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TOWN CLERK . . . . . X  
EASTCHESTER, N.Y.  
TRANSCRIPT OF  
TOWN OF EASTCHESTER PLANNING BOARD MEETING  
DECEMBER 5, 2019

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

BOARD MEMBERS IN ATTENDANCE:  
TOWN OF EASTCHESTER  
Building and Planning Department

CHAIRMAN JAMES BONANNO  
ROBERT PULASKI, MEMBER  
BILL WEST, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING  
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY  
JAY KING, BUILDING INSPECTOR  
CAROL PINTO, ASSISTANT PLANNER

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

DINA M. MORGAN, REPORTER

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EASTCHESTER PLANNING BOARD - 12/5/19

The property is improved by a single family house, and we had proposed to subdivide it into another buildable lot, so there would be two single family lots. We did receive preliminary site plan approval earlier this year.

During the course of finalizing the details for this subdivision, the client discovered that there was an actual easement on the property at the north side approximately 20 feet wide. The easement itself is not in use, meaning that there are no water mains or any structure underground. It's just in place and was granted by an earlier owner of the property in the Sixties. The client discovered this through a title search earlier this year.

Since then, the client has been negotiating with Suez to try to release the easement, but Suez will not release the easement. They have agreed to reduce it from 20 feet to 15 feet. At 15 feet, it has a relatively minor impact on our application. We had a 12 foot side yard setback proposed on our earlier site plan. With the easement, we are

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EASTCHESTER PLANNING BOARD - 12/5/19

THE CHAIRMAN: Good evening. This is the Town of Eastchester Planning Board meeting of December 5th, 2019. If everyone would stand for the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: As you can see, we only have three board members today, so I'll just run through that.

Mr. Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here. Bill West.

MR. WEST: Present.

THE CHAIRMAN: Board members Nemecek and Cunningham could not be here tonight.

We just have one application on the agenda tonight, and that is 19-47, 71 Park Drive. Come up, please.

MR. FAUSTINI: Good evening. My name is Nick Faustini, I'm an architect. We were here earlier this year presenting the application for a minor subdivision at 71 Park Drive.

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EASTCHESTER PLANNING BOARD - 12/5/19

now proposing a 15 foot setback on that side of the property. The easement will allow a driveway -- although we're not proposing a driveway, the easement with Suez would allow a driveway on that area, but will not allow the footprint of the building to encroach into the 15 foot setback. It is on the north side of the property, so if you're looking at the plan, it would be on the right side. Shall I point to it?

THE CHAIRMAN: Yes.

MR. FAUSTINI: So just looking at the site plan, this is the entire property, and earlier this year we had proposed to subdivide it on the tax lot line. The 15 foot easement is the red line on the perimeter here at the edge of the footprint. We were originally proposing 12 feet as a setback, so now we're proposing 15 just to conform with the easement.

The size of the property remains unchanged. The size of the footprint remains unchanged. The area is the same, but the width has changed just to comply with the easement requirement. Where I've shrunken the footprint

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EASTCHESTER PLANNING BOARD - 12/5/19

1 here, I've increased the depth of the house, so  
2 the area remains the same. This application is  
3 just for the subdivision itself, so it's not  
4 for the footprint of the house. We're just  
5 showing the footprint as a point of reference.

6 THE CHAIRMAN: All that really changes  
7 is the footprint of the house, as you said, it  
8 has gotten more narrower and longer than the  
9 other dimensions?

10 MR. FAUSTINI: In the future when an  
11 application comes before the Board to build a  
12 new residence, yes, the footprint would be  
13 smaller just due to the easement.

14 THE CHAIRMAN: That's fine. As you  
15 said, Margaret, this is really just to extend  
16 the approval not to approve this?

17 MS. UHLE: That's correct. The  
18 applicant had originally 180 days to get your  
19 signature on the subdivision plat, but it was  
20 during that time frame that they all of a  
21 sudden discovered the easement. As I said in  
22 my meeting notes and as the applicant said,  
23 they were involved in negotiations with Suez,  
24 et cetera, so that they missed that deadline.

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EASTCHESTER PLANNING BOARD - 12/5/19

1 So really he's just asking for an extension of  
2 the subdivision approval that you previously  
3 approved.

4 Technically, had you approved the  
5 subdivision and they filed it, they could have  
6 come in with a house with a 15 foot setback,  
7 but it's making you aware of that setback at  
8 this point.

9 THE CHAIRMAN: We never approved the  
10 first one, so this is the one we're going to be  
11 approving, I guess?

12 MS. UHLE: Well, you approved the  
13 subdivision. You approved the subdivision.  
14 The only difference is on the subdivision plat  
15 that you approved it showed a 12 foot setback  
16 and this is showing a 15 foot setback on the  
17 right side of the property there. Other than  
18 that, it's just an extension of the original  
19 subdivision approval.

20 THE CHAIRMAN: This isn't a public  
21 hearing, by the way, so I have to make a motion  
22 to waive the public hearing just so that goes  
23 on the record, so I'm going to do.

24 I make a motion to waive the public

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EASTCHESTER PLANNING BOARD - 12/5/19

1 hearing for this application, 19-47, 71 Park  
2 Drive.

3 MR. PULASKI: Second.

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

6 THE CHAIRMAN: It's pretty  
7 straightforward. I don't have any comments. I  
8 just have to make a motion to extend the  
9 extension.

10 MS. UHLE: To extend the subdivision  
11 approval to May 28th, 2020.

12 THE CHAIRMAN: So that's the motion I  
13 make, extend the expiration to May 28th, 2020  
14 from the current August 28th, 2019. Second.

15 MR. PULASKI: Second.

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

18 THE CHAIRMAN: That's it, Nick. Thank  
19 you.

20 MR. FAUSTINI: Thank you very much.  
21 Have a good evening.

22 THE CHAIRMAN: Thank you. Anything  
23 else? We can't do any minutes; right?

24 So then before we end tonight, two

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EASTCHESTER PLANNING BOARD - 12/5/19

1 board members, Bill on my left and Robert on my  
2 right, will be leaving the Board. I would just  
3 like to thank both of them individually and  
4 collectively for everything they've done for  
5 their town and all of the hours they put in  
6 reviewing drawings. Twice as many for you, I  
7 guess, because you've been here for 16. Thank  
8 you for everything you've done from everyone in

9 the town, all the board members, the  
10 Supervisor, for all the diligent comments  
11 you've made and the attendance you've been here  
12 and all of the genuine concern you have for  
13 everything we put in front of us. Best of luck  
14 in whatever you guys are doing next, and I'm  
15 sure we'll see you around in town. Thank you.

16 MR. PULASKI: Thank you for that  
17 appreciation.

18 THE CHAIRMAN: So then I make a motion  
19 to close the Planning Board meeting of  
20 December 5th, 2019.

21 MR. PULASKI: Second.

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

24 (MEETING ADJOURNED.)

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EASTCHESTER PLANNING BOARD - 12/5/19  
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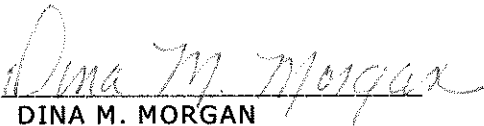
STATE OF NEW YORK )  
 ) Ss.  
COUNTY OF WESTCHESTER)

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 12th day of December, 2019.

  
DINA M. MORGAN  
Court Reporter

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EASTCHESTER PLANNING BOARD - 12/5/19

CORRECTION SHEET

PAGE                      CORRECTION

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2  
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