23 is 18-48, 103 Clarence.
24 MR. NEMECEK: We went easy on the Lake

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 Shore Drive. This one we'll shred you.
2 MR. HAYNES: Again, for the record,
3 good evening, members of the board. My name is
4 Tom Haynes from Haynes Architecture presenting
5 an application this evening for 103 Clarence.
6 The existing dwelling is a cape cod style house
7 that we are proposing a full second story
8 addition on. The front and rear will be
9 cantilever minimally to achieve a little bit
10 more usable space on the inside, and the
11 proposed changes are essentially to achieve a
12 center hall colonial look to the existing
13 house.
14 As you could see in the rendering on
15 the board, we are changing all of the siding.
16 We're adding thin stone veneer to the bottom
17 base. I do have a sample that I could show you
18 if you request. Timberline architectural
19 series shingles. The front portion of house
20 we're going to go with a vinyl siding that has
21 a cedar shake look to it, and along the sides
22 and rear it's just going to be a regular vinyl
23 siding. It's going to be a gray tones, which I
24 think plays nicely off the tones within the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 stone itself, and all of the windows will be
2 replaced as well to a 400 series Andersen.
3 MS. UHLE: Could I just say something
4 very quickly? I just noticed my meeting notes
5 with regard to the ARB that I have under 103
6 Clarence actually apply to 69 Lake Shore Drive.
7 I believe the ARB comments on this were very
8 minimal, only about the columns.
9 MR. HAYNES: Correct, yes.
10 MS. UHLE: Disregard my notes there.
11 I apologize for that.
12 MR. HAYNES: So the ARB had made one
13 comment, which was to change the column width
14 from a 10 inch by 10 inch column on the portico
15 to an 8 inch by 8 inch, and we agreed to do
16 that change.
17 MS. UHLE: On this particular house,
18 that was the only comment was with regard to
19 the columns.
20 THE CHAIRMAN: I think it was a good
21 comment. So they are square?
22 MR. HAYNES: They are.
23 THE CHAIRMAN: What's the color of the
24 siding?
25

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

1 MR. HAYNES: The siding is going to be
2 a gray.
3 THE CHAIRMAN: Okay.
4 MR. HAYNES: This is the color of the
5 roof, a charcoal color, and the siding is going
6 to be this color.
7 THE CHAIRMAN: It's definitely gray.
8 What's the --
9 MR. HAYNES: The trim?
10 THE CHAIRMAN: No. The siding is
11 simulating shakes?
12 MR. HAYNES: Yes. So in the front
13 it's going to be a simulated shake across the
14 front to dress it up a little more, and on the
15 side it will be horizontal siding.
16 THE CHAIRMAN: What's the depth of the
17 shake?
18 MR. HAYNES: I think it's going to be
19 a 6 inch.
20 THE CHAIRMAN: 6 inch. Okay. Let's
21 just quickly go through the public hearing. I
22 make a motion to open this public hearing on
23 this application, 18-48, 103 Clarence.
24 MR. NEMECEK: Second.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Close the public

hearing on the same application, 18-48, 103
Clarence.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Just like the last one,
it's pretty simple. Well done.

Straightforward. Gave it to us straight.

MR. WEST: I think the other architect
right before was better.

MR. HAYNES: I'm sorry, I couldn't
hear you.

THE CHAIRMAN: He felt the application
before was presented better. That's because
we're running out of steam here, all of us.

I make a motion to approve this
application, 18-48, 103 Clarence.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you very much.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19

Have a nice evening.

I think we're done; right?

MR. WEST: Can't do any minutes.

MS. UHLE: Can't do the minutes, no.

THE CHAIRMAN: So let's wrap it up. I
make a motion to close the Town of Eastchester
Planning Board meeting of January 24th, 2019.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Goodnight.

(MEETING ADJOURNED.)

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/24/19
C E R T I F I C A T I O N

STATE OF NEW YORK)
) Ss.

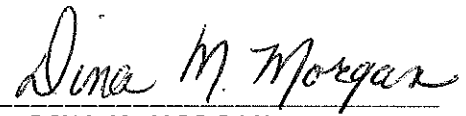
COUNTY OF WESTCHESTER)

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 11th day of March, 2019.



DINA M. MORGAN
Court Reporter

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EASTCHESTER PLANNING BOARD - 1/24/19

CORRECTION SHEET

PAGE

CORRECTION

DINA M. MORGAN, REPORTER