

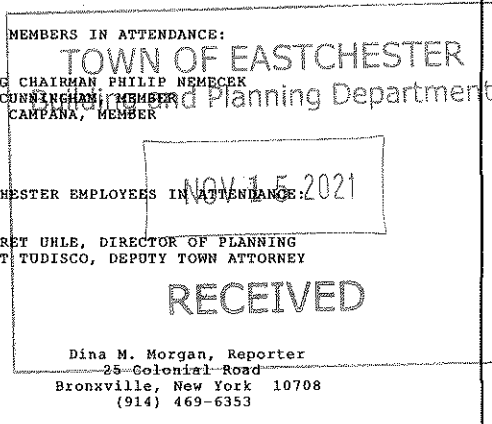
Eastchester Town Clerk  
NOV 15 21 AM 9:24

TRANSCRIPT OF  
TOWN OF EASTCHESTER PLANNING BOARD MEETING  
OCTOBER 28, 2021

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

BOARD MEMBERS IN ATTENDANCE:  
**TOWN OF EASTCHESTER**  
ACTING CHAIRMAN PHILIP NEMECEK  
MARK CUNNINGHAM, MEMBER  
LOUIS CAMPANA, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:  
MARGARET UHLE, DIRECTOR OF PLANNING  
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY



DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
2 to pass on to the court reporter or the  
3 transcriber.  
4 MR. CAMPANA: Second.  
5 ACTING CHAIRMAN NEMECEK: All in  
6 favor.  
7 (AYE)  
8 ACTING CHAIRMAN NEMECEK: We have  
9 three items on the agenda today. They are --  
10 and they will be heard in this order -- first,  
11 Application 20-29, 102 Lee Avenue subdivision.  
12 The second item is 21-30, Dunkin', at 1 Michael  
13 Frey Drive, also known as 38A Mill Road, just  
14 behind us here. The third item of business is  
15 Application 21-31, which is 2 Eastway. If  
16 you're here for anything else, it is not on the  
17 agenda.  
18 Without any further ado, let's go to  
19 the first item, 21-29, which is 102 Lee Avenue,  
20 and it is a subdivision.  
21 MR. ABILLAMA: Good evening. My name  
22 is Tom Abillama, architect for 102 Lee Avenue.  
23 I would like to show you also, this is Amol,  
24 he's going to be working on the project.  
25 MR. VARGHESE: Good evening, everyone.  
DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 10/28/2021

THE CHAIRMAN: Welcome, everyone, to  
the town of Eastchester Planning Board meeting  
of Thursday, October 28th, 2021. Pledge of  
allegiance, everyone.

(Pledge of Allegiance.)

ACTING CHAIRMAN NEMECEK: Let's do the  
roll call. I'm Phil Nemecek. I'm acting as  
the Chairman today in the absence of James  
Bonnano, who will not be here today.

Mark Cunningham.

MR. CUNNINGHAM: Present.

ACTING CHAIRMAN NEMECEK: Louis  
Campana.

MR. CAMPANA: Present.

THE CHAIRMAN: All right. Next item  
is the approval of the minutes of the three  
most recent meetings of the Planning Board; May  
27th of 2021; June 24th, 2021; and July 20th of  
2021. I know I've provided comments and  
revisions for each of those.

So not hearing anything from either of  
my two colleagues, I'm going to move to approve  
all three of those minutes subject to the  
revisions that have been provided to Margaret

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 10/28/2021

My name Amol Varghese, and I work with Tom  
Abillama Associates.

The proposed project is on Lee Avenue,  
Eastchester comprised of minor subdivision of  
existing full lots of 25 by 100, which equals  
10,000 square feet. The zone is an R-5  
residential district. The lot will be then  
subdivided into two, which will be 50 by 100,  
which is the requirement of R-5 zone. The  
maximum coverage on this lot will be for each  
lot 50 by 100 will be 31.5 percentage, which is  
1575 square feet, and the maximum floor area  
will be 2300 square feet.

In these two lots, we are proposed one  
family residence which will have the floor area  
of 2245 square feet and 2275 square feet, and  
the lot coverage will be 26 percent in lot one,  
which will be around 1313 square feet, and in  
the lot two it will be around 1275 square feet.

ACTING CHAIRMAN NEMECEK: Can you  
clarify for me, when you say lot one and lot  
two, as you look at 102, which one will be the  
lot one; is it the one on the left? So the one  
where the existing building is, that's lot one.

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 MR. VARGHESE: That's lot one.  
 3 ACTING CHAIRMAN NEMECEK: The lot  
 4 which is vacant right now is lot two.  
 5 MR. VARGHESE: Yes.  
 6 ACTING CHAIRMAN NEMECEK: Okay. Thank  
 7 you.  
 8 MR. VARGHESE: Then we have worked  
 9 with the engineer for the storm water  
 10 management, so I will ask Mr. -- to talk about  
 11 it.  
 12 MR. BERTE: Paul Berte from ARQ,PC.  
 13 We designed the site to mitigate the hundred  
 14 year storm event. We analyzed the site as if  
 15 there were no impervious surfaces on the lot,  
 16 and we've collected all of the runoff from the  
 17 driveway and the roof leaders to subsurface  
 18 infiltration systems.  
 19 In August, we did deep hole and  
 20 percolation tests, to find that we have deep,  
 21 well draining soils. We did four tests; two in  
 22 the back, two in the front. Some of the percs  
 23 were really fast, which is good, means the  
 24 water will go down fast. The design uses the  
 25 conservative values that we found, so that we

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 mitigate the hundred year storm, which, after  
 3 this, because we've designed it without  
 4 considering the existing impervious, we would  
 5 reduce the runoff from what it is today.  
 6 ACTING CHAIRMAN NEMECEK: Was Ida a  
 7 100 year storm?  
 8 MR. BERTE: Ida was about a hundred  
 9 year.  
 10 ACTING CHAIRMAN NEMECEK: Okay. And  
 11 Sandy before it about eight years ago?  
 12 MR. BERTE: Yes. I think it was a  
 13 little bit less. The intensities are always  
 14 what gets us in these storms.  
 15 One of the things that we did for the  
 16 design with the driveway down below, we have  
 17 designed an overflow system so that if you do  
 18 get a heavy rainfall event, we designed a sump  
 19 pump system in conjunction with the footing  
 20 drains to pump it out to the dry well in the  
 21 front yard.  
 22 ACTING CHAIRMAN NEMECEK: That's on  
 23 lot one?  
 24 MR. BERTE: Both. Very similar.  
 25 We've got a trench drain at the bottom of the

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 driveway, manhole, and we've got the system set  
 3 up so that if it exceeds the capacity of the  
 4 dry well, which is designed for the hundred  
 5 year storm -- we actually put enough dry wells  
 6 in there so that it all infiltrates -- but if,  
 7 for some reason, we get a heavier storm event  
 8 than that, the house will have an overflow with  
 9 a sump pump to mechanically remove it.  
 10 MR. CUNNINGHAM: Did you say footing  
 11 drains too?  
 12 MR. BERTE: Footing drains too. I  
 13 mean, because it's well draining, I wouldn't  
 14 expect there to be ground water during normal  
 15 events without any rain or even if there is a  
 16 rain event, but if there is a significant rain  
 17 event, we will tie a footing drain into the  
 18 sump pump, which will be pumped up to the dry  
 19 well system.  
 20 ACTING CHAIRMAN NEMECEK: Do you know  
 21 whether Joe Cermele -- has he received a copy  
 22 of a report?  
 23 MS. UHLE: Yes. I spoke to Joe  
 24 Cermele this morning. He's been in close  
 25 communication with the applicant's engineer.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 In my meetings notes, I indicated we also met  
 3 with the applicant's entire team, including the  
 4 engineer and Joe Cermele on October 14th. Joe  
 5 did receive the latest plans. He didn't have  
 6 time to put together a memo for the board.  
 7 There are still things that need to be tweaked,  
 8 but he did he could confirm that it will work.  
 9 As you know, when they come for Planning Board  
 10 approval for the individual single family  
 11 homes, those plans will be even more detailed.  
 12 Yes, he did review it, I spoke with him today,  
 13 and he was fine with it.  
 14 ACTING CHAIRMAN NEMECEK: You  
 15 mentioned the quality of the soil in the two  
 16 locations generally being, you know, fairly  
 17 quick draining, if you will.  
 18 MR. BERTE: Yes.  
 19 ACTING CHAIRMAN NEMECEK: Not being  
 20 problematic. Do you know whether there are any  
 21 issues with ground water retention with  
 22 flooding, if you will, right now?  
 23 MR. BERTE: I don't, but knowing that  
 24 these soils are of a sandy nature, even when  
 25 you dug down deep, one hole was down at nine

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 feet, one was down at six feet. We were just  
 3 limited by the machine that we had that day to  
 4 how deep we got. We didn't hit any confining  
 5 soils, no rock, and we didn't have any ground  
 6 water enter the holes when we were there.  
 7 That's all I could speak of what we did for  
 8 that soil test. I don't have any other data  
 9 that would contradict that much.

10 ACTING CHAIRMAN NEMECEK: Okay.  
 11 Gentlemen?

12 MR. CUNNINGHAM: No.

13 MR. CAMPANA: I do have just one quick  
 14 question. This will be further developed, but  
 15 erosion control measures, those would be  
 16 included on this when --

17 MS. UHLE: So right now they're simply  
 18 proposing the division line so that they'll  
 19 have two legal building lots. Assuming that  
 20 they'll get Planning Board approval or as soon  
 21 as they Planning Board approval, they've  
 22 already prepared the drawings for the  
 23 individual single family homes.

24 MR. CUNNINGHAM: Then we can review it  
 25 at that time?

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 MS. UHLE: Yes. This is simply two  
 3 building lots. Before you approve two legal  
 4 building lots, we always like to confirm that  
 5 the drainage can work. The other details,  
 6 architectural details and things, can be worked  
 7 out during the ARB approval process.

8 ACTING CHAIRMAN NEMECEK: One question  
 9 I do have about impervious surfaces.

10 Obviously, there's a structure on lot one right  
 11 now, and there's a driveway I think to the left  
 12 of the building, so there is some impervious  
 13 surface there right now. It strikes me that,  
 14 you know, just -- I don't think I have a  
 15 calculation of what's there now compared to  
 16 what would be there under the proposed building  
 17 of two single family residences; do you know  
 18 what the approximate increase -- assuming it's  
 19 an increase -- in what the impervious surfaces  
 20 would be?

21 MR. BERTE: If you gave me a minute, I  
 22 could answer that.

23 ACTING CHAIRMAN NEMECEK: Is it less  
 24 than double?

25 MR. BERTE: It's less than double,

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 yes. There's a driveway, there's a separate  
 3 garage right now, there's the house that's  
 4 about -- the footprint is a little bit bigger,  
 5 there's a patio on the other side. So, yes.

6 ACTING CHAIRMAN NEMECEK: We would be  
 7 unquestionably increasing the impervious  
 8 surface, but it would not be doubling.

9 MR. BERTE: Not doubling.

10 ACTING CHAIRMAN NEMECEK: And because  
 11 of all the measures you would be taking, you  
 12 would be retaining much of that in --

13 MR. BERTE: I assume that there's no  
 14 dry wells. I couldn't tell what's there now.  
 15 I believe everything that's coming off the roof  
 16 right now and the driveway is just going out  
 17 into the street, where now we're picking it up,  
 18 putting it back in the ground, and then just  
 19 the overflow is going out to the street.

20 MR. CUNNINGHAM: And both houses will  
 21 have separate systems?

22 MR. BERTE: Yes, we've got separate  
 23 systems in the back. We kind of spread it  
 24 around. I originally had the driveway in the  
 25 back, and we pulled it to the front. Those are

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 the kind of tweaks that we did that, you know,  
 3 Joe just saw, you know, where the sewer is  
 4 going, where the water is going, but we have  
 5 room to fit everything into the house from the  
 6 street. The sewer is low enough so that the  
 7 sewer invert is below the basement. So if  
 8 there is a bathroom in the basement, that  
 9 wouldn't be an issue, wouldn't need a pump.  
 10 The only thing that we need to pump is the  
 11 footing drain, which is typical in any  
 12 construction that's below grade.

13 MR. CUNNINGHAM: When we open the  
 14 public hearing, you can speak. We'll open the  
 15 public hearing.

16 MR. TUDISCO: Sir, you have to wait  
 17 until recognized.

18 ACTING CHAIRMAN NEMECEK: We're not  
 19 there yet. Although, I think we may be in a  
 20 moment. Any other questions?

21 MR. CUNNINGHAM: No.

22 MR. CAMPANA: No questions here.

23 ACTING CHAIRMAN NEMECEK: I'm going to  
 24 make a motion to open the public hearing on  
 25 Application 21-29, 102 Lee Avenue, subdivision.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 MR. CUNNINGHAM: Second.  
 3 ACTING CHAIRMAN NEMECEK: All in  
 4 favor.  
 5 (AYE)  
 6 ACTING CHAIRMAN NEMECEK: Are there  
 7 any members of the public who wish to comment  
 8 on this application?  
 9 MR. CUNNINGHAM: You can come up to  
 10 the mic. Just introduce yourself.  
 11 MR. TUDISCO: You have to give your  
 12 name and address, please.  
 13 MR. CHEN: My name is Kevin. I'm from  
 14 97 Lee, the neighbors across.  
 15 First of all, I would like to  
 16 appreciate the board members hold a hearing  
 17 today.  
 18 ACTING CHAIRMAN NEMECEK: I'm sorry,  
 19 Kevin, what's your last name?  
 20 MR. CHEN: Kevin, Kevin Chen.  
 21 ACTING CHAIRMAN NEMECEK: Chen. Thank  
 22 you.  
 23 MR. CHEN: 97 Lee. I appreciate the  
 24 board hold a hearing today to give the  
 25 neighbors an opportunity to express our big  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 concerns on the safety side, and I would also  
 3 like to thank Margaret Uhle. We had multiple  
 4 e-mail communications. We really appreciate  
 5 her to share the information and provide the  
 6 detailed explanations.  
 7 ACTING CHAIRMAN NEMECEK: And Mr.  
 8 Chen, just -- rest assured, that Margaret has  
 9 disseminated to the members of this board, the  
 10 communication, even the e-mail that you sent  
 11 earlier today. I know I have had a chance to  
 12 review it, I'm familiar with it, but since this  
 13 is a public hearing, go ahead and voice what  
 14 concerns you have, we will listen, and we may  
 15 have questions for you. Maybe there are other  
 16 members of the public who may want to comment  
 17 on your comments. So go ahead.  
 18 MR. CHEN: Thanks, gentlemen. We as  
 19 neighbors object to the subdivision for two  
 20 reasons:  
 21 First, is safety. By looking at the  
 22 original plan, you see 97 is across the -- the  
 23 second one, the driveway is facing my house  
 24 directly, which means if the car in the  
 25 driveway lost control, they will hit my car.  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 My daughter usually plays out in the yard.  
 3 This driveway is a huge risk for my property  
 4 and for my family's safety.  
 5 The second reason I also mention is  
 6 safety. As you know, there are a lot of young  
 7 kids that live nearby. The school bus drops  
 8 right on the corners. You could see from this  
 9 picture I took from last week, the applicant  
 10 already started to do the construction,  
 11 preparing for demolition. I saw the large saw  
 12 and I see the smoke and I heard a large noise.  
 13 My daughter come ask me, hey, dad what are they  
 14 doing. I told her very seriously, they are  
 15 doing construction work, being very serious,  
 16 don't even go there, it's very dangerous. I'm  
 17 pretty sure the workers are professional, they  
 18 have safety guards, they have the gloves, they  
 19 have the glasses for their eyes, but how about  
 20 the safety for the neighbors? I want to make  
 21 sure the neighbors are aware of that. I feel  
 22 like there is already missing communications,  
 23 our neighbors never know about this. The  
 24 parents don't know about the plan until we find  
 25 out ourselves. Our kid are so curious about  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 the work, and they just walk around. They are  
 3 so vulnerable. If the safety code is applied,  
 4 we have to make sure it's applied on that.  
 5 To be honest, I feel like the  
 6 applicants don't care about the neighbors,  
 7 looking how they're rushing to prepare the  
 8 demolishing, they try to get the work done.  
 9 They only care about making the huge profit  
 10 with extra building and just walk away. That's  
 11 I feel. As a neighbors, we suffer all the bad  
 12 consequences of that.  
 13 So that's the main reason for today's  
 14 proposal. To be honest, again, we are not here  
 15 objecting, we come here for communications. I  
 16 feel like there should be better communications  
 17 between the constructor, the designer with our  
 18 neighbors to address our concerns.  
 19 Also, I want to highlight, like, I  
 20 think there's a missing comparisons analysis  
 21 between one building and two buildings. The  
 22 key thing is like, how many times will it  
 23 (inaudible) if you build the one building, and  
 24 how many times will it (inaudible) if you build  
 25 the two buildings. Our neighbors are not  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 professionals, but we would like to at least  
 3 have some idea on a very high level, which  
 4 means the plan they try to build the one  
 5 building and after that build a second one,  
 6 will the project be like two, three years, or  
 7 build the two buildings simultaneously? I feel  
 8 like they should do more homework, they should  
 9 go back, address our safety concerns so our  
 10 neighbors will feel comfortable and feel safety  
 11 on their project.

12 That's all I have. Thank you.

13 ACTING CHAIRMAN NEMECEK: Thank you.

14 I do want to emphasize one thing for you. The  
 15 application that is before us today is an  
 16 application for a subdivision. This is an  
 17 oversized property right now. It's as big as  
 18 two normal sized properties on Lee Avenue. So  
 19 what we are considering today, the application  
 20 we're considering is to subdivide that single  
 21 property into two, which can legally be done.

22 What we have in recent years required  
 23 of an applicant, because we understand fully  
 24 what's going to happen after the subdivision,  
 25 it's being subdivided so a second home could be

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 build built. That's almost invariably why  
 3 there would be a subdivision.

4 MR. CHEN: Understood.

5 ACTING CHAIRMAN NEMECEK: What we are  
 6 not considering -- we are aware of the plan and  
 7 we're looking into the plan and it's fully out  
 8 there that the ultimate plan is to build two  
 9 homes where there is right now only one, that's  
 10 also a separate process. If the applicant gets  
 11 the subdivision, they're going to have to come  
 12 back here. I don't know that they're seeking  
 13 any zoning variances.

14 MS. UHLE: No, they're not.

15 ACTING CHAIRMAN NEMECEK: They will  
 16 have to come before this board and they will  
 17 have to go before the Architectural Review  
 18 Board, which is a separate bother, and a very  
 19 capable one. They meet I think on the first  
 20 Thursday of the month. The Architectural  
 21 Review Board addresses issues principally  
 22 relating to the design of the property, the  
 23 landscaping, landscape architecture, lighting,  
 24 a number of those issues. This board is the  
 25 board that is principally concerned with

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 safety.

3 MR. CHEN: Understood.

4 ACTING CHAIRMAN NEMECEK: While we  
 5 appreciate your concerns about, you know, what  
 6 buildings might be built and how they might be  
 7 built and what time frame they might be built,  
 8 it sounds to me that those are questions that  
 9 are probably more appropriately addressed at  
 10 some future meeting where the applicant will  
 11 have to come before us with a more refined plan  
 12 if they do want to go ahead and build these two  
 13 structures that they're contemplating now.

14 Certainly, the issues that you've  
 15 raised are certainly appropriate for us to  
 16 address, and we will have the applicant respond  
 17 to certain of your concerns, but let's first  
 18 hear if there are any other comments from the  
 19 public.

20 MR. CHEN: I appreciate it.

21 ACTING CHAIRMAN NEMECEK: Thank you.  
 22 Certainly.

23 MR. TELESCO: Good evening. Thank you  
 24 for allowing me to speak tonight. My name is  
 25 Peter Telesco. My parents, Peter and

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 Elizabeth, live at 94 Lee. My mom doesn't like  
 3 to come and speak in public, so she asked me to  
 4 represent her tonight.

5 I appreciate your clarification that  
 6 we're not actually going to be discussing the  
 7 proposed homes. I was ready to speak about  
 8 that. So I will just backtrack to the one item  
 9 that this gentleman was bringing up, the water.  
 10 My parents moved into that in 1965. To my  
 11 knowledge, they're the second longest tenured  
 12 people on the block. So they know how the  
 13 block works, how things are, what happens, what  
 14 doesn't happen. I can give you a little bit of  
 15 history about water.

16 ACTING CHAIRMAN NEMECEK: Did you grow  
 17 up on that block?

18 MR. TELESCO: I did. I grew up there.  
 19 I lived there until I got married.

20 ACTING CHAIRMAN NEMECEK: Are you an  
 21 Eastchester resident or no?

22 MR. TELESCO: I am a resident now,  
 23 yes. I live at 892 Post Road. I'm sorry I  
 24 didn't say that.

25 ACTING CHAIRMAN NEMECEK: We were

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 going to let you speak anyhow.  
 3 MR. CUNNINGHAM: How far is it up the  
 4 hill from Scarsdale Road?  
 5 MR. TELESCO: The second block. So  
 6 between Alida and Ewart.  
 7 MR. CUNNINGHAM: Okay.  
 8 MR. TELESCO: So I want to say about  
 9 15 years ago, the prior owner of the property  
 10 was having an issue with water in his basement.  
 11 What he did was, he disconnected the leader  
 12 coming down from the roof. I don't know where  
 13 it went. I don't if it went into a dry well,  
 14 if it was just draining there. He extended a  
 15 pipe all the way across his side yard, which is  
 16 the vacant lot that's being proposed to  
 17 subdivide, and he put it about 15 feet from the  
 18 property line, which is about 30 feet from my  
 19 parents' home. Low and behold, my parents had  
 20 water in the basement, and they never had water  
 21 in the basement prior, they haven't had water  
 22 in the basement since. They went and knocked  
 23 on the door and said, you can't do this, we're  
 24 getting water now. So he did remove it. But  
 25 just to the point, that water can be an issue

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 there. The properties are on a hill, water is  
 3 going to come down. So if it is subdivided, I  
 4 do think that the placement of the dry wells  
 5 really has to be looked at. I have a concern  
 6 about the overflow of pumps. It's great for  
 7 that resident that the water is being pumped  
 8 out of their driveway or out of their basement  
 9 to a dry well, but if that dry well is on that  
 10 side of the house, which is close to 94 Lee,  
 11 that could be problematic for 94 Lee. I think  
 12 it has to be looked at that it has to go all  
 13 the way in the back or all the way in the front  
 14 where its got no chance to seep down to 94 Lee.  
 15 That's all I have tonight because the  
 16 other things are not appropriate. I do  
 17 appreciate your letting me speak tonight.  
 18 Thank you.  
 19 ACTING CHAIRMAN NEMECEK: Thank you.  
 20 MS. UHLE: Can I just make one  
 21 comment? As you know, Joe is reviewing the  
 22 storm water management plan for the  
 23 subdivision. He will also review the storm  
 24 management plan for each individual home.  
 25 We'll make sure that he attends the meetings as

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 well, so that not only can the applicant's  
 3 engineer address some of those concerns, he can  
 4 address those concerns as well.  
 5 ACTING CHAIRMAN NEMECEK: By the way,  
 6 I was being a little facetious earlier when I  
 7 asked the engineer about the -- Paul about the  
 8 hundred year storms because up until five years  
 9 ago or so, maybe even more recently, the town  
 10 simply required a 50 year storm, but it seems  
 11 that -- how that is defined, you know,  
 12 unfortunately with recent climate awareness,  
 13 perhaps, certainly hundred year storms are --  
 14 seem to occur more frequently than every  
 15 hundred years, but that is the standard that  
 16 the town applies -- that it now applies to any  
 17 new construction, and certainly -- yes.  
 18 MS. UHLE: It used to also be net  
 19 increase compared to existing conditions. Now  
 20 if you demolish, it's like a clean slate. It  
 21 is something the town is taking very seriously.  
 22 We keep kind of improving upon the  
 23 requirements.  
 24 ACTING CHAIRMAN NEMECEK: And I do  
 25 appreciate Mr. Telesco's comments about any

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 history because that is often something that  
 3 you want to find out beforehand, are there any  
 4 issues, have there ever been any issues in this  
 5 area. Not that that necessarily changes the  
 6 fact that we have an engineer retained by the  
 7 town, Mr. Cermele, who is looking into this  
 8 very issue on behalf of this board and on  
 9 behalf of the general public. So we will get  
 10 an honest assessment as to the propriety of the  
 11 storm water management plan. The initial  
 12 feedback seems to be that it will work.  
 13 MR. CUNNINGHAM: Typically on  
 14 properties like this with new structures going  
 15 up and putting two homes on it, those systems  
 16 would probably be to the front, they wouldn't  
 17 be coming to the side yard. I haven't seen,  
 18 you know, the developed plan yet, but just by  
 19 looking at what's there, the side yards are  
 20 much smaller, they would be bringing the  
 21 CULTECs out to probably the front or rear, so  
 22 they wouldn't be encroaching onto your side.  
 23 MR. BERTE: Just one comment just  
 24 about the plan. We did propose to put the  
 25 overflow, the sump pump from the footing drains

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
2 to the high side of the property.

3 ACTING CHAIRMAN NEMECEK: Is that  
4 towards the left?

5 MR. BERTE: Towards the left of each  
6 of the houses. That's where the front yard is.

7 MR. CUNNINGHAM: When you say a sump  
8 pump, you're talking about having one inside of  
9 the house? You mentioned footing drains, so  
10 now you're taking water that's outside,  
11 introducing to the inside, inside the envelope,  
12 which is not really ideal, and then you're  
13 pumping it to a CULTEC?

14 MR. BERTE: Right. I mean, footings  
15 drains are ground water.

16 MR. CUNNINGHAM: Ideally, we want them  
17 to go to daylight and away from the property.

18 MS. UHLE: We'll need you to be at the  
19 microphone for the stenographer. You can carry  
20 it around with you, if you would like.

21 MR. CUNNINGHAM: The footing drains,  
22 you're taking out water, brining it into a sump  
23 system that's inside, that's pumped to a  
24 CULTEC, and that's retention and then it's  
25 distributing --

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 MR. BERTE: Infiltrating into the  
3 ground -- back into the ground.

4 MR. CUNNINGHAM: But those systems  
5 would probably be in the front on the high  
6 side?

7 MR. BERTE: Right now we're proposing  
8 them on the high side of the front yards, so on  
9 the left side of the front yards.

10 MR. CUNNINGHAM: But in the front?

11 MR. BERTE: Yes. Just because it's a  
12 closer --

13 MR. CUNNINGHAM: What was happening  
14 before is, they had drains that were going --  
15 it was sheet flowing across the property and  
16 into the neighbor, whereas now it's going to be  
17 underground. That's the way the systems work.  
18 It's a little different.

19 ACTING CHAIRMAN NEMECEK: I think  
20 another member of the public wanted to make a  
21 comment.

22 MR. TELESCO: My name is Peter  
23 Telesco. My wife and I live at 94 Lee Avenue.  
24 We've lived there since 1965. I have a bit of  
25 hearing problem, so I'm not sure what I'm able

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 to make comments on or what I'm not able to  
3 make comments on, but I would like to make one  
4 comment, a general comment, if I may. If I  
5 may.

6 When we bought this house in 1965, we  
7 bought it for a couple of reasons. One reason  
8 was because it was in Eastchester. My wife is  
9 a native of Eastchester. I thought Eastchester  
10 was the perfect small town, small town. I love  
11 it. Okay.

12 Secondary reason was, we had some  
13 space on one side of house. Now, if this  
14 project goes through, that space is going to be  
15 gone. So, I don't know, I thought of this  
16 lovely small town of Eastchester, I don't know  
17 whether I'm still going to have that feeling or  
18 not. I had to bring that out, I'm sorry.  
19 Whether I'm off the subject or not, I had to  
20 bring that out because I am totally opposed of  
21 two houses on that lot. I do not have any  
22 problem with one house. I am totally opposed  
23 to two house. As far as I'm concerned, it does  
24 nothing for the neighborhood. It brings no  
25 improvement. It doesn't beautify the

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 neighborhood. It doesn't do anything. What  
3 does it do? It brings a profit to whoever is  
4 in charge of that. That's what it does.

5 Profit modem. It disgusts me. I'm telling  
6 you, it disgusts me. That's all I have to say.

7 ACTING CHAIRMAN NEMECEK: Thank you.

8 MR. TUDISCO: You can't just say  
9 things. You have to be asked to be recognized  
10 by the Chair.

11 ACTING CHAIRMAN NEMECEK: You can  
12 speak now.

13 MR. CHEN: I would like to reiterate  
14 our main concern here is safety and  
15 miscommunications. The builders never  
16 communicated with us. Never. They don't care  
17 the neighbors. That's all I want to say.

18 MS. UHLE: I just want to make one  
19 comment about the communication, is that the  
20 neighbors within a 200 foot radius, including  
21 residents in Scarsdale, were notified of the  
22 public hearing. I just want to make clear that  
23 this is the process for communication with  
24 builders. So it would be not be typical,  
25 unless there are unusual circumstances, for a

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 builder to come and knock on your door because  
 3 this is the forum for this kind of  
 4 communication. So far, neighbors have been  
 5 notified that the builder intends to seek  
 6 subdivision approval. This is an opportunity  
 7 to discuss and express concerns. If  
 8 subdivision approval is granted, then he will  
 9 submit an application showing the proposed  
 10 homes. That will be an opportunity for  
 11 residents to discuss those. I just wanted to  
 12 point out, this is sort of the means for  
 13 communication.

14 I did forward your concerns about --  
 15 not today with regard to the safety, which I  
 16 can discuss today with the builder, but with  
 17 regard to the driveways, and I do think when I  
 18 talked to the builder about the alignment of  
 19 the driveways, they actually were looking to  
 20 try to accommodate that to the extent that they  
 21 could. I don't know how successful they were  
 22 because there are grading issues and drainage  
 23 issues and other issues, but they did take that  
 24 concern seriously.

25 ACTING CHAIRMAN NEMECEK: If I can  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 comment very generally. I know that whenever  
 3 we're faced with an application for a  
 4 subdivision, and it is invariably because there  
 5 is an oversized property and the owner of that  
 6 oversized property wants to -- as is their  
 7 right -- to develop that property, you know,  
 8 within the constraints of the size of the  
 9 property and whatever zone they're in, without  
 10 fail the neighbors nearest to the property are  
 11 very disappointed with, you know, the  
 12 overcrowding I guess is the perception. I  
 13 could tell you -- although it didn't involve a  
 14 subdivision -- a few years back, that the house  
 15 next door to mine was bought by a builder and  
 16 they tour down all the trees and put all new  
 17 systems in, and, you know, there wasn't really  
 18 much I could do because it didn't fall into  
 19 something that even came before this board. It  
 20 turns out the builders did build responsibly,  
 21 and I ended up with new neighbors who are quite  
 22 nice, who I enjoy speaking with on a regular  
 23 basis, a young family came in. I understand  
 24 the reluctance particularly to give up space,  
 25 you know, open space. There isn't a lot of it

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 left in this town. I've been a very long time  
 3 resident of this time myself. Property owners  
 4 do also have rights to develop their property  
 5 within the constraints of the building code.

6 MR. ZHOU: Good evening. We are the  
 7 residents --

8 MR. TUDISCO: Could you give your name  
 9 and address for the record.

10 MR. ZHOU: Yes. We are the residents  
 11 of 101 Lee Avenue review. My name is Jialu  
 12 Zhou. We have similar concern of safety if the  
 13 design and planning change the driveway to  
 14 different from the current one. So we think  
 15 it's for the sake of public safety to keep the  
 16 current -- not quite change it significantly.  
 17 This is my concern.

18 ACTING CHAIRMAN NEMECEK: Okay. Thank  
 19 you.

20 Any other comments from the public?  
 21 Mr. Chen was holding up a sign that said object  
 22 or object, I couldn't really tell. Yes, Mr.  
 23 Chen.

24 MR. CHEN: I would like to say, we're  
 25 not here objection for objection, we really

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 come here for communications. Have so many  
 3 concerns, safety concerns; the driveway, even  
 4 the soil, the water. I do feel the builders  
 5 should address that before this gets approved.  
 6 That's all I have to say. Thanks. I  
 7 appreciate it.

8 ACTING CHAIRMAN NEMECEK: I can assure  
 9 you, that this board takes it's job very  
 10 seriously. I also would think that the owner  
 11 and the engineer, the architect, the builders,  
 12 everyone has an incentive to do this job right.  
 13 Nobody wants any problems.

14 That said, does the applicant have any  
 15 comments in response to what we've heard? Are  
 16 there any more comments from the public?

17 MS. UHLE: If there is no one else in  
 18 the public, I have one more comment.

19 ACTING CHAIRMAN NEMECEK: I think we  
 20 can probably close the public hearing.

21 MS. UHLE: I would just wait until all  
 22 the comments.

23 ACTING CHAIRMAN NEMECEK: Okay.

24 MS. UHLE: One of the safety issues  
 25 that I think the neighbors were concerned about

**DINA M. MORGAN, REPORTER**



1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 was -- this is kind of interesting -- is  
3 that -- although they didn't articulate it  
4 specifically, but this is what I understand --  
5 is that interestingly for residential  
6 construction, there is no New York State code  
7 requirement or local code requirement that a  
8 site be fenced. So if there is an open  
9 construction site, sometimes there are open  
10 foundations. There are some builders that  
11 choose to install construction fencing around  
12 sites, some builders chose not to. We rarely,  
13 if ever, have incidents as a result. I  
14 understand neighbors that have young children  
15 especially, that they, you know, they're not  
16 supposed to trespass on properties, but that's  
17 difficult to say to a seven year old.

18 ACTING CHAIRMAN NEMECEK: That's an  
19 open invitation to trespass.

20 MS. UHLE: So what I was going to say  
21 is, you know, that's something that the  
22 Planning Board could impose as a condition of  
23 an approval or that the builder could agree to  
24 put up the temporary construction fencing to  
25 secure a site so that neighbors can at least,

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 when he's building the homes or demolishing the  
3 homes, see that there is some kind of barricade  
4 for children, etcetera.

5 The interesting thing is, that's hard  
6 to make as a condition of subdivision approval  
7 because I'm not quite sure when he would intend  
8 to demolish something, but I think if we can at  
9 least have an agreement from the builder to put  
10 security fencing up.

11 MR. CUNNINGHAM: Actually, if you go  
12 down to the corner of Leewood and Dale Road,  
13 you'll see basically a commercial job going up.  
14 I happen to be a commercial builder in  
15 Manhattan, and we can't build anything without  
16 having what we call controlled access.  
17 Basically, it's always a fence, it's a sidewalk  
18 bridge, it's overhead protection. I think  
19 that's something that's a major concern to the  
20 neighbors, and I think that we could certainly  
21 make that a stipulation. You could just put a  
22 chain link fence around the whole thing and no  
23 one could access it and you guys can get in out  
24 and out and it makes everything safe. It's a  
25 wonderful idea. Like I said, if you go to

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 Leewood and Dale, you'll see a fence around the  
3 Suez water plant.

4 MS. UHLE: I think, as Louis had  
5 indicated, that could be a condition of any  
6 demolition permit. A lot of builders do that  
7 under any circumstances, but we don't require  
8 it and can't require it.

9 MR. CUNNINGHAM: Like I said, I didn't  
10 realize that in the Town that wasn't a --

11 MS. UHLE: It is for commercial.

12 MR. CUNNINGHAM: Like I said, we can't  
13 build anything without having protection around  
14 the whole thing.

15 MR. TUDISCO: Would that be an  
16 appropriate condition for a subdivision?

17 MS. UHLE: At this point, it kind of  
18 has to be an agreement, which I feel  
19 comfortable imposing. The thing with making it  
20 a condition of subdivision approval is that in  
21 order to have two building lots, he needs to  
22 file the subdivision plat, which means it's  
23 already approved. It's kind of hard to  
24 enforce. We can all agree it will be a  
25 condition of a demolition permit because that's

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 that's when the whole process would get  
3 started. And you're okay with that? Thank  
4 you.

5 ACTING CHAIRMAN NEMECEK: Margaret, do  
6 you have anything more?

7 MS. UHLE: No. So if you're just  
8 going to vote at this point, you could close  
9 the public hearing.

10 ACTING CHAIRMAN NEMECEK: Did the  
11 applicant have any -- did you want to comment  
12 on anything you heard from the public?

13 MR. DI MATTEO: Hello, board. Thank  
14 you for hearing my case here. My name is  
15 Emilio DiMatteo. I've been building houses all  
16 over Westchester for the past 20/30 years. All  
17 our sites are -- we fence in all our sites. We  
18 take neighborhoods, we sweep the streets, we  
19 make sure everything is clean. We're coming in  
20 there with machines and excavators, and we  
21 leave the site clean every day. We do plan to  
22 build the homes simultaneously also.

23 Safety is our biggest concern. I have  
24 kids myself, and I definitely don't want kids  
25 walking around a job site, that could be

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 dangerous.  
 3 If you have any questions, I could  
 4 answer any other questions you might have.  
 5 MS. UHLE: If you're building them  
 6 simultaneously, assuming you get approvals --  
 7 well, once you get your building permits, say,  
 8 how long do you anticipate the construction  
 9 process for both homes would last?  
 10 MR. DI MATTEO: I would say about a  
 11 year.  
 12 MS. UHLE: Okay. Thank you.  
 13 MR. DI MATTEO: Thank you.  
 14 ACTING CHAIRMAN NEMECEK: Any other  
 15 questions from this board?  
 16 MR. CUNNINGHAM: No.  
 17 MR. CAMPANA: No questions.  
 18 ACTING CHAIRMAN NEMECEK: I think,  
 19 under the circumstances, I'm prepared to move  
 20 ahead with the subdivision. There would be  
 21 potentially two votes that we would have to  
 22 take.  
 23 MS. UHLE: The first one is, you need  
 24 to adopt a Neg Dec.  
 25 MR. TUDISCO: Close the public  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 hearing.  
 3 ACTING CHAIRMAN NEMECEK: Yes. Yes.  
 4 I make a motion to close the public hearing on  
 5 Application 21-29, 102 Lee Avenue subdivision.  
 6 MR. CUNNINGHAM: Second.  
 7 ACTING CHAIRMAN NEMECEK: All in  
 8 favor.  
 9 (AYE)  
 10 ACTING CHAIRMAN NEMECEK: I also make  
 11 a motion to adopt a Negative Declaration, a Neg  
 12 Dec for Application 21-29, 102 Lee Avenue  
 13 subdivision.  
 14 MR. CUNNINGHAM: Second.  
 15 ACTING CHAIRMAN NEMECEK: All in  
 16 favor.  
 17 (AYE)  
 18 ACTING CHAIRMAN NEMECEK: We also then  
 19 have to take a vote, and I move to approve the  
 20 sketch plan, the preliminary plat, and the  
 21 final plat for the subdivision at 102 Lee  
 22 Avenue, Application 21-29.  
 23 MR. CAMPANA: Second.  
 24 ACTING CHAIRMAN NEMECEK: All in  
 25 favor.  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 (AYE)  
 3 ACTING CHAIRMAN NEMECEK: As I  
 4 mentioned before, there will be an opportunity  
 5 to comment once the applicant comes forward  
 6 with a proposal to -- a more detailed proposal  
 7 to build two homes on this property, which I  
 8 understand is forthcoming.  
 9 MS. UHLE: Yes. I believe they plan  
 10 to be on the agenda for the November 4th, I  
 11 believe it is, ARB meeting.  
 12 ACTING CHAIRMAN NEMECEK: That's a  
 13 week from today.  
 14 MS. UHLE: Did you receive a  
 15 notification? Those are required to be  
 16 postmarked no less than five days prior to the  
 17 meeting, so you should receive a notification.  
 18 There's always a link to the agenda for the  
 19 application.  
 20 ACTING CHAIRMAN NEMECEK: Very good.  
 21 Thank you. The public hearing is closed.  
 22 MR. CUNNINGHAM: You can send an  
 23 e-mail in.  
 24 ACTING CHAIRMAN NEMECEK: The next  
 25 application is Application 21-30, which is the  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 Dunkin' location at 1 Michael Frey Drive.  
 3 MS. FLORESCA: Good evening, members  
 4 of the board. My name is Dalira Floresca, I'm  
 5 with GK&A Architects, I'm a project manager.  
 6 Today I would like to present the proposed  
 7 improvements for the facade at 38 Mill Road.  
 8 I'm going to start from the bottom up.  
 9 At the existing storefront, we will be painting  
 10 the metal panels that are currently there --  
 11 they're like a purplish brownish color -- we'll  
 12 be painting them charcoal. We will be removing  
 13 the awning that is there, and it is going to  
 14 expose existing metal panels, which will also  
 15 be painted in the charcoal color. We will be  
 16 replacing a band, a light band that is right  
 17 above the existing awning, with an orange band  
 18 that will have recessed lights on the  
 19 underside. Right now, there are florescent  
 20 lights. The new lights will be LED lights.  
 21 Above that, we will have a decorative aluminum  
 22 backer board, which is composed of pink and  
 23 white stripes, and then in between you'll have  
 24 a wood grain print. It's not real wood, it's  
 25 just the texture of the wood will be printed on  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 an aluminum backer, and it will give the  
 3 illusion of like a fiber cement board that's  
 4 painted in a wood color. It's a custom made  
 5 piece that looks like natural wood.

6 In the middle of the facade, you have  
 7 the Dunkin' sign, which will be  
 8 non-illuminated, and above that you'll have  
 9 gooseneck lights that will substitute whatever  
 10 is there right now. The Dunkin' sign will be  
 11 smaller because it's no longer Dunkin' Donuts,  
 12 it's just the Dunkin'. The goosenecks, I  
 13 believe there are like five goosenecks there  
 14 right now, we'll be removing all of them and  
 15 replacing them with three new goosenecks.

16 Above the aluminum backer board, we  
 17 will re-paint the existing coping that's there  
 18 with the charcoal color. Both the coping and  
 19 the orange band will extend over to the liquor  
 20 store to kind of give it continuity, and it  
 21 will also turn the corner a bit where that  
 22 overhang is at the existing liquor store. At  
 23 the Dunkin', right now there is one wall pack  
 24 light right in the middle. We'll be removing  
 25 that and putting two to either side just to

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 shine on the sidewalk for safety purposes.

3 At the previous Architectural Review  
 4 Board meeting, the board had asked us as a  
 5 condition of approve or I guess as a  
 6 suggestion, to update the existing trash cans  
 7 that are there. We provided a spec sheet for  
 8 that.

9 In addition to that, on the right side  
 10 of the facade we were asked to just pull in all  
 11 the finishes so they're contained within the  
 12 facade and don't go into the adjacent property.  
 13 So we also made those modifications to the  
 14 drawings.

15 If you have any questions. I have  
 16 finishes here as well, if you would like to see  
 17 the colors.

18 ACTING CHAIRMAN NEMECEK: I have a  
 19 question about the Mill Road Wines and Liquors.  
 20 The orange band that's going across, it's going  
 21 to have LED lighting underneath it?

22 MS. FLORESCA: Underneath it, yes.

23 ACTING CHAIRMAN NEMECEK: And that's  
 24 going to go all the way across the Dunkin'  
 25 store as well as the liquor store?

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 MS. FLORESCA: Yes.

3 ACTING CHAIRMAN NEMECEK: But the  
 4 application is with respect to only the  
 5 Dunkin', or Dunkin' Donuts I believe it says  
 6 now. I'm a little upset with the loss of  
 7 Donuts. The Dunkin' reminds me, it's always  
 8 the backdrop of Boston Red Sox press  
 9 conferences. I'm not a Red Sox fan. The one  
 10 good thing about Dunkin' Donuts is it had  
 11 donuts in it and you're taking that away. I  
 12 imagine I can't force the company, the  
 13 corporation to do a U-turn on this, so I'm  
 14 going to have reluctantly swallow my pride and  
 15 agree to this Dunkin'.

16 MS. UHLE: The application includes  
 17 the band in front of the liquor store. It's  
 18 all a part of the same application. It's just  
 19 that that building is part of the same  
 20 building, and then when you turn the corner,  
 21 there's like an orange detail.

22 MR. CUNNINGHAM: Are you going to do  
 23 that little return there past the door of the  
 24 liquor store? Is that what they're showing  
 25 here in that detail?

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 MS. UHLE: Yes.

3 ACTING CHAIRMAN NEMECEK: If I could  
 4 ask, why is this before the Planning Board? I  
 5 thought this was more of a signage and an ARB  
 6 issue.

7 MS. UHLE: Anything before the ARB  
 8 automatically comes before the Planning Board.  
 9 Even though it's primarily signage, they're  
 10 proposing pretty significant changes to that  
 11 facade. Typically signage goes before the  
 12 signage committee, and that would be after it's  
 13 gone to the ARB and the Planning Board. This  
 14 time, because the Chair of the Sign Committee  
 15 is also the Chair of the ARB and because we're  
 16 proposing some bright colors and, you know,  
 17 some facade improvements, we allowed it to have  
 18 preliminary review with the sign committee and  
 19 then it went to the ARB. It's just that even  
 20 though it appears kind of simple, it's a whole  
 21 lot of new materials, they're bright colors.

22 MR. CUNNINGHAM: Brightness is  
 23 definitely welcome.

24 MS. UHLE: And the fact that the Sign  
 25 Committee and the ARB basically had only modest

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 comments. I will say, the applicant was very  
 3 responsive to both the Sign Committee's  
 4 comments and ARB's comments.

5 MR. CUNNINGHAM: I'm not so sure I'm  
 6 totally crazy about the orange stripe going  
 7 underneath the other building, but I guess it  
 8 will grow on us. But the lighting certainly --

9 MR. CAMPANA: Do you have a sample of  
 10 the wood panel?

11 MS. FLORESCA: Pardon me.

12 MR. CAMPANA: Do you have a sample of  
 13 the aluminum panel with wood grain?

14 MS. FLORESCA: I have the colors, not  
 15 the actual material.

16 MR. CAMPANA: Okay. That's fine.

17 MS. FLORESCA: The brand uses both  
 18 that and also fiber cement board that's colored  
 19 to look like wood. I have that sample with me  
 20 today.

21 MS. UHLE: Can you show them all the  
 22 samples that you have.

23 MR. CAMPANA: So essentially it's  
 24 going to look like wood boards?

25 MS. FLORESCA: Yes, correct.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 MS. UHLE: I think the orange band at  
 3 the liquor store stands out more because the  
 4 roof isn't rendered as well. That orange band  
 5 stands out at the liquor store because the roof  
 6 isn't rendered. Do you know what I'm saying?

7 MR. CUNNINGHAM: It struck me when I  
 8 saw it. It looked a little off balance. Like  
 9 I said, the lighting and that band is certainly  
 10 welcome.

11 MR. CAMPANA: The liquor store has  
 12 wood shingle?

13 MS. FLORESCA: Yes.

14 MR. CAMPANA: It's brown wood shingle.

15 MR. CUNNINGHAM: Okay. It seemed like  
 16 it was sticking out like a store thumb in  
 17 white.

18 ACTING CHAIRMAN NEMECEK: What other  
 19 comments did the Architectural Review Board  
 20 have in terms of proposed enhancements to the  
 21 project, recommendations?

22 MS. UHLE: Just the two she mentioned  
 23 about the trash cans and ending it.

24 ACTING CHAIRMAN NEMECEK: Do we have  
 25 anything further on those trash cans?

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 MS. FLORESCA: I have a copy of the  
 3 spec sheet.

4 ACTING CHAIRMAN NEMECEK: These  
 5 garbage cans, are they permanent; are they  
 6 going to be moveable; is there a particular  
 7 location?

8 MS. FLORESCA: We'll locate them where  
 9 the existing ones are. They're not as heavy,  
 10 like they can be moved, but we'll put them  
 11 wherever the existing ones are. We're  
 12 proposing them in black.

13 ACTING CHAIRMAN NEMECEK: I think the  
 14 existing ones have moved around over time.

15 MR. CAMPANA: These are 24 pounds, but  
 16 I'm sure there's a way to anchor them.

17 ACTING CHAIRMAN NEMECEK: I think  
 18 we've asked whatever questions. Let's open the  
 19 public hearing.

20 I make a motion to open the public  
 21 hearing for Application 21-30, Dunkin', 1  
 22 Michael Frey Drive.

23 MR. CUNNINGHAM: Second.

24 ACTING CHAIRMAN NEMECEK: All in  
 25 favor.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021

2 (AYE)

3 (No comments.)

4 ACTING CHAIRMAN NEMECEK: I don't see  
 5 anyone here to comment on that, so I'm going to  
 6 make a motion to close the public hearing on  
 7 Application 21-30.

8 MR. CUNNINGHAM: Second.

9 ACTING CHAIRMAN NEMECEK: All in  
 10 favor.

11 (AYE)

12 MR. CUNNINGHAM: No comments.

13 MR. CAMPANA: No comments.

14 MR. CUNNINGHAM: It's a fresh slate.  
 15 Looks good.

16 ACTING CHAIRMAN NEMECEK: I make a  
 17 motion to approve Application 21-30, Dunkin', 1  
 18 Michael Frey Drive.

19 MR. CUNNINGHAM: Second.

20 ACTING CHAIRMAN NEMECEK: All in  
 21 favor.

22 (AYE)

23 MS. FLORESCA: Thank you for your  
 24 time.

25 MR. CUNNINGHAM: Good luck.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 ACTING CHAIRMAN NEMECEK: The third an  
 3 final application of the evening, Application  
 4 21-31, 2 Eastway.

5 MR. IANNACITO: Good evening. My name  
 6 is John Iannacito, I'm an architect, and I'm  
 7 representing Mr. and Mrs. Michael McGlinn this  
 8 evening. Michael is with me tonight. We are  
 9 proposing additions and alterations to the  
 10 existing single family residence located at 2  
 11 Eastway.

12 The proposed scope of work will  
 13 include a one story garage addition with a  
 14 breezeway at the rear and side of the existing  
 15 property, and we're also proposing to  
 16 reconfigure the existing circular drive to  
 17 provide access to the garage.

18 Here a rendering of the proposed  
 19 garage, which sits here. The proposed roof of  
 20 the new garage will be hip roofs and gables to  
 21 match the details of the existing residence.

22 On the materials, the wall surfaces  
 23 will be a stucco finish color to match  
 24 existing. The roof will be slate to match  
 25 existing. The windows will be a vinyl clad in

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 a sand tone finish to match existing. The  
 3 gutters will be copper to match existing. The  
 4 overhead doors will be a painted wood to match  
 5 the existing trim work. I believe that's it.  
 6 The trim work will be painted to match the  
 7 existing trim work. All the materials will  
 8 match the existing.

9 The project was presented to the  
 10 Architectural Review Board on October 7th, and  
 11 it was approved with two recommendations.

12 The first was to verify the size of  
 13 the trim boards and the rake boards just to  
 14 make sure that what we're proposing on the new  
 15 garage will match. We previously had them at  
 16 five and a half inches, the existing were  
 17 eight, so I did modify that on the exterior  
 18 elevations, bumped them up to eight inches.

19 The second recommendation was to show  
 20 the exterior lighting. So on the proposed  
 21 elevations, I show the existing light fixture  
 22 at the front door, which is here, and then  
 23 we're going to add a couple of light fixtures  
 24 on either side of the overhead doors, and then  
 25 there will be down lights within the breezeway

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 that connects back to the rear porch.

3 Thank you for your time, and I'm happy  
 4 to answer any questions.

5 MR. CUNNINGHAM: Beautiful.

6 ACTING CHAIRMAN NEMECEK: Yes.

7 MR. CAMPANA: I live not too far from  
 8 your home, and I see it on a daily basis. It's  
 9 already beautiful, but definitely a nice  
 10 improvement.

11 MR. IANNACITO: So phase one of this,  
 12 the garages were in the back of the house and  
 13 they had a long driveway that wrapped around.  
 14 So we actually enclosed the existing garage  
 15 doors and raised the grade to eliminate that  
 16 long driveway, and it's giving them a beautiful  
 17 back yard. So now we're going to put the  
 18 garage doors to the side and front.

19 ACTING CHAIRMAN NEMECEK: What's the  
 20 net effect on the impervious surface?

21 MR. IANNACITO: So we're actually  
 22 decreasing the impervious surface by 14 square  
 23 feet. Not much, but it's a small decrease.

24 We're also adding new dry wells for the entire  
 25 roof of the garage, plus the new driveway. So

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 even though we're decreasing the impervious  
 3 surfaces, we are adding five dry wells to the  
 4 project.

5 ACTING CHAIRMAN NEMECEK: Terrific.  
 6 Not much to question.

7 MR. CUNNINGHAM: Yes. Kind of speaks  
 8 for itself.

9 MR. CAMPANA: Looks great.

10 MR. CUNNINGHAM: They've reviewed  
 11 this, right, the engineer?

12 MS. UHLE: So for additions and  
 13 alterations, we have an architect that does our  
 14 plan review, so as part of the building permit  
 15 process we do that. Joe does new construction  
 16 or very large projects.

17 ACTING CHAIRMAN NEMECEK: Let's open  
 18 the public hearing. I make a motion to open  
 19 the public hearing for Application 21-31, 2  
 20 Eastway.

21 MR. CUNNINGHAM: Second.

22 ACTING CHAIRMAN NEMECEK: All in  
 23 favor.

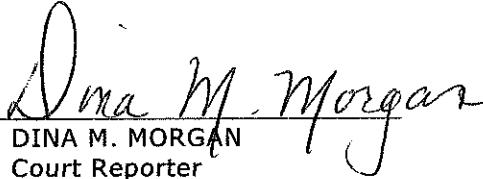
24 (AYE)

25 ACTING CHAIRMAN NEMECEK: Anyone here

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 to comment on 2 Eastway?  
 3 (No comments.)  
 4 ACTING CHAIRMAN NEMECEK: I don't see  
 5 anyone. I make a motion to close the public  
 6 hearing on Application 21-31, 2 Eastway.  
 7 MR. CUNNINGHAM: Second.  
 8 ACTING CHAIRMAN NEMECEK: All in  
 9 favor.  
 10 (AYE)  
 11 ACTING CHAIRMAN NEMECEK: I don't have  
 12 any further comments. I think it looks like a  
 13 fantastic job.  
 14 I make a motion to approve Application  
 15 21-31, 2 Eastway.  
 16 MR. CUNNINGHAM: Second.  
 17 ACTING CHAIRMAN NEMECEK: All in  
 18 favor.  
 19 (AYE)  
 20 MR. IANNACITO: Thank you.  
 21 MR. CUNNINGHAM: Good luck, guys.  
 22 Very nice. Beautiful.  
 23 ACTING CHAIRMAN NEMECEK: Good luck.  
 24 With that, I make a motion to a close the town  
 25 of Eastchester Planning Board hearing of  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 Thursday, October 28th, 2021.  
 3 MR. CUNNINGHAM: Second.  
 4 ACTING CHAIRMAN NEMECEK: All in  
 5 favor.  
 6 (AYE)  
 7 ACTING CHAIRMAN NEMECEK: Thank you.  
 8  
 9 (MEETING ADJOURNED.)  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2 C E R T I F I C A T I O N  
 3  
 4 STATE OF NEW YORK )  
 ) SS.  
 5 COUNTY OF WESTCHESTER)  
 6  
 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 video of the actual hearing. I was not  
 13 present for such hearing. The video was taken  
 14 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 15th day of November, 2021.  
 22  
 23   
 24 DINA M. MORGAN  
 Court Reporter  
 25  
**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 10/28/2021  
 2  
 3 CORRECTION SHEET  
 4  
 5  
 6 PAGE CORRECTION  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 DINA M. MORGAN, REPORTER