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Eastchester Town Clerk  
Town of Eastchester  
Planning Board

TRANSCRIPT OF  
TOWN OF EASTCHESTER PLANNING BOARD MEETING  
JUNE 24, 2021

TOWN OF EASTCHESTER  
Building and Planning Department

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO  
PHILIP NEMECEK, MEMBER  
MARK CUNNINGHAM, MEMBER  
LOUIS CAMPANA, MEMBER

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EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING  
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY

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

DINA M. MORGAN, REPORTER

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X

X

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MS. UHLE: Okay, so we're just waiting

3 for the attendees to get set up. I think  
4 you're good now.

5 THE CHAIRMAN: Good evening. This is  
6 the town of Eastchester Planning Board meeting  
7 of June 24, 2021.

8 MR. CUNNINGHAM: I think we're having  
9 technical problems.

10 THE CHAIRMAN: I'm going to do a roll  
11 call. Mark Cunningham.

12 MR. CUNNINGHAM: Present.

13 THE CHAIRMAN: Can you guys hear me?

14 MS. UHLE: We're having a little audio  
15 problems, but you seem better now.

16 THE CHAIRMAN: Am I breaking up?

17 MR. CUNNINGHAM: Now you're okay.

18 THE CHAIRMAN: We're all okay or is it  
19 just me?

20 MS. UHLE: I think maybe start with  
21 the roll call again.

22 THE CHAIRMAN: Town of Eastchester  
23 Planning Board meeting of June 24, 2021, take  
24 two. I'm going to do the roll call.

25 Mr. Mark Cunningham.

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3

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2 MR. CUNNINGHAM: Present.

3 THE CHAIRMAN: Good, there we go.

4 Louis Campana.

5 MR. CAMPANA: Present.

6 THE CHAIRMAN: He's frozen. There you  
7 go. Jim Bonanno is here. Phil Nemecek, the  
8 last member, is running a little bit late, and  
9 promises he'll be here in less than five  
10 minutes.

11 So we can -- oh, no, we have to wait  
12 for the minutes because Phil has to be here to  
13 do minutes.

14 Another note for the viewing audience,  
15 that the Planning Board will hold a special  
16 meeting on Tuesday, July 20th at 7:00 p.m. to  
17 hear old business items and applications  
18 referred from the ARB only. The meeting will  
19 be conducted in person again, finally, in the  
20 court room in the basement in the Town Hall.

21 Also, as far as the applications  
22 tonight, they are 20-19, that is 189-191 Brook,  
23 Kidz Korner, and it has been adjourned, and  
24 that was adjourned to the ZBA and ARB review.

25 The second application that's not

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2 going to be discussed is 21-17, 15 Tuckahoe  
3 Avenue.

4 MS. UHLE: Actually, Jim.

5 THE CHAIRMAN: Yes.

6 MS. UHLE: We're still having trouble  
7 with your audio.

8 THE CHAIRMAN: With my audio?

9 MS. UHLE: Your audio, yes. You're  
10 breaking up quite a bit.

11 THE CHAIRMAN: Hang on. What should  
12 we do here? I can keep trying. Can you hear  
13 me at all? That's not good.

14 MR. CAMPANA: It's choppy.

15 THE CHAIRMAN: Do you want me to just  
16 sign off and come back to the meeting? We'll  
17 give that a try.

18 MS. UHLE: Maybe try that, sure.

19 THE CHAIRMAN: I'll be back.

20 (Short recess taken.)

21 THE CHAIRMAN: I could hear the birds.  
22 Can you hear me?

23 MS. UHLE: Yes, so far so good.

24 MR. CAMPANA: Yes.

25 THE CHAIRMAN: Cool. So we will

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1 continue where we left off. Great. If I start  
2 breaking up again, I don't know what we'll do,  
3 but maybe I can sign off and you could keep  
4 going. We'll see.

5 Anyway, let's see, the next is  
6 instructions on how to participate in the  
7 public hearing for people who are viewing. The  
8 instructions are: If you would like to make a  
9 comment after the public hearing has been open,  
10 use the raise hand feature on your computer or  
11 star 9 if you're calling from a phone, Mr.  
12 Tudisco will acknowledge you and invite you to  
13 speak, please un-mute your microphone, state  
14 your name and address, and put forth your  
15 comments.

16 That being said, the first application  
17 that we're going to hear tonight is Application  
18 19-42, 5 Ray Place.

19 MS. UHLE: So I actually have to  
20 promote people. Just give me a minute here.  
21 I'm going to try this over again. Hi, Phil.

22 MR. NEMECEK: Hello, Margaret. Sorry  
23 about that. I was caught in the city, and I  
24 wasn't actually able to find the Zoom invite.

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1 Was it sent or not? Then I couldn't get it on  
2 my phone, so I just had to rush home.

3 MS. UHLE: We've been having all sorts  
4 of technical difficulties, so you're just fine.  
5 Now I'm promoting the applicants for 5 Ray  
6 Place right now. Here we go.

7 MR. TARTAGLIA: Are we ready to  
8 start? Everybody here?

9 MS. UHLE: I think so. Can you check  
10 out your team to make sure everybody is there?

11 MR. TARTAGLIA: It looks like  
12 everybody is there.

13 MS. UHLE: I think that's it.

14 MR. TARTAGLIA: I think that's  
15 everybody. Good evening, Mr. Chairman, and  
16 members of the board. It will be nice when we  
17 all can get back in person again for a variety  
18 of reasons. My name is Daniel Tartaglia. I'm  
19 the attorney for Augustus Development, LLC.  
20 They're the owner and the developer of this  
21 site, which is located at 5 Ray Place. The tax  
22 map designation is indicated on your agenda.  
23 Excuse me a second, I have a sound coming in  
24 from somewhere else. My own technical

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 difficulties. We appreciate being able to make  
2 this presentation this evening.

3 I'm just going to go through a little  
4 bit of procedural history for purposes of  
5 bringing everybody up to speed to the extent  
6 that they don't remember exactly what has  
7 occurred. This was actually a pre-Covid  
8 application, went through Covid, and is now  
9 back out on the other end. This started in  
10 2019. It's a project that's located, as I  
11 said, 5 Ray Place. It's a 21 unit multifamily  
12 market rate residential building on a 21,875  
13 square foot lot and 31 off-Street parking  
14 spaces. It first came to this board with it's  
15 initial site plan application, and we  
16 appeared -- although I was not part of the team  
17 at the time -- the team appeared before you at  
18 your October 24, 2019 meeting. At that  
19 meeting, the Planning Board declared its intent  
20 to serve as lead agency. There was coordinated  
21 review of this project under SEQRA to  
22 potentially involve interested agencies, and it  
23 was determined to be an unlisted action based  
24 upon the environmental assessment information

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1 that was submitted at the time.

2 With me this evening on my team is  
3 representatives from the architect, Ed Vogel,  
4 with Warshauer Mellussi and Warshauer; Anthony  
5 Nester with JMC Engineering; and I see Phil  
6 Grealy here, he's our traffic engineer.

7 When this came to the board and the  
8 hearing commenced on October 24th, that's when  
9 the public hearing was opened, it remained open  
10 and has remained open all this time. There  
11 were a number of other meetings and  
12 presentations before this board, specifically  
13 in February and May and June of 2020. During  
14 the SEQRA review of the application, the  
15 Planning Board considered and evaluated the  
16 potential visual impacts of the proposed  
17 building, including building height, massing  
18 and design, as well as the project's potential  
19 impact on storm water runoff, sanitary sewer,  
20 emergency access, traffic and parking  
21 conditions in the area. Among other things, a  
22 sight distance and signal warrant study were  
23 conducted by the applicant.

24 At the meeting of this board on June

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 2 25, 2020, it was referred to the Zoning Board  
 3 for a variety of variances that it needed to  
 4 obtain in order to move forward. One of the  
 5 reasons for the variety of variances is that  
 6 the project site is located where two zones  
 7 meet, so there were a number of variances that  
 8 were needed. The applicant went to the Zoning  
 9 Board for meetings in July, September, October  
 10 and November of 2020. In November of 2020, the  
 11 Zoning Board finished its public hearing and  
 12 then voted to approve the project. The  
 13 Resolution of Approval was dated January 12,  
 14 2021, and was filed with the Town Clerk in  
 15 Eastchester on February 17th, 2021.

16 That's been kind of our journey.  
 17 Since then, we've also appeared before the  
 18 Architectural Review Board. When I turn this  
 19 over to Ed Vogel, he could tell you a little  
 20 bit more about that, but we do have all the  
 21 representatives here from our team to answer  
 22 any questions or provide any additional  
 23 information that the board may be looking for.  
 24 I would now like to turn our  
 25 presentation over to Ed Vogel.

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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 MR. VOGEL: Thank you, Dan, I  
 3 appreciate that. Good evening, Chairman and  
 4 members of the board. What I'm going to ask  
 5 is, Anthony Nester from JMC, he has all the  
 6 documents, and to prevent us from screening  
 7 sharing back and forth, if he would share his  
 8 screen with the documents, we'll begin to  
 9 refresh everyone about the project and update  
 10 the board on the ARB's findings.

11 MR. NESTER: Can everybody see my  
 12 screen?

13 MR. VOGEL: Yes, Anthony, I can see  
 14 it.

15 So this is 5 Ray Place, and this is  
 16 the front elevation. The project is a  
 17 residential 21 unit project with one bedrooms  
 18 and two bedrooms. We'll come back to the  
 19 elevations as we go through the presentation.

20 So the site is located at 5 Ray Place,  
 21 and it's near the Brook Street and White Plains  
 22 Road or Route 22 corridors. DeCicco's Shopping  
 23 Center is to the south, and we also have a  
 24 multifamily residential, The Enclave, which is  
 25 slightly to the west.

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 2 If we move on to the next slide.  
 3 Thank you. The project is a single structure,  
 4 and it's on a terraced site.

5 MR. NESTER: Sorry Ed.

6 MR. VOGEL: It's okay. It's on a  
 7 terraced site. So the site, as you can see, is  
 8 here in the light green. You can see some gray  
 9 for paving. It is bifurcated almost in the  
 10 center on two different terraces. The building  
 11 contains 5 stories and 21 units. It's a  
 12 mixture of one bedrooms and two bedrooms.

13 Vehicular access is gained to the site  
 14 from the two existing curb cuts on the lower  
 15 terrace, which is right now been shown on the  
 16 screen, it's the lower level, and there's  
 17 parking and a lobby. We'll demonstrate that in  
 18 plan. Then there's an upper terrace, which is  
 19 located at second curb cut, which then at the  
 20 second level contains parking and structured  
 21 parking within the building. The hatched area  
 22 you see is for Fire Department vehicle access.

23 Here are the floor plans. So if we  
 24 can zoom into the first level in the upper left  
 25 corner. That's perfect. Thank you. You could

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 2 see the entry coming in off of Ray Place.  
 3 There's a lobby off on the right side, there's  
 4 some building services, and then parking. On  
 5 this level, there are 11 spaces being provided.

6 When we slide down the sheet to the  
 7 second level or the second floor, you see here  
 8 the upper level entry off of the terrace area,  
 9 and then this is relegated to parking. There  
 10 is, at this point, 20 vehicles. There is trash  
 11 storage, a modest lobby, and then as I  
 12 mentioned, you have within the drive aisle the  
 13 Fire Department vehicle access.

14 From here, the next three floors are  
 15 the residential units. So the third and fourth  
 16 floor and then the fifth floor have seven  
 17 units. There is mixture of one and two  
 18 bedrooms, as I mentioned.

19 On the roof, there is an amenity for  
 20 the residents, a small roof garden and terrace  
 21 for them to enjoy. All these elements are  
 22 designed to be low to the ground. The pieces  
 23 that we have coming up are the bulkheads, and  
 24 that's for the elevator, and then the two  
 25 stairs.

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Our next sheet contains the units, and I'll just briefly point them out. There is a mixture of ones and twos. Some of the one bedrooms have dens. They range somewhere between 700 to 800 square feet for the one bedrooms, and then the two bedrooms are roughly a thousand square feet.

The elevations, as we were going to take a bit of pause, here we did have discussions with the Architectural Review Board, and there was discussion back and forth on the materials and the composition of the facade. The facade is broken -- it's very traditional, and it's broken in a traditional manner with a base being the first floor, there's a body being levels two, three and four, and a top crown being level five, the top being a mansard styled roof with parapet. Then you could see some vertical accents that will come across, signifying entry, and holding the corners of the building. It has a residential character and feel with the rhythm of the windows, as they have been located here in the building, and then materially and texturally

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## EASTCHESTER PLANNING BOARD - 6/24/2021

they do align with a multifamily residential. So the base is a rusticated stone concrete veneer. The stone here has been deepened or darkened a little bit. The facade or the body of the facade is a brick. The brick is whitish. It has light creamed colored notes in it, and changes in texture from the rusticated base to a more refined brick. Then the top of the crown is a metal mansard. It's a diamond shape roof panel, and there too the material has become darker and more of a deeper gray. The windows stay black, and there is some trim that works around the windows, and that is white and has remained as well.

If we could scroll up one sheet, Anthony, to the front elevation. Just pausing here, there was some discussion regarding the balconette style railings as a residential feel, and that happens across the top, all the way across the top of the building, and then working its way down the center element, indicating and reinforcing the main entry of the project. These, as you saw, carry from the front and to the side and to the rear, so all

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## EASTCHESTER PLANNING BOARD - 6/24/2021

four facades are being treated similarly, bringing the architecture all the way around the building.

If we move to the next slide, this is a massing study that was done, and you could see here a little more graphically the three layers. Now, granted, this was not updated to current color configuration, but you could see here that we have an open garage parking area at level one, an open garage will also happen at level two, and you see the three levels above that for residential.

This image is from Ray Place looking at the building, and then this image, the second image that you see, is from in front of the CVS, so it's more or less the intersection of Brook Street and White Plains looking back toward the site.

Our next image that we have are the materials. So this is where we've ended with the Architectural Review Board and came to the conclusions. So you can see here as we work our way from this second column in from top to bottom is the diamond pattern of the metal

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## EASTCHESTER PLANNING BOARD - 6/24/2021

mansard, and you could see it's like an orange peel to give it a little texture. You could see there is the white trim that works its way around the windows. B is a softer white with some of those beige or cream accents in it for the body of the building. We have a rusticated base down below. These are samples. Please be mindful that the rusticated base pieces will be larger in scale and not brick-like, roughly 8 inches in height and 8 inches in length. Then to accent the horizontality of the building, we have some cove moldings, which we explored and provided additional details to the ARB, and they are indicated in the details down at the bottom of the sheet. Then you can see the balconette detailing that would work its way across the top of the building and down the center entry, being a (inaudible) system with an ornamental diamond back in the center.

That covers the material and the architectural discussions we've had with the ARB. At this point, I would turn this over to Anthony Nester from JMC, and he will then walk through some of the end results of the site

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## EASTCHESTER PLANNING BOARD - 6/24/2021

engineering and site planning process.

MR. NESTER: Good evening, Chairman, and members of the board and staff. My name is Anthony Nester with JMC. I will go through where we are with regard to the site plan today.

So, as Mr. Tartaglia mentioned, the site is located off of Ray Place. The address is 5 Ray Place, and is on the east side of Ray Place between Ray and Route 22. It is approximately a half acre in size. Currently, there are two parking lots at different levels, which vary around 10 foot in elevation difference between the southern rear portion of the parking area and the northern parking lot. There exists retaining walls that are pretty much along all sides of the property, actually on the east, north and south sides of the property that make the grade changes up for the different levels of the parking area.

What I'm going to do now is, I'll go to the layout plan. So as Mr. Vogel had mentioned also with regard to the egresses in and out of the project, the first driveway,

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which is to the lower level, is the northern driveway, which is 24 feet wide, which accesses the lower level parking. As you further go south, the driveway widens to 26 feet wide, where we are providing the required aerial apparatus access road for fire protection for the building. That access way was reviewed with the Town Fire Department and was found to be acceptable.

Improvements that are being made with regards to trash and pedestrian access from the property to the Ray Street right-of-way, will be provided via sidewalks from the building to the right-of-way. As part of some of the public improvements, which were worked on and agreed to during the review process with the town and their consultants, was that we were going to add a new sidewalk on the east side of Ray Place down to where it intersects with the Brook Street sidewalk, and improve both drop curbs on either side of Ray Place with regards to pedestrian access. Ray Place will also be resurfaced from its intersection with Brook Street all the way up to past our intersection

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## EASTCHESTER PLANNING BOARD - 6/24/2021

of the south driveway.

With regards to you utilities, we have prepared a storm water management report in accordance with DEC requirements, that do meet town standards. The report and storm water design for the project has been reviewed by the town and town staff, which reduces the flows during the hundred year storm. As indicated, we currently have addressed all the comments with regards to the design of the storm water management. The storm water management is going to be handled as an infiltration basin with some underground storm water systems, or CULTECs is what they call them, in each level of the parking lot, which will hold and detain water at certain rates and then release it back into the existing town system within Ray Place. The project will require an extension -- a public extension of water main. We have coordinated with Suez Water with regards to the extension of a public water main. The main will be 8 inch in diameter and extend up to the first or north driveway where it would terminate with a cap for future extension up

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Ray Place to the south.

As part of the Fire Department aerial access, and for purposes of fire fighting, there was a hydrant that was added to the project, which is located on the north side of the north driveway.

The project will also require an extension of a public sanitary sewer main. I do know, which I will get into a little later, that the issues with regards to the I & I and the sanitary sewer I will touch on after we review this, but the project will require about a 220 foot extension of a public 8 inch sewer main, which will provide service to the proposed building.

The project also proposes to provide electric, telephone and cable from a utility pole off of Brook Street on the west side of Brook Street, so the services will run up east to the east side of Brook Street, and then up into the building.

A traffic study, a sensitivity analysis, and a traffic signal warrant analysis was prepared and reviewed by the town

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 consultant, and it was determined that no  
2 further roadway improvements would be required  
3 to satisfy the additional traffic being  
4 developed by the project.

5 Lastly, just a little bit on the  
6 proposed landscaping. So we are proposing a  
7 series of deciduous trees, which are trees that  
8 lose their leaves throughout the site, as well  
9 as some shrubs and ground covers along the Ray  
10 Place right-of-way, with some evergreen shrubs  
11 at the south entrance and along the south  
12 property line, to provide a screen or a  
13 division between the existing parking lot to  
14 the south and our project. I do understand  
15 that during the ARB meeting, that there were  
16 some questions with regards to landscaping.  
17 The client has reviewed those comments with  
18 regards to the landscaping, and has no issues  
19 with regards to providing additional data to  
20 the town and will work with town staff to  
21 satisfy those comments.

22 I would like to go back to the town  
23 sewer issue -- excuse me, I'm just having a  
24 little difficulty here -- with regards to I &  
25

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 I. So the applicant, our office,  
2 representatives of the town and town's  
3 consultants have met many times and have  
4 discussed options with regards to proper or --  
5 to discuss our contribution to the existing I &  
6 I situation with regards to the existing sewer  
7 that runs down Brook Street into Harney. There  
8 were many options explored. We are currently  
9 still working with the town with regards to  
10 what exact improvements that this project would  
11 warrant based on our contribution based on  
12 additional flows into the system, and we will  
13 continue to work with them in order to provide  
14 a satisfactory solution to our proposed  
15 mitigation.

16 At this time, this is where we are  
17 today with regards to the site plan.

18 THE CHAIRMAN: Okay. Thank you, Mr.  
19 Nester. It was a very thorough review of the  
20 project. I do think we all recall and I think  
21 it ended up when we saw it last, it was a very  
22 handsome project. I think everything has been  
23 addressed adequately, with the exception of the  
24 last item, which we're going to resolve or is  
25

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 going to be resolved.

2 As far as comments, I don't have any.  
3 I've seen it. Other members of the board, is  
4 there anything you would like to ask questions  
5 about?  
6

7 MR. NEMECEK: Yes. I think Mr. Nester  
8 just indicated that the applicant was going to  
9 be willing to work with the town on the  
10 landscape plan, but is there an updated plan  
11 that has taken into account the comments of the  
12 Architectural Review Board that you referenced  
13 a couple of moments ago?

14 MR. NESTER: No, there is not. Since  
15 the last ARB meeting, we have not updated the  
16 landscaping plan. There were three comments  
17 that were pretty much made with regard to the  
18 landscaping. I know Margaret has circulated  
19 the comments from that meeting. The applicant  
20 has no issues with regards to increasing the  
21 caliber of the Sugar Maples along Ray Place.  
22 With regards to maximizing the landscaping  
23 throughout the site, in our opinion, we can  
24 work with Margaret and staff to address that  
25 comment, but based on the restrictions, there's

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 existing easements for the CVS retaining wall  
2 along the north side of the property, there's  
3 existing retaining walls and a large embankment  
4 on the east sides towards the Route 22 side,  
5 and there's a parking lot to the south side, so  
6 we feel that based on all those restraints, I  
7 don't know where there is really adequate  
8 spaces to put anymore trees.

9 MR. NEMECEK: So there's only so much  
10 you can do?

11 MR. NESTER: Yes. With regards to the  
12 alternating of plant material in the strip on  
13 the south bed, I'm sure we can accommodate the  
14 town with regards to providing some kind of  
15 solution to that comment.

16 MR. NEMECEK: Okay.

17 THE CHAIRMAN: Any other comments from  
18 the board?

19 MR. CAMPANA: I have no comments.

20 THE CHAIRMAN: Great. So our  
21 consultants are available. I don't think we  
22 need them to present everything because they've  
23 seen everything. Mr. Cermele has worked with  
24 the applicant on the I & I and Mr. Grealy has  
25

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## EASTCHESTER PLANNING BOARD - 6/24/2021

already seen all the traffic studies and everything that's put forth.

That being said, this is a public hearing, so I'm going to make a motion to open the public hearing on this application, 19-42, 5 Ray Place.

MR. CUNNINGHAM: Second.

THE CHAIRMAN: All in favor.

(AYE)

MR. NEMECEK: Could I make one comment as well? I think there was a representation by the applicant right at the beginning of its presentation, that Mr. Grealy was its parking consultant, and I believe Mr. Grealy is the town's parking consultant on this. I just want to make sure that's clear.

MR. TARTAGLIA: Thank you.

MR. NEMECEK: We can proceed with the now open or reopened public hearing.

MS. UHLE: Rob, you're muted.

MR. TUDISCO: Sorry. At this time, Mr. Chairman, I'm going to ask members of the public who wish to address the board on this application to use the raise your hand feature

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## EASTCHESTER PLANNING BOARD - 6/24/2021

and I will invite you to un-mute yourself.

Mr. Chairman, at this time I see the hand of -- Mr. Sweeney, is your hand up? It keeps going up and down? It's now down. Okay. At this time, I don't see any hands raised by members of the public.

THE CHAIRMAN: Let's give Mr. Sweeney a minute there.

MR. TUDISCO: Mr. Sweeney, I'm going to invite you to un-mute yourself. Please un-mute yourself and identify yourself for the board.

MR. SWEENEY: Good evening, planning board members. This is Frank Sweeney from 22 Lakeview Avenue, Scarsdale, New York. Referencing the letter that was part of the proposal that Margaret sent to the Westchester County Planning Board Referral Review, and in that letter it kind of outlines the things that needed to be done, and I would like to just read it to you so everybody understands what the county had suggested take place by the county sewer impacts. I'll read from the letter:

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## EASTCHESTER PLANNING BOARD - 6/24/2021

We thank the town for recognizing the County Department of Environmental Facilities policy and municipal government requirements applicants to identify mitigation measures that will offset the projected increase in sewage flow by requiring the applicant to discuss methods of inflow and infiltration, I & I mitigation, best means do so through a reduction of I & I at the rate of three to one for the market rate units.

The county board further recommends that the town implement a program that requires inspection of the sewer laterals from private homes from leaks and illegal connections to the sewer system, such as from sump pumps. These private connections to the systems have been found to be significant sources of avoidable flow. At a minimum, we encourage the town to enact a requirement that the sewer lateral inspections be conducted at the time ownership is transferred -- let me read that again. At a minimum, we encourage the town to enact a requirement that the sewer lateral inspection be conducted at the time property ownership is

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

transferred, and the necessary corrective actions be enforced by the municipal building inspector. I don't understand why that has not been done.

THE CHAIRMAN: Hold on, Mr. Sweeney. Could you just finish the letter before we go back to that one? Is there anything else in the letter?

MR. SWEENEY: There's other things, but I'll take a second best in terms of why this specific item was not suggested.

MS. UHLE: Mr. Sweeney, I'm hoping that Joe Cermele address that because I think that letter, which I don't have in front of me, is dealing with two different issues.

One, is the responsibility of the builder to provide some mitigation, which is what they are being required to do, and we can over in a little more detail the types of mitigation that were investigated and evaluated. The applicant is required and will be implementing mitigation measures to address I & I issues.

I believe, and Joe Cermele might be

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 able to address this more specifically, the  
2 second point with regard to the lateral  
3 connections is referring to single family homes  
4 where there is illegal connections. That would  
5 not be something that the applicant would be  
6 required to do, that's asking the municipality  
7 to do that at the transfer of property, I  
8 believe. Am I understanding that correctly?

9 MR. SWEENEY: I believe so, but why  
10 hasn't it been done?

11 MS. UHLE: Town wide?

12 MR. SWEENEY: No. This specific  
13 environment. We're talking about Ray Place to  
14 Brook Street to Scarsdale Avenue is basically  
15 the areas that we're kind of focused in on  
16 here.

17 MS. UHLE: Sure. But again, what  
18 you're talking about would be something that  
19 the town could or may do, but that would be  
20 unrelated to this particular project.

21 MR. SWEENEY: Didn't we come across  
22 the same issue when we were dealing with  
23 Summerfield on who was going to pick up the  
24 tariff to get the sewerage from Summerfield

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Gardens down to Scarsdale Avenue.

2 MS. UHLE: Again, I don't know who's  
3 the best -- Joe, can you kind of summarize  
4 these issues and the difference between the  
5 issues? Also, again, Mr. Sweeney, the only  
6 thing that the Planning Board can legally  
7 require the applicant to do is provide  
8 mitigation measures directly related to the  
9 impact that they're creating. So the Planning  
10 Board cannot make them resolve all of the  
11 issues in the area, but they can help mitigate  
12 it and ensure that they don't exacerbate it,  
13 which is what they will be required to do.

14 MR. NEMECEK: My recollection was that  
15 we can do so with a multiplier effect as well.  
16 I think the letter that Mr. Sweeney just read  
17 from is consistent with my recollection that  
18 it's supposed to be a three to one ratio. I  
19 believe Mr. Cermele referred to a multiplier as  
20 well at some point. If it was three to one,  
21 then it means if there are 50 gallons that are  
22 generated -- 50 gallons of sewer waste are  
23 generated by this development, they would have  
24 to mitigate or make an effort to mitigate up to

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 150. That's how I understood it. I don't know  
2 if three to one is the right number, but Joe  
3 maybe can enlighten us.

4 THE CHAIRMAN: Why don't we give the  
5 floor to Mr. Cermele, our consultant.

6 MR. CERMELE: So the letter from the  
7 county discusses two overreaching issues with I  
8 & I.

9 One, would be a town wide issue to be  
10 dealt with at a town level. That's preventing  
11 illegal connections, for one, from sump pumps,  
12 and then just an overall maintenance repair of  
13 the system as it exists today. So you may have  
14 older sections of sewer lines that have either  
15 failed for whatever reason, leaking joints or  
16 maybe a cracked section of line, maybe a bad  
17 joint in a manhole. Similar types of localized  
18 remedies that need to be made to the system as  
19 a whole. That's just part of routine  
20 maintenance program and upkeep by the town as a  
21 whole for the entire system, not any specific  
22 neighborhood or street.

23 The project itself, based on their  
24 design loading and the number of units

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 proposed, will generate approximately  
2 2600 gallons per day of sewage, and the county  
3 recommends for projects like this, a three to  
4 one ratio for mitigation. So that was the  
5 number from the county. It's a suggested  
6 mitigation. It's not a hard line drawn in the  
7 sand. It's a target that they like town's to  
8 strive to achieve. That's the same number and  
9 the same mitigation ratio we noted in our  
10 plans.

11 We've been working with the applicant;  
12 with Rocco, your highway foreman; Margaret; and  
13 the owner for months trying to come to an  
14 agreement of an appropriate mitigation for this  
15 project. As you know, one of the alternatives  
16 initially suggested and since explored was the  
17 MTA crossing that we've been discussing for  
18 quite sometime and also was part of the  
19 Summerfield project. We finally were able to  
20 arrange a meeting with MTA. I think Margaret  
21 was actually able to wave that magic wand and  
22 actually get them to show up, but we met with  
23 them at the site and reviewed the originally  
24 proposed plan, which was to install a sewer

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 bypass or secondary line through and existing  
2 covert that crosses beneath the tracks. The  
3 MTA was adamant that that will never be  
4 permitted with current regulations. So that  
5 option has since been removed from the table  
6 and is no longer viable.

7 They did offer, as an alternative to  
8 that, installing a new line underneath the  
9 tracks themselves, and that would be done by  
10 jacking a new line under the subbase and within  
11 the right-of-way of the MTA. As you, I'm sure,  
12 can imagine, the costs associated with that are  
13 significant, to the point where I don't feel it  
14 would be appropriate to put on any one  
15 applicant. It's probably three quarters of a  
16 million dollars. We have some rough estimates  
17 from the engineer from John Meyer's office, we  
18 don't have a detailed breakdown yet, but it's  
19 that order of magnitude to do a project like  
20 that. So certainly not something that I would  
21 recommend to put on any single application.

22 A second alternative that we had  
23 discussed is termed pipe bursting, where a new  
24 larger diameter pipe would be forced through  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the existing smaller diameter pipe, and that  
2 would increase the capacity, theoretically, of  
3 the flow in the line. We were considering that  
4 alternative along Scarsdale Avenue from the  
5 manhole at the Woodruff intersection, which is  
6 the manhole that surcharges under extreme  
7 conditions. It would travel south along  
8 Scarsdale Avenue to Harney Road and at least  
9 one section, if not two sections of the  
10 existing main on Harney Road would also require  
11 this similar treatment so that all the  
12 downstream lines would be increased to the  
13 similar diameter of the section of the pipe  
14 that crosses beneath the parkway. Again,  
15 that's a significant project. We don't have a  
16 number on that yet from the owner, but I  
17 imagine it's going to be at least what the MTA  
18 crossing would be, if not more.

19 We've been working with the Highway  
20 Department and investigating the existing  
21 sanitary sewer system in the vicinity of the  
22 Woodruff intersection, in that neighborhood,  
23 and we were able to find a manhole located at  
24 Harney Road just before you get to Galloway's  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Bakery as you're heading towards the parkway.  
2 There's an existing sanitary manhole on the  
3 main line that runs in Harney Road, that based  
4 on some sewer maps that we have -- the original  
5 sewer maps from 1949 -- there is, for whatever  
6 reason, a manhole that provided a diversion  
7 that allowed sewer flows to either go down  
8 Harney Road on the main line, or for whatever  
9 reason there was a bypass that allowed flows, I  
10 assume under heavier conditions, to flow down  
11 Woodruff, and then to that manhole on Scarsdale  
12 Avenue. We inspected the manhole. The invert  
13 is in need of repair, and we are under the  
14 assumption that the condition of the manhole  
15 has deteriorated to the point where if we could  
16 make some improvements to that invert on that  
17 existing manhole toward what we think were the  
18 originally intended flow paths for that sewage  
19 and keep the majority of the flow on Harney  
20 Road in the main trunk line, and that flow  
21 would then bypass this entire area on Scarsdale  
22 Avenue that is frequently surcharged. So we've  
23 met with the Highway Department a couple of  
24 times, we met with them, and then the engineer  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 at the site reviewed the condition of the  
2 manhole, we've spoken with the owner and they  
3 are amenable to making repairs to that manhole.

4 In addition to that, the line on  
5 Scarsdale Avenue itself is fairly long, there's  
6 one section that's approximately 500 feet in  
7 length between manholes, which doesn't meet  
8 today's standards. Typically you want to have  
9 manholes every 2 to 300 feet maximum. So we've  
10 discussed installing an intermediate manhole to  
11 act as an access point for future maintenance  
12 and cleaning of that line on Scarsdale Avenue.  
13 That will help maintain the condition of that  
14 line, and hopefully, you know, maintain flows  
15 that -- maintain full capacity of that pipe.  
16 They'll also be, as part of that cleanup  
17 installation, we proposed that they televise  
18 that line. In doing so, they'll ensure that  
19 that line is clean, we can inspect the  
20 condition of that pipe on Scarsdale Avenue.  
21 Depending on what we find, if there are some  
22 localized repairs that could be used or should  
23 be done, we could certainly talk to the owner  
24 about including those repairs as part of this  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 mitigation as well.

2 So I think combined looking at that  
3 alternative as a whole, I think there will be  
4 an improvement. I can't put a hard number on  
5 it for a gallon per day to say, you know, what  
6 it will provide, but it's certainly a benefit,  
7 and it's certainly something that's tangible  
8 and can be done in the immediate future. The  
9 other two alternatives that we've been talking  
10 about for quite some time are so significant  
11 from a cost standpoint and construction  
12 standpoint, that realistically to see those  
13 ever come to fruition is not likely, at least  
14 not in the near future.

15 We're leaning towards the third  
16 alternative. We're still working with the  
17 owner and their consultants to finalize the  
18 details of that, but I think it's going to be  
19 in the form of preparing an existing manhole,  
20 restoring the primary flows on Harney Road, and  
21 then making some repairs to the existing  
22 sanitary line on Scarsdale Avenue and  
23 installing an additional manhole for access and  
24 maintenance.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 I don't know if that answered the  
2 question or just made more, but that's where  
3 we're at all.

4 MS. UHLE: One thing that I want to  
5 say is that one thing that might have created  
6 some confusion with regard to this issue is we  
7 could have gone directly to that third  
8 alternative, which is probably more typical of  
9 what communities do. It was because of the  
10 application at 151 Summerfield Street where  
11 this concept or idea of going under the  
12 railroad tracks was proposed, that we really  
13 wanted to do our due diligence with regard to  
14 seeing if that really was a viable alternative.  
15 Actually, the town staff, our town consultants  
16 and the applicant put in a considerable amount  
17 of time simply to come to the conclusion that  
18 it's really not a viable alternative, those two  
19 alternatives of going under the tracks aren't  
20 viable. I think that was good information to  
21 have. It's always been kicked around, we'd  
22 always talked about it, something may reappear  
23 at 151 Summerfield Street, so we really wanted  
24 to know how viable those alternatives were. It

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 took some time to determine that they're just  
2 excessively cost prohibitive, that then we went  
3 back to a solution that I think is more of a  
4 typical kind of solution that municipalities  
5 impose.

6 I will say, in doing some of the  
7 investigation, I think the Highway Department  
8 was able to clean out some sewer lines  
9 otherwise under any circumstances. There were  
10 sort of some improvements done along the way  
11 just accidentally as we were doing some  
12 investigation here as well.

13 THE CHAIRMAN: Thank you, Margaret.

14 MR. NEMECEK: Just to be clear, the  
15 reason why going underneath the train tracks is  
16 not viable is purely because of cost; right?  
17 It's three quarters of a million dollars, which  
18 is not a fair imposition on any singular  
19 applicant. If it were multiple applicants,  
20 we'd probably be hearing about overbuilding,  
21 but there might be a way to defray or share the  
22 cost among multiple applicants without the  
23 taxpayers being affected. But the concern is  
24 the cost, it's not that it's impossible to make

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the repair, it's just prohibitively expensive?

2 THE CHAIRMAN: To go under the track?

3 MR. NEMECEK: To go under the track,  
4 yes.

5 THE CHAIRMAN: I don't think we need  
6 to talk about it much longer, but I think Metro  
7 North said it would never happen.

8 MS. UHLE: The ones at the covert they  
9 just said not allowed, period, which would be  
10 the easiest and the least cost prohibitive.  
11 The one where you had to go under the track,  
12 that is feasible, they would allow it, but I  
13 think even the cost for the required MTA  
14 flagmen was something that like \$75,000. I  
15 mean, it just is incredibly expensive to do.

16 We did discuss and consider the fact  
17 that we have other pending applications or we  
18 may, but not to the scale that could justify  
19 \$670,000 or \$700,000.

20 THE CHAIRMAN: We have the cost, put  
21 it in the file, now we know.

22 Mr. Sweeney, is he still around?

23 MR. TUDISCO: I thought we were  
24 finished with his comment, but his hand is up

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 again. Mr. Sweeney, please un-mute yourself  
2 and continue if you have an addition to your  
3 comment.

4 MR. SWEENEY: I agree with all the  
5 activities that have gone on, you know, with  
6 this particular project. These are  
7 longstanding outstanding issues that we've had  
8 for quite some period of time. I think  
9 everybody should realize that, you know, the  
10 JMC contractor has been involved with another  
11 activity that kind of landed up at the same  
12 juncture. What are we going to do with the  
13 sewage? Everything I heard from so far is like  
14 after the fact. I know that we mitigate some  
15 things, but we certainly don't want to mitigate  
16 after the fact. That's what I'm hearing, is  
17 that after the fact in terms of what we're  
18 going to do to get it done. We knew that the  
19 MTA was never going to allow you to run that  
20 thing through the pipe, the covert. We knew  
21 that 14 years ago. These are the same  
22 engineers that were involved in Summerfield.  
23 This is not new, folks. This is not computer  
24 science. This is all known as a factor. All

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 of a sudden now we have a new contractor, a new  
2 building that's providing housing for the town,  
3 and yet we're coming up against a wall that has  
4 been known to be a stopping block for  
5 everything that we've done up until this point.  
6 It's kind of like after the fact, we're trying  
7 to now catch up. I mean, they knew this going  
8 in. I'm sure the developer must have known  
9 going in, that this was going to be a stopping  
10 block in terms of came capabilities of what was  
11 going on. Is it overkill? Probably. Is it  
12 overdevelopment? Probably. The idea is trying  
13 to mitigates it after the fact is not something  
14 we want to agree with. We want it done before.

15 The fact that we're going to try to  
16 stabilize the mitigation by holding either rain  
17 water or sewage on the property until such time  
18 that the flow allows it to be released, in my  
19 opinion, is not a good solution. It's not even  
20 mitigation. Really, if anybody is moving into  
21 the building and you're holding the sewage for  
22 2500, 2600 gallons of water, doesn't make sense  
23 to me.

24 So let's be fair and honest, JMC knew

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 this going in. Margaret, you've been involved  
2 with this for 14 to 15 years, you knew exactly  
3 what the position was with the MTA. No way. I  
4 could have told you that 20 years ago, they're  
5 not going to do it. Now all of a sudden we  
6 have re-line pipe, which we haven't done. We  
7 don't know how much of it is that needs to be  
8 re-lined, and whether it has the capacity even  
9 if they unloaded at a prime time, that it  
10 doesn't have sewage in it. Is it going to be  
11 able to handle it? I can guarantee that even  
12 on a bad day right now, Summerfield -- I mean  
13 on Woodruff and Scarsdale Avenue -- I have the  
14 photos to present, if you would like them, I  
15 can present the exact photos that create this  
16 particular problem. Unless we do something  
17 about getting the sewage out and under the  
18 railroad tracks, I don't know what kind of  
19 mitigation is going to really provide. It's  
20 not going to be a good solution to anybody. I  
21 don't feel that we're doing either the tenants,  
22 the developer or the town the right thing in  
23 this application. That's my take.

24 THE CHAIRMAN: Thank you, Mr. Sweeney.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Your opinion is always valued, and we  
2 appreciate that you take the time to come up  
3 here and say those things. I do have to say,  
4 in your last comments there were  
5 misrepresentation, and I'm not about to go  
6 through them one by one, we could look at them  
7 after.

8 The first is -- there are a couple we  
9 should address, but it's not going to be a  
10 discussion, I'm just going to tell you what I  
11 think is important. The first one is, JMC is  
12 not the contractor, they're a consultant that's  
13 hired by the developer to help him figure out  
14 what to do with his project.

15 The second is, I think the process  
16 that the town has in place to address what  
17 comes from the developer is actually a good  
18 process. Mr. Cermele could attest to it, that  
19 what we're doing at the end is actually a  
20 benefit for the town.

21 The third comment I would like to make  
22 is that, as you said, after the fact, and why  
23 is everything after the fact, although I do  
24 agree it's after the fact because projects get

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 developed and then you solve the associated  
2 problems, it is not the developer's issue that  
3 it's after. If your concern is about what the  
4 town is doing about the issues you're bringing  
5 up, that's a town board comment. So if there  
6 is anything you would like to say, you can go  
7 through your comments and say, look, very  
8 little of that has to do with the Planning  
9 Board, it's more Town Board, and if there are  
10 comments you would like to follow up on, please  
11 attend the Town Board meeting and bring them up  
12 there.

14 That being said, I'm not going to  
15 continue talking about your comments, I would  
16 like to just move on.

17 MR. TUDISCO: Mr. Chairman, I see  
18 another hand from a Michael Fasciglione.

19 Mr. Fasciglione, I'm going to invite  
20 you to un-mute yourself. Please identify  
21 yourself fully for the board and offer your  
22 comment.

23 MR. FASCIGLIONE: Good evening. My  
24 name is Michael Fasciglione. I live at 43  
25 Woodruff Avenue. I came in with a myriad of

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 opinions and thoughts, but I want to address  
2 what we were just discussing, basically the  
3 sewage situation. It's been a revelation to  
4 hear that finally the MTA has put their foot  
5 down and said that they were never going to  
6 allow egress under their tracks, and that is a  
7 good piece of information.

9 However, there were two other  
10 secondary thoughts. One of them was to install  
11 a larger pipe around the existing pipe that is  
12 there, that would mitigate some of the backup  
13 problems that are existing. The second  
14 concerns itself with that manhole bypass that  
15 was just recently discovered by the town  
16 workers basically, as Mr. Cermele said, across  
17 from the Galloway's Bakery Shop.

18 My question basically is going to be,  
19 based upon what I heard with the old  
20 Summerfield situation. That scary word  
21 mitigation kept coming up. We're going to  
22 mitigate the cost of where these charges will  
23 come from. My concern is, who is going to pay  
24 for any and all of these improvements that need  
25 to be made for the current system to operate as

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 it is. Just to consider adding -- Mr. Cermele  
2 made reference to the fact that the number he  
3 had was 2600 gallons of waste water per day, I  
4 may be mistaken, but my notes, and I'm pretty  
5 sure they're correct, read 3290 gallons of  
6 waste water per day with a three times flow,  
7 that's close to 10,000 gallons of water. So  
8 were we to add 10,000 gallons of waste water to  
9 this already extended system, although we're  
10 going to repair it, will there be enough  
11 facilities there to hold that? My opinion is,  
12 there will not be. Again, living on Woodruff,  
13 I witnessed what goes on at Woodruff and  
14 Scarsdale at any time that there is heavy rain  
15 flow. So basically I'm going to take exception  
16 to those questions, and I'm going to ask the  
17 question, basically who will pay? Will the  
18 developer be charged to pay for that?

20 Again, referring to the letter that  
21 Mr. Sweeney discussed, the County Board  
22 Planning Referral File dated March 18th, I'm  
23 going to again repeat what he said: We  
24 encourage the town to enact a requirement that  
25 a sewer lateral inspection be conducted at the

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 time property ownership is transferred, and the  
2 necessary corrective actions be enforced by the  
3 municipal building inspector. What that tells  
4 me -- and I'm a laymen -- it's the  
5 responsibility of the developer to pay for any  
6 and all inspections and/or improvements that  
7 need to be done in this particular matter.

9 So I'm going to leave that matter as  
10 it is, and I will try to come back later on and  
11 discuss some other things that I had in mind.  
12 Thank you very much.

13 THE CHAIRMAN: Great. Thank you.  
14 Margaret, I could certainly try and answer it,  
15 but regarding who's paying, could you just  
16 advise?

17 MS. UHLE: I wish I had that  
18 Westchester County letter in front of me, but  
19 the applicant will be required to pay for the  
20 mitigation measures that the Planning Board  
21 imposes on the applicant as a condition of  
22 approval. So the applicant will pay for those  
23 improvements. Other town wide generalized  
24 improvements would be part of the town budget  
25 and the town's responsibility to pay for. The

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 applicant will be required to provide for the  
2 mitigation that the Planning Board requires it  
3 to implement.

4 MR. CERMELE: Margaret, if I can --

5 THE CHAIRMAN: Thank you.

6 MR. CERMELE: -- The county's point in  
7 their letter. The issue related to sewer  
8 laterals, this property is vacant and doesn't  
9 have a sewer connection, so that wouldn't apply  
10 to this property. That's a suggested means of  
11 the town as a town wide effort to try and  
12 mitigate sewer flows by eliminating illegal  
13 connections on existing homes that have over  
14 the years created, for whatever reason, an  
15 additional sewage flow or I & I condition that  
16 wasn't otherwise permitted. That certainly  
17 wouldn't be the responsibility of any developer  
18 for any project, that would be something for  
19 the town board to consider as policy as a town  
20 wide, you know, measure. It's included in the  
21 letter, but it wouldn't be related or specific  
22 to this project.

23 MS. UHLE: It's regarding the transfer  
24 of those individual properties. So if you were

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 a homeowner selling your house, I believe what  
2 that letter is recommending is that the town  
3 test the sewers at that time before you could  
4 transfer ownership of, if you're talking about  
5 a single family home, of your single family  
6 home, in which case that could be a cost that  
7 was imposed upon a homeowner during the sale of  
8 the property. That's what that's referring to,  
9 which, again, is something different and  
10 separate from this application.

11 THE CHAIRMAN: Yes, I agree that  
12 that's what that refers to. The gentleman who  
13 was speaking also -- Mr. Cermele, if you could  
14 just shed a little bit of light on the numbers  
15 and the gallons because I think there's  
16 confusion as to what the real number is. I  
17 hear two different numbers. You said 2600 I  
18 think was the number.

19 MR. CERMELE: Anthony, if I misspoke,  
20 I apologize, but the letter I'm looking at is  
21 from May of last year where we had a sewer  
22 calculation of approximately 2600 gallons per  
23 day for the project. If that is incorrect and  
24 I misspoke, I apologize. There may be a more

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 recent calculation that we have, I just don't  
2 have it at my fingertips. Whatever the number  
3 is, that number times three is the suggested  
4 mitigation by the county.

5 MR. NESTER: Just for the record, if I  
6 may, Chairman, the latest calculations that we  
7 have, the anticipated generated flow from this  
8 project is 2820 gallons per day. So if you're  
9 looking at a three to one mitigation ratio,  
10 that would equate to 8,460 gallons.

11 THE CHAIRMAN: Just for the record, so  
12 there is no 10,000 gallons of anything going  
13 into the sewer. The number is actually what  
14 you said. The bigger number is the mitigation  
15 number, not the flow number.

16 MR. NESTER: If you may, if you permit  
17 me just to clarify something too. It's not  
18 that we're generating that 10,000 gallons of  
19 additional flow, we would be required to remove  
20 or help eliminate potentially that gallonage  
21 entering into the system that's not supposed to  
22 be there.

23 THE CHAIRMAN: So actually it's a  
24 bigger benefit because you're mitigating even

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 more.

2 MR. NESTER: Correct.

3 THE CHAIRMAN: Just one other thing  
4 because I just wanted to ask a question.  
5 Comments have been made about holding the flow;  
6 is that the case?

7 MR. NESTER: No, that is not the case.

8 THE CHAIRMAN: That's what I thought.  
9 So whoever thinks that we're holding flow and  
10 then releasing it, that's not the case at all.

11 MR. CERMELE: Mr. Chairman, that was  
12 actually an idea that was discussed at one  
13 point earlier on and then for various reasons  
14 recommended against it. The water that they  
15 are holding on site temporarily is strictly  
16 storm water.

17 THE CHAIRMAN: Right, and that's  
18 typical for storm water. Storm water is held  
19 on roofs not to overload the system, and that  
20 works perfectly fine. It's done everywhere.

21 MR. CERMELE: Right.

22 THE CHAIRMAN: Back to the gentleman  
23 that had some comments. I think he said there  
24 might be some more comments. It's Mr.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Fasciglione.

2 MR. TUDISCO: If Mr. Fasciglione is  
3 not finished, I will turn his mic back on.  
4 Please un-mute yourself and continue.

5 MR. FASCIGLIONE: Am I on?

6 THE CHAIRMAN: Yes, you are.

7 MR. FASCIGLIONE: Yes, thank you so  
8 much. One short comment. If I'm going to  
9 drown in 8460 gallons of water, I may as well  
10 drown in 10,000 gallons of water. It's a small  
11 number, but I accept the number that was given  
12 by Mr. Nester because obviously he's done his  
13 homework.

14 The other question basically that I  
15 have is, firstly, has the ARB come to a  
16 decision about this project or is it still an  
17 open forum?

18 MS. UHLE: The ARB reviewed the  
19 application at two meetings. They're an  
20 advisory board to the Planning Board. They  
21 referred the application back to the Planning  
22 Board with a recommendation to approve the  
23 proposed architecture. They had only some  
24 minor comments, that the applicant mentioned at

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the beginning of the meeting, with regard to  
2 basically landscaping. So the Architectural  
3 Review Board had completed their review,  
4 referred it to Planning Board with a  
5 recommendation to approve as was submitted.

6 MR. FASCIGLIONE: Thank you very much.  
7 To that matter, I need to take exception to the  
8 decisions that the ARB has made. There were  
9 basically two public meetings that I was able  
10 to view on the Zoom cast; March 4th and  
11 April 1st. Basically most of the comments that  
12 were made by ARB, the discussions that were in  
13 effect were the visual effects of what the  
14 building looks like; the color of the parapet,  
15 the color of the base, the color of the bottom,  
16 etcetera, etcetera. But that, in my opinion --  
17 well, not in my opinion, but in the Town Law,  
18 Local Law 5's opinion, it's not their sole  
19 responsibility. Again, I'm going to have to go  
20 back to the textbook and refer to the town of  
21 Eastchester Local Law 5, Section 11, which is  
22 basically a Planning Board site plan and  
23 architectural review. There are certain rules  
24 and regulations that must be followed by this

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 board, that I do not think were considered at  
2 all because all I heard in those zone meetings  
3 were the discussions of the visual effect and  
4 how beautiful this is going to look, changing  
5 the shade of the mansard, changing the shade of  
6 the center, etcetera. There are other  
7 responsibilities that I feel are required by  
8 both the Architectural Review Board and the  
9 Planning Board.

10 I don't mean to be a school teacher  
11 here, but I'm going to have to read some of the  
12 requirements that are placed upon these boards  
13 for site plan and approval and architectural  
14 review.

15 Section E of the Local Law 5 makes  
16 reference to multifamily buildings, which this  
17 is obviously, and -- I don't want to become too  
18 monotonous about this, but I'm going to read it  
19 quickly. Item B states: If there is a  
20 striking dissimilarity, visual discord or  
21 inappropriateness with respect to other  
22 structures located on the same street within  
23 200 feet in respect to one or more of the  
24 following features, and the following features

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 are: Any significant design features, such as  
2 but not limited to the height, the width and  
3 the length of this design; the exterior  
4 materials and treatments of roof structures and  
5 exposed mechanical equipment. That is one of  
6 the items that has to be looked at. But during  
7 these meetings, I heard nothing about the  
8 height. Again, without becoming repetitive, we  
9 got a 25 percent height variance, we got a  
10 23 percent building height variance, we've got  
11 a 17 percent bulkhead height, we've got a  
12 48 percent bulkhead height within 250 feet of  
13 private homes. So there are many variances  
14 that have to be looked at, that were never even  
15 discussed concerning the height and the size of  
16 this building.

17 THE CHAIRMAN: Mr. Fasciglione, I  
18 understand what you're putting forth. Is there  
19 anything else? We're going to address it,  
20 don't worry.

21 MR. FASCIGLIONE: Are you going to  
22 address it?

23 THE CHAIRMAN: We're going to answer  
24 your question.

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 MR. FASCIGLIONE: I do have a number  
2 of other items that are listed in the Local Law  
3 5, that I think have got to be addressed prior  
4 to this project moving anywhere.

5 THE CHAIRMAN: Margaret, I mean, would  
6 you sort of explain to Mr. Fasciglione the  
7 process here? Mr. Fasciglione, am I saying  
8 your name right I hope?

9 MR. FASCIGLIONE: Good enough.

10 THE CHAIRMAN: This has been going on  
11 for quite awhile. It's been going on for quite  
12 awhile, and we've come to the conclusion and  
13 we've issued a Negative Declaration about the  
14 matters you're bringing up, which they have  
15 been addressed. Everything you're bringing up  
16 has already been spoken about.

17 Margaret, I don't know what sections  
18 he's referring to right now, but I put my faith  
19 in Margaret.

20 MS. UHLE: I think what the issue  
21 is -- first of all, when Mr. Fasciglione refers  
22 to Local Law 5, that's actually the Zoning Law.  
23 So we're accustomed to calling it the Zoning Law.  
24 There is a section with regard to Planning

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Board and architectural review that talks  
2 about, as part of the site plan approval, the  
3 Planning Board shall look at issues related to  
4 monotonous similarity, whether things are  
5 substantially identical or substantially  
6 different. It tells you to look at the size  
7 and arrangement of doors, windows and porticos,  
8 other design features such as heights, widths  
9 and lengths. So Mr. Fasciglione is absolutely  
10 correct, that's what the Zoning Law asks you to  
11 address, and it says that the ARB will advise  
12 you with regard to those issues as well. What  
13 will say, as part of the SEQRA process, a  
14 preliminary site plan approval process, you did  
15 look at those features. I think what the issue  
16 is, there are some residents that might  
17 disagree with your conclusions, but the  
18 applicant showed interactive 3D modeling. You  
19 asked the applicant to show the building from  
20 various perspectives, from street views at  
21 various intersections, at various locations  
22 along White Plains Road. The Zoning Board also  
23 had the applicant prepare very specific  
24 cross-sections that showed the relationship of

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the height of the building to The Enclave  
2 building at 24 Ray Place. So I will say that  
3 both the Planning Board and the Zoning Board  
4 looked at the issue specifically related to  
5 height and specifically related to the other  
6 variances actually in great detail, and I think  
7 what the issue is, is that there are some  
8 residents that could understandably and  
9 reasonably come to a different conclusion and  
10 think that the building is actually too tall  
11 and out of character. When you adopted the Neg  
12 Dec, you specifically looked at the potential  
13 visual impacts of the building, and came to the  
14 conclusion that it would not have an adverse  
15 impact on the visual quality of the  
16 neighborhood. The Zoning Board, in a vote that  
17 I believe that was three to two, came to the  
18 conclusion also that the variances related to  
19 height would not result in a significant  
20 adverse impact to the character of the  
21 neighborhood, but there were two members that  
22 disagreed. So I think really the issue is not  
23 that you haven't addressed these issues,  
24 because I think you've addressed them in

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 detail, it's just that you've come to a  
2 different conclusion that some other people may  
3 have come to.

4 With regard to the ARB, once you  
5 adopted the Negative Declaration and once the  
6 Zoning Board granted the area variances with  
7 regard to the height, the ARB really has no  
8 additional I think authority with regard to  
9 decreasing the height of the building. They  
10 very much look at materials and finishes. If  
11 you watched that meeting, they were getting  
12 into the kind of grout that was used and  
13 whether it was convex or concave and all sorts  
14 of things. They were really looking at the  
15 very specific design details, but I think  
16 that's largely because the other boards had  
17 really considered the issues related to height  
18 and scale very thoroughly before it got to the  
19 ARB.

20 MR. FASCIGLIONE: If I may, I think  
21 I'm still on.

22 MS. UHLE: Yes.

23 MR. FASCIGLIONE: I understand  
24 everything you said. I have to respectfully

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 disagree with you pretty adamantly. Again, I  
 2 have studied this Local Law 5. It's not just  
 3 the Zoning Law, it is the town of Eastchester  
 4 Local Law, and it was amended just two or  
 5 three years ago, so they've been on top of it.  
 6 I'm going to again be a professor and quote in  
 7 the area that refers to standards, I'm going to  
 8 state that it says: A quality of building and  
 9 overall site design to enhance and protect the  
 10 character and property values of the adjacent  
 11 neighborhood, the Planning Board shall evaluate  
 12 the architectural features of the proposed  
 13 design to determine if they are in harmony with  
 14 the neighborhood, including consideration of  
 15 architectural style, bulk, dimensions and  
 16 location on the site in relationship to  
 17 development on adjoining properties. I'm going  
 18 to have to say that the impact of what amounts  
 19 to an eight story building -- you could call it  
 20 a five story building, but realizing the fact  
 21 that it is on a sharp upgrade and really the  
 22 base of that building starts at the roof of the  
 23 CVS building, which is at least two stories  
 24 high. So you got the equivalent of an eight  
 25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 story building, which will overcome the poor  
 2 people that have paid a lot of money to live in  
 3 The Enclave and to have a wonderful viewpoint  
 4 of the area. They're going to be closed in,  
 5 and I think that that truly is against the  
 6 spirit of what this local law is.  
 7 I honestly feel that you should relook  
 8 at it, and maybe we should start this project  
 9 all over again. I may be preaching to the  
 10 wrong choir, but I'm begging you to please look  
 11 at it again. Let's see whether we could do  
 12 something to make this whole project a little  
 13 more in the flavor that Eastchester residents  
 14 would accept. Thank you so much for your time.  
 15  
 16 THE CHAIRMAN: Thank you. Mr.  
 17 Tudisco, who do you have?  
 18 MR. TUDISCO: Yes.  
 19 THE CHAIRMAN: Oh no, we can't lose  
 20 you, Rob.  
 21 MR. TUDISCO: Ms. Gabriele, I'm going  
 22 to permit you to un-mute yourself. Please  
 23 identify yourself fully to the board and offer  
 24 your comments.  
 25 MS. GABRIELE: Hi, I'm Pat Gabriele at

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 24 Ray Place. I first wanted to say, I agree  
 2 with the last comment that Michael Fasciglione  
 3 made about not being fair to The Enclave  
 4 residents, but I actually just have a question.  
 5 Why does the town not feel that a current  
 6 traffic study should be done? The traffic  
 7 study that was done early on was when we were  
 8 in the middle of the Covid quarantine with very  
 9 little traffic and DeCicco really had not  
 10 opened yet. Having lived here now with DeCicco  
 11 open and everything opening up luckily from  
 12 Covid problems shall, the traffic has increased  
 13 a lot. I like to understand why the town does  
 14 not feel that a current traffic study should be  
 15 done.  
 16

17 The other thing I would like to  
 18 understand is, knowing Ray Place and the way  
 19 that street is, it's not a very wide street, it  
 20 really only has one way in because the other  
 21 way is the parking lot of DeCicco's, if the  
 22 town really believes that construction is going  
 23 to be able to be done with these construction  
 24 trucks coming in and out of that small little  
 25 area -- I would like to understand what the

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 town's viewpoint is on that. I'm not sure if  
 2 this is the right board to look at that. I  
 3 don't think we were allowed to ask the Zoning  
 4 Board, so that's why I'm asking you.

5 THE CHAIRMAN: This is the board that  
 6 addresses those questions. Margaret, I think  
 7 we ask the consultant to answer that or you?

8 MS. UHLE: I think Mr. Grealy should  
 9 answer the first question about the traffic  
 10 study.

11 MR. GREALY: Good evening, Mr.  
 12 Chairman --

13 THE CHAIRMAN: Sorry to cut you off,  
 14 but for just for Ms. Gabriele, Mr. Grealy is  
 15 the consultant that works on behalf of the  
 16 town. He is our expert on traffic, so we  
 17 always defer to his opinion.

18 MS. GABRIELE: He is the town traffic  
 19 consultant?

20 THE CHAIRMAN: Yes.

21 MS. GABRIELE: He works for the town?

22 THE CHAIRMAN: That's correct.

23 MS. GABRIELE: I like to understand  
 24 that.  
 25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

MR. GREALY: Good evening, Mr. Chairman, members of the board. Philip Grealy from Colliers Engineering.

Just a little background in terms of our review. We had prepared a total of six review letters or memos on this project dating back to October of 2019. The original data that was collected as part of this study was pre-Covid. The speaker is correct in terms of at the time DeCicco's was not occupied yet. That was one of our comments. The applicant prepared projections with additional traffic for DeCicco's. We also had asked for a sensitivity analysis to see if more of that traffic, if it was to use Ray Place, what the outcome would be, and also a detailed warrant analysis with those additional projections to see if a traffic signal would be warranted at the intersection of Ray Place and Brook Street.

In addition, the applicant was making sight distance improvements at the intersection of Ray Place and Brook Street to improve the ability to get in and out, and also certain improvements along Ray Place itself. I would

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

also add, that there was a more recent traffic count collected at that intersection for a different project, which confirmed that the projections that the JMC study had relative to the additional traffic from DeCicco's, which there has been definitely additional traffic, were in line in terms of peak hours of what they had projected.

So based on that, we do not feel an additional traffic study is necessary. It has been done. It's standard procedure in terms of accounting for that traffic.

In terms of the construction traffic, one of our conditions and recommendations is what's called a work zone traffic control plan. As part of our review, we've interfaced with the Highway Superintendent. As the applicant's engineer described, they will be upgrading and installing sidewalks along the site frontage and out to Brook Street. They also have agreed to work with the Highway Superintendent on getting that sidewalk extended to the shopping center. Part of the requirements of the work zone traffic control plan during construction,

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

and that covers deliveries, construction vehicles, is to demonstrate how that will be accomplished so that traffic flow is not impacted. That typically involves the Police Department, the Highway Department and us. So that is a requirement that if they go to construction, that that has to be provided to ensure that traffic flow is maintained and operations are correct.

THE CHAIRMAN: Great. Thank you.

MR. GREALY: The applicant has responded to each and every one of our comments over those six different memos and letters, including all of the comments from the February 2020 public hearing.

THE CHAIRMAN: Great. Thank you, Mr. Grealy. Ms. Gabriele, as far as the construction goes, it's something that certainly was addressed and commented upon by our consultants. So I think it would will be controlled, and I think the Police Department will pay attention also.

That being said, are there any other comments you would like to put forth?

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

MS. GABRIELE: No.

THE CHAIRMAN: Great. Thank you. Mr. Tudisco?

MR. TUDISCO: I see someone that's identified as Nicole has a hand up. I'm going to permit you to un-mute yourself. Please identify yourself fully and address the board.

MR. CAMA: Hey, I'm Sean Cama. I live at 24 Ray Place directly across from where all this construction is going to be going on. I actually have a brother-in-law that is with a very large construction company, and they do a lot of work in the city and all over the surrounding tri-state area. He is with me, I'm not going to have him speak, but we have some questions for you. Are there any borings taken? That's my number one question. My concern is that we live directly across the street, and if there is rock, it will cause quite a disturbance to all of the neighbors. If there rock, what is the plan to remove it; by blasting or with a hoe ram? That's my first question.

THE CHAIRMAN: Keep going, if you

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 don't mind.

2 MR. CAMA: My second question is --  
3 can you hear me?

4 THE CHAIRMAN: Yes, keep going.

5 MR. CAMA: It will certainly cause  
6 sound pollution and make peaceable living here  
7 impossible. I have another question.

8 THE CHAIRMAN: I would rather you  
9 finish.

10 MR. CAMA: Also, is there a logistical  
11 plan that we can review? My concern is, we  
12 enter and exit right across the street from my  
13 development at the exact point that this  
14 development will be built, and what is the plan  
15 to protect the adjacent properties on the  
16 eastward side of the property, as there is a  
17 huge ledge across the street? Patrons park  
18 directly below that point as well. If the lot  
19 has rock, it will nearly be possible to provide  
20 the protection needed to keep those patrons  
21 safe. Also, will the vibration monitoring be  
22 placed at all adjacent properties? If you are  
23 removing rock, it will certainly cause  
24 vibrations and potential damage to adjacent

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 properties.

2 My last thing is, I'm sitting here,  
3 and I wanted to be out on my patio tonight, and  
4 I hope there are a lot of people listening and  
5 I hope there are a lot of people that are just  
6 afraid to come on and speak, this road that  
7 comes up, which is basically going into a  
8 parking lot of DeCicco's, which is now very  
9 busy because now the world is opening and  
10 people have their masks off, and there's a lot  
11 more population and traffic going on, these  
12 trucks that are going to be coming in here, the  
13 removal of everything, there is no room. Also,  
14 where are you going to access this from with  
15 people that are walking up the block? A lot of  
16 people walk up from 24 Ray Place and walk down.  
17 The blind spot that's right in front over where  
18 DeCicco's is, I mean, I almost get into an  
19 accident once every three months when I'm going  
20 up there. There is no room.

21 As the other gentleman before Pat  
22 Gabriele had said, I'm going to be sitting  
23 here, I'm never going to see the sun again. My  
24 place is probably worth, what, \$624,000, never

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 going to see the sun again. I guess, you know,  
2 when I spoke before, I had mentioned that the  
3 gentleman in the Board before, his mother lives  
4 next to me, his mother-in-law lives upstairs.  
5 I'm the guy that brought in 500 people during  
6 Covid that petitioned against this, as well as  
7 his mother and his mother-in-law. I asked him  
8 to recuse himself because he is an attorney.  
9 He didn't recuse himself. I knew when he  
10 didn't recuse himself, he was going to be that  
11 third vote to make sure that it went through.  
12 Two people on your board, you know, said no,  
13 which was great, but he should have recused  
14 himself from this. Because of Covid, we have  
15 not been able to see you face-to-face and have  
16 a real conversation. You've been having these  
17 plan meeting, and we know everybody in  
18 Eastchester, we know people that work over  
19 there as well, you want this thing to go  
20 through. We get it. But the problem is,  
21 you're going to be putting a structure in,  
22 which has never been put in before in before in  
23 the height, as well as what the gentleman said  
24 before, you're going to start out two stories

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 higher than CVS. It is going to be a  
2 monstrosity. Also, it's going to be a rental  
3 building, that's what it's going to be. Who  
4 even knows who's even going to be in here.  
5 So at the end of the day, you are  
6 going to cause such disruption. You are going  
7 to decrease the value of our properties over  
8 here. You are going to make it impossible for  
9 us to even have any peace at all, I'm sure for  
10 a year. I don't even know with the safety part  
11 because of the incline of this driveway,  
12 because I do live here, and I'm sure you don't,  
13 you live in a whole neighborhood where you  
14 don't live on a huge incline, but our incline  
15 is so crazy over here, I guarantee if you tried  
16 to walk it twice, you wouldn't even be able to  
17 do it, you would be so out of breath. Then  
18 when it gets icy, the cars just come down and  
19 they slide down the hill. So what I'm trying  
20 to say is, I'm trying to figure out, why would  
21 you want to put in something that is almost two  
22 stories higher than what it should be, and  
23 you're saying it's because the developer is  
24 going to lose money. Who cares? That's your

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 problem. You came in you, you approved it, and  
 3 now you're going to give them not only the  
 4 building that is going to protrude like King  
 5 Kong coming out of the woods, you're also going  
 6 to give them an extra story and a half because  
 7 of his profitability on the building. That has  
 8 nothing to do with us. We live here. We live  
 9 in a nice, peaceful place.

10 Margaret, you talked about Enclave.  
 11 If you come over to Enclave, yes, they did give  
 12 a variance or whatever it was, but this place  
 13 is completely surrounded by trees, everything  
 14 is silent. I don't even know what you're going  
 15 to be doing -- I don't know if you did an  
 16 environmental study as well with all the  
 17 animals that are around here or whatever, but  
 18 we have a beautiful selection of animals that  
 19 come along here that come out of the woods over  
 20 here. I don't know what you're going to be  
 21 doing to that as well. The landscaping is  
 22 never, ever, ever going to be able to be able  
 23 to grow for the next 20 years. In 2040 it's  
 24 going to be great when all the landscaping is  
 25 around. For whatever reason it is you want

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 this building built, I think everybody on this  
 3 call doesn't want this building built, but at  
 4 the end of the day, you should come on over  
 5 here and take a look at how peaceful we are,  
 6 and you're really going to disrupt us  
 7 tremendously.

8 I would like if you could, answer  
 9 those question that I put out there. Thank  
 10 you.

11 THE CHAIRMAN: Sure. Thank you for  
 12 your comments. So, Margaret, so there's a  
 13 number -- the four things you brought up, I  
 14 could certainly go through them. I could try  
 15 to answer them based on my experience, but I  
 16 think regarding borings and rock and pollution  
 17 and sound pollution and logistics and  
 18 vibrations, typically those matters are  
 19 addressed -- they could certainly be addressed  
 20 now, but they're addressed when construction  
 21 starts.

22 MS. UHLE: I was going to say, I think  
 23 it's fair for -- this application is going to  
 24 come back to the July meeting, I think it's  
 25 fair to ask the applicant to provide some

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 additional information with regard to how  
 3 they're going to deal with rock removal,  
 4 etcetera. I think that's a very fair question.  
 5 I think, as Phil Grealy had mentioned, what is  
 6 very typical, not so much with regard to  
 7 blasting and noise but with regard to potential  
 8 traffic impacts related to construction  
 9 activities and egress and access issues, he had  
 10 talked about this work zone traffic control  
 11 plan. Just as an example, Suez is getting  
 12 close to getting a permit for the new pump and  
 13 disinfection station, we had a Zoom meeting  
 14 just actually on Tuesday with about 20  
 15 attendees, including people from the School  
 16 District, Transportation Department,  
 17 Westchester County Department of  
 18 Transportation, Police Department, Highway  
 19 Department, the Fire Department couldn't attend  
 20 the meeting but they had participated  
 21 otherwise, our traffic engineer, the  
 22 applicant's engineer, and the whole purpose of  
 23 that meeting is to discuss how to implement  
 24 construction activities with the least  
 25 disruption to the community. Obviously,

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 different sites have different conditions that  
 3 need to be addressed. So that is something  
 4 that we do on a regular basis on large  
 5 construction projects, meet with everybody in  
 6 emergency services, etcetera, to ensure that  
 7 those things are addressed.

8 That being said, I think it's fair to  
 9 ask the applicant, if they can't answer that  
 10 now, prior to coming back to the next meeting,  
 11 to kind of discuss rock removal issues and  
 12 things in a little more detail so we can know  
 13 what to expect as far as that's concerned.

14 THE CHAIRMAN: I agree, that's a good  
 15 idea. We should ask them to do that. The  
 16 gentleman brought up obviously the rock  
 17 excavation and protection to the surrounding  
 18 areas for the rock and the sound pollution, but  
 19 he also did bring up a question about a  
 20 logistics plan. Typically, on construction  
 21 sites someone draws up a logistics plan, where  
 22 the trucks come, where they go, and that would  
 23 be a good document to actually put up. It  
 24 might be a little bit premature, but I think  
 25 that would certainly explain what's going on,

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 where the crane is going to be, where they're  
2 loading, all that kind of stuff. Now is a good  
3 time to talk about it. So I'm sure it's in the  
4 record, so the applicant knows what the issues  
5 are, they could, as Margaret said, bring it  
6 back. We certainly would like to have it to  
7 show the public and address the issues that  
8 were just brought up.

9 MR. CUNNINGHAM: I have to second  
10 that. I happen to be one of the board members  
11 and also in the construction business in New  
12 York City and work for a very large developer.  
13 Site logistic plans, rock removal, all that is  
14 a very, very important issue to all the  
15 surrounding area and to the neighboring  
16 buildings and neighboring folks. Site safety  
17 plans, all that has to be in place for a  
18 project of this size.

19 Margaret, you mentioned Leewood. I  
20 just want everyone to know that all the guys  
21 sitting on this board are residents of the town  
22 of Eastchester, and I happen to live by where  
23 the project is going to go on at Leewood.  
24 There's been a lot of conversation about, you

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 know, the safety and the movement of  
2 construction vehicles. The Town takes it very  
3 seriously, and they're looking into all these  
4 things. It's just not over on 22 and Brook  
5 Street, it's throughout the whole community.  
6 This is one of the reasons we're here. It  
7 needs to all be addressed and put in place  
8 before that project starts.

9 THE CHAIRMAN: So just one more issue.  
10 Thanks, Mark, I agree. I second that. In  
11 addition, the gentleman also brought up  
12 something about vibration monitoring on  
13 adjacent buildings. I have no idea what the  
14 developer wants to do about that. That's their  
15 call. Just a suggestion, the gentleman said  
16 what about vibrations. The owners and  
17 developers should know there are ways to  
18 monitor the vibrations during excavation, and  
19 it's certainly to their benefit to maybe  
20 actually consider that to sort of alleviate any  
21 vibrations going to the surrounding areas. We  
22 would like the owner to come back with those  
23 issues addressed at the next Planning Board  
24 meeting?

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 So I think we're done with those  
2 questions for now. Is there anyone else, Mr.  
3 Tudisco?

4 MR. TUDISCO: It appears that Mr.  
5 Fasciglione has his hand up again.

6 THE CHAIRMAN: Sure.

7 MR. TUDISCO: Mr. Fasciglione, I will  
8 permit you to un-mute yourself. Go ahead.

9 MR. FASCIGLIONE: I promise to be  
10 brief. I have one question for Mr. Grealy. I  
11 do recall that there was some discussion with  
12 reference to egress at the bottom of Ray Place  
13 requesting permission from the town of  
14 Eastchester to remove one parking spot from, I  
15 believe, the western side, and possibly adding  
16 that parking spot to the eastern side in order  
17 to open the sight area. Has anything moved  
18 forward there? Has the Town approved that or  
19 have we asked them? Where are we there?

20 MR. GREALY: Yes, Philip Grealy again.  
21 The applicant had prepared a plan. As you  
22 know, exiting out of Ray Place today when  
23 vehicles are parked in that closet space to the  
24 west, sight distance is very limited. So that

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 first space is to be removed and replaced on  
2 the east side, just to the east of where the  
3 CVS loading dock area, there is room there.  
4 That was reviewed. I believe the Town Board  
5 weighed in on that, and with the replacement --  
6 basically you're replacing in kind that space,  
7 and it would help alleviate that existing  
8 condition. I believe that that's been  
9 resolved.

10 Margaret, I don't know if you have any  
11 further information on that.

12 MS. UHLE: The Town Board weighed in  
13 on it in an informal way, and indicated that  
14 they would approve it. They have not formally  
15 approved it at a Town Board meeting yet. I was  
16 told by the Supervisor that they would agree to  
17 it.

18 THE CHAIRMAN: Good.

19 MR. GREALY: That would improve the  
20 safety of that intersection. Westchester  
21 County, since that's a County road, was also  
22 involved. The applicant's engineer had gotten  
23 input from Westchester County, DPW on that  
24 modification also.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

THE CHAIRMAN: Great. Thank you.

Mr. Tudisco, what do you got?

MR. TUDISCO: I don't see any -- now

Mr. Galanek wishes to address the board. Mr. Galanek, identify yourself and offer your comments.

MR. GALANEK: Can you hear me?

MR. TUDISCO: Yes.

MR. GALANEK: One of these days, I'll figure out how to use that raise your hand, if I go when it's blue or if I go when it's white.

Good evening, Mr. Chairman, and fellow members and general public. Charlie Galanek, 21 Potter Road, Scarsdale/Eastchester, New York.

One of the question I have, I brought up a long time ago, and I'm going to start off with that, the retaining wall. The retaining wall that is in existence now, I believe is built by the town. I had asked way back when, who's going to responsible for that wall in this project? If there are any repairs, any problems with it or any additional shoring up of it, or any widening of it, or making

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

thicker, for an easier choice of words, which might go on to Town property to do that, I don't think that was ever addressed. I brought it up, but I never heard. That's number 1.

If so, if it is a Town wall, shouldn't this be incorporated into this applicant, that if there's any repairs to it, any problems with it because of the construction of this building, that it's on their nickle or their dime, or lots of dimes, that it's their responsibility to repair it?

On some of the things that had happened on this pipeline, the waistline, the sewage line, my recollection was that it was going to be a waistline and it was going to go underneath the train tracks. If that was the case, and that's what I kept on hearing, and Mr. Sweeney kept on saying, that's not going to happen, and he kept on getting shot down over numerous times for one reason or another, many times we're not discussing this tonight, it seems like you never want to talk about this. Tonight is one of the nights that we are talking about it, and I'm glad that that's

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

happening. When we talk about moving water, the waste water, even storm water down Brook Street, they named Brook Street for a reason, because there was a brook at one time underneath there and there still may be spring water underneath there, I don't know for sure. When Summerfield Gardens was rejected, one of the reasons -- I'm not sure that this happened but Margaret could probably helped me with this -- was because there was a pipeline -- they needed a bigger pipeline for the flow of that project, and then it was supposedly going to go out to a new pipeline underneath the train tracks. Somehow when the Town wasn't going to pay for it, that sort of ended that project, if I have that correct.

Now, two new things that I know that was mentioned tonight was this newly found -- it came out of nowhere -- newly, found sewer cover, manhole cover, whichever way you want to describe it, opposite Galloway's. Supposedly, it was installed at the same time as the original or the pipeline in 1946. However, it is not in good shape. Well, if that's so, and

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

I'm really -- I have a question mark over here, which is a double question, if we have a sewer line in 1946, was that ever replaced? Did they do something with that since 1946? If that's been running since 1946, how can this other cutoff, that may have worked some part of the time, is no longer working? Wouldn't it be in better condition since it wasn't being utilized, or do they work worse when they don't use them? I don't know. I would like to get some answers on that. Have we done any flow tests on this pipeline to see exactly how much you could put in there and where it's going? I wonder if that was done. Was it done? I would like to know that. That was number 1, that new discovery.

Number 2, they're talking about this way of taking pipe busting. Now, if I understood that correctly, it's taking existing pipe or something and putting another pipe in it, or something like that, to make it run better or go around it or over it. Is that going to run on Scarsdale Avenue on that stretch to alleviate, hopefully, some of the

**DINA M. MORGAN, REPORTER**



1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 water problems? If that's the case, I got  
 3 another double question: Mr. Sweeney and Mike  
 4 have also brought this out over numerous  
 5 meetings way back to Summerfield Gardens, that  
 6 they have a problem there. Frank has pictures  
 7 because he always sees the water coming up.  
 8 Anyone that lives there has a problem.  
 9 (Inaudible) We're going to put pipe busting in  
 10 there, all of a sudden, what happened all the  
 11 other years when he brought this to the Town's  
 12 attention? Why is this project such a priority  
 13 on taxpayer's money to get this project done?  
 14 You, as the Board, have not shown me, that's  
 15 listening to this meeting, what it costs the  
 16 Town. That's part of their project, but it's  
 17 not supposed to be part of the Town's project.  
 18 I don't want to hear, well, this was always a  
 19 problem down here on Summerfield, so we  
 20 replaced it anyway, it had to get done, and  
 21 there's no cost to the developer. That's how I  
 22 feel this project is going, and it's wrong. If  
 23 you could sit there as board members and not  
 24 see that and agree and rubber stamp this whole  
 25 thing, are you really helping us, the rest of

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 the Town? I ask you those questions. Thank  
 3 you for your time.  
 4 THE CHAIRMAN: Great. Thank you.  
 5 Where do we start? I do take a little bit of  
 6 exception to the rubber stamp because we all  
 7 are town members. We spend time on this. We  
 8 understand the concerns. We try and sort of  
 9 weigh it out through all the concerns.  
 10 Also, the comment about pipe busting,  
 11 I think -- and I'm going to go to you, Mr.  
 12 Cermele -- I think when you mentioned pipe  
 13 busting, that was just an alternative that  
 14 wasn't being used here. I'm going to ask Mr.  
 15 Cermele to talk about some of these things. I  
 16 copied seven comments. I could certainly tell  
 17 you what they were, Mr. Cermele. The first one  
 18 was the retaining wall, and I'm not really  
 19 familiar with the site plan to know exactly  
 20 what he's referring to, but if it's on their  
 21 property, I'm sort of thinking the owner is  
 22 responsible for it.

23 Do you want to start, Mr. Cermele, if  
 24 you would?

25 MR. CERMELE: So with regard to the  
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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 retaining wall, we had mentioned that in our  
 3 first memo over a year ago, questioned the  
 4 ownership, but for clarity I guess, all the  
 5 existing walls are -- none of the existing  
 6 walls are on town owned property. They are all  
 7 on privately owned either owned by the  
 8 applicant or the DeCicco's property. We had  
 9 asked, and the applicant has acknowledged, the  
 10 need to delineate the division of the ownership  
 11 between the two private property owners. Any  
 12 proposed walls will be wholly on the  
 13 applicant's property. No walls will be  
 14 constructed, removed, modified within the Town  
 15 right-of-way. There are no walls within the  
 16 Town right-of-way. They're close, they're on  
 17 the property line or adjacent to the property  
 18 line, but they're not Town owned walls, and  
 19 there will be no proposed walls constructed in  
 20 the Ray Place right-of-way.

21 THE CHAIRMAN: That covers the  
 22 retaining wall. In regards to the condition of  
 23 the retaining walls, is that something that we  
 24 ask the applicant to review? I mean, it's in  
 25 their best interest that they do it. Have you

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 made comments about their condition?  
 3 MR. CERMELE: We have, and they've  
 4 come back -- maybe Ed or Anthony, you may be  
 5 able to speak better to your plans with any  
 6 improvements or modifications to the existing  
 7 walls. Some will obviously need to be shorten  
 8 or removed, newer walls will be added on or /KP  
 9 extended. There is the centrally located wall  
 10 between the two tiers of properties that  
 11 becomes part and parcel of the building  
 12 foundation, but they've accommodated or  
 13 accounted for those walls, and they'll be made  
 14 part of the design, the final construction  
 15 documents.

16 THE CHAIRMAN: Can we go back to the  
 17 applicant for retaining walls in a minute?  
 18 There were other comments that were made and  
 19 I'm trying to sort my way through them. It was  
 20 about the manhole at Galloway's ever being  
 21 replaced, the flow tests and pipe busting,  
 22 there's a long list. I guess we could go  
 23 through them one at a time.

24 MR. CERMELE: Generally, we've been  
 25 working with the Town and with the applicant

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 for more than a year at this point, trying to  
2 evaluate various alternatives to mitigate the  
3 sewer impacts from this project. Keep in mind,  
4 we've said all along that any mitigation  
5 efforts by this applicant are not meant to cure  
6 any overall problems for the Town, it's simply  
7 to offset the potential impacts specific to  
8 this project. So that gets back to that  
9 targeted three to one mitigation. For  
10 simplistic sake, you know, if you have a  
11 thousand gallons of sewage going into the  
12 system, we target or the County recommends you  
13 offset up to 3,000 gallons. By doing so,  
14 you're not curing all the problems of the sewer  
15 system, you're just offsetting, and in a  
16 positive way more than offsetting the potential  
17 impact from any specific project.

18 We've been working, again, with the  
19 Highway Department, with the Town, with the  
20 applicant investigating options and  
21 alternatives. The two that we've spoken about  
22 were the MTA crossing, and more recently,  
23 another thought that was contemplated was the  
24 pipe bursting, but as we said earlier, they're  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 just cost prohibitive. The MTA has actually  
2 come back and said that the installation of the  
3 covert, or the sewer line in the covert, the  
4 existing storm covert, due to changing  
5 regulations, is just not permitted any longer.  
6 So while that might have been an option when  
7 the prior Summerfield project was on the table,  
8 it's no longer the case. We've only just found  
9 that out -- Margaret, when was that meeting?  
10 That was just this Spring with the MTA.

11 MS. UHLE: Yes. It was maybe a month  
12 or two ago.

13 MR. CERMELE: So that's new  
14 information for all of us. They finally came  
15 back -- it took some time to get somebody from  
16 the MTA to come to the table and tell us that  
17 that option is no longer viable. So we've  
18 been -- you know, paralleled with that, we've  
19 been investigating the Town's sewer system, and  
20 in a positive way, we stumbled upon this failed  
21 manhole. Things happen over time, certainly  
22 over decades, and we came across a manhole that  
23 needs some repair. In inspecting that manhole  
24 and looking at the sewer layout, we think that  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 by making the repairs and restoring the  
2 condition of that manhole, it will certainly  
3 help divert the majority of the mainline flows  
4 along Harney Road, where we believe they were  
5 originally intended to be, and reduce the flows  
6 from that manhole that currently the majority  
7 of which go towards Woodruff and that lower  
8 lining manhole on Scarsdale Avenue. It's all  
9 part of the process and part of the  
10 investigation. We just found out about that  
11 manhole I think it was a month ago. Again,  
12 this is all new, evolving information, but we  
13 think by, you know, happenstance we came across  
14 that condition and it's a directly related or  
15 could be a directly related benefit to this  
16 that area. It's certainly worth looking  
17 further into. The developer is willing to make  
18 the repairs, and in conjunction with the other  
19 measures that we talked about, the access  
20 manhole and cleanup manhole on Scarsdale  
21 Avenue, televising and cleaning the main line  
22 on Scarsdale Avenue, I think as a whole will  
23 provide a net positive with regard to this  
24 project and their impacts.  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 THE CHAIRMAN: Okay. I think you  
2 covered everything. I guess the only other  
3 issue is to just quickly go back to the  
4 applicant and ask them about the retaining  
5 walls and about the conditions. You know what,  
6 can we just put that on the back burner and the  
7 applicant will address it, send something to  
8 you, and we'll make sure that it's being  
9 addressed. I mean, it's to their benefit, it's  
10 their wall; right?

11 MS. UHLE: I think that's something  
12 you could ask them to come back and explain at  
13 the next meeting, along with the construction  
14 protocols.

15 THE CHAIRMAN: I think just put it on  
16 the list of things rather than have them up  
17 here. They have to look into it, tell us what  
18 they're doing, Joe has to review it, and we  
19 could bring it up at the next meeting. Okay,  
20 I'm good.

21 Mr. Tudisco, is there yet another  
22 person out there?

23 MR. TUDISCO: I'm looking, Mr.  
24 Chairman. At this time, I do not see any  
25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 hands -- wait, there was a hand and it went  
2 down again. Okay, this is Mr. Fioravanti.  
3 Please un-mute yourself and identify yourself  
4 for the board.

5 MR. FIORAVANTI: Hi, this is Bill  
6 Fioravanti, 24 Ray Place, Scarsdale, New York.  
7 I just want to say, I'm up in Yorktown right  
8 now, so my cell is a little off, so if I mute  
9 out, I apologize for that.

10 I know you guys had a long night. I  
11 thank you guys on the board -- I know you guys  
12 are volunteers -- for appearing tonight and all  
13 the other nights. Thank you as well, Margaret.

14 I'm going to try to keep it brief  
15 here. I'll tell you one thing though, I lived  
16 in Eastchester for 30 years, and this is the  
17 most ridiculous thing I've ever seen in the  
18 entire town of Eastchester. I have no fault  
19 with the developer or the architect. The owner  
20 of this property is just ridiculous. He had no  
21 regard for the surrounding area. He really  
22 should have -- he or she, I don't know if it's  
23 a she -- should have gone out and take a little  
24 survey of the area and community there. The

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 community, you know, Ray Place, CVS, you know,  
2 just look at the area and see exactly what is  
3 going on.

4 During Covid, I canvassed the entire  
5 area -- actually, I feel like running for Town  
6 Supervisor in 2024 -- I canvassed the entire  
7 area and got over 200 signatures. Behind Park  
8 Circle, I met many owners there, owners of  
9 houses that when they built Ray Place, they  
10 were completely against it. They were  
11 completely against the Town. When they built  
12 Ray Place, there was a lot of noise, a lot of  
13 booming, a lot of loud sounds, construction for  
14 months. In fact, two owners across from Brook  
15 Street told me their foundations cracked  
16 because of Ray Place being built. Now, isn't 5  
17 Ray Place much closer to 24 Ray Place? Let me  
18 ask that again: Is 5 Ray Place closer to 24  
19 Ray Place? Where is -- did this developer -- I  
20 mean the owner spend money to at least survey  
21 the area, you know, go to, you know, at least  
22 Ray Place, CVS, DeCicco's just to do a survey.  
23 If there is any damage to our properties, are  
24 they going to pay for them? I canvassed owners

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 behind Equinox, behind Mobil for blocks.  
2 Everybody was against this. Everybody. I  
3 mean, is democracy working here in Town Hall?  
4 I mean, what is going on? Should I go  
5 around -- I bet you I could go all ends of  
6 Eastchester and do a petition for a reduction  
7 in taxes, I bet you I could get 5,000  
8 signatures on this. This is ridiculous. I got  
9 to tell you, I've never seen this.

10 Everybody sitting on this board --  
11 I've been attending these meetings for months  
12 in different boards, and I understand Margaret  
13 is in a precarious situation, I spoke to her  
14 the other day, I understand her position  
15 entirely, but I feel like our Government is not  
16 working for us right now. I just worked for  
17 the Board of Elections for 10 days, I feel they  
18 do a ten times better job than what is  
19 happening here. This is ridiculous.

20 Also, I came across an article in the  
21 newspaper that says the town of Scarsdale,  
22 encompassing parts of Eastchester, is going to  
23 have to spend a hundred million dollars to  
24 upgrade their sewer system. A hundred million.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 I tell you, I think I'm going to go to News 12  
2 next week and disclose this whole thing. I'm  
3 going to blow this whole thing open and get  
4 this on the news. I've already contacted Damon  
5 Maher about this. I spoke to him. He was very  
6 amicable and very nice about this whole  
7 situation. I tell you, my next step, I'm going  
8 to contact Jamaal Bowman. I've already  
9 contacted their office. I've got a lot of  
10 positive responses from them as well. Maybe I  
11 should contact Tony about this project because  
12 this is becoming ridiculous. The developer --  
13 I mean, I'm not going to say -- I have no  
14 problems with the developer, the owner, I'm all  
15 for capitalism, I worked in private enterprise  
16 for years, you know, this a beautiful building.  
17 I tell you, if he put this on Central Avenue or  
18 in New Rochelle or White Plains, this would be  
19 a homerun. On top of that as well, I went over  
20 with Damon Maher, I understand these units are  
21 \$1,800 units, 2,000, \$2,100 units. I tell you,  
22 this is not helping out affordable housing at  
23 all. If, you know, a person is making 40 to  
24 \$50,000 a year, they're going to be spending

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 half their -- half their earnings on renting.  
 2 I mean, look, if you had affordable housing and  
 3 someone was paying 1100 a month, I would  
 4 understand that. I would be actually for that.  
 5 It would be helping out people in Westchester  
 6 County that can't afford these market rates. I  
 7 mean, this market rate is the same here as in  
 8 downtown White Plains and in New Rochelle,  
 9 these are the same market rates. It's the same  
 10 thing. If he was putting in something -- I  
 11 mean, I even had some owners say to me that,  
 12 you know, we do need affordable housing in  
 13 Westchester. I totally agree. The housing  
 14 prices are out of control. They're out of  
 15 control. If he said he was going to put half  
 16 the building for \$1100, you know, a unit, I  
 17 would actually more for that than these \$1800  
 18 units because at least there would be some  
 19 benefit to the community and to Westchester  
 20 County residents that can't afford it. It's  
 21 just ridiculous, I got to tell you. That's  
 22 what I'm going to bring up with Jamaal Bowman,  
 23 who's probably definitely on board with that.

24 Secondly, in terms what Sean said too,  
 25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 I've lived here for years, when it snows, you  
 2 plow right down into Brook Street. My car  
 3 almost plowed down there five times in the past  
 4 30 years. I mean, you're going to cause  
 5 accidents. As it is on Ray Place now, there's  
 6 blind spots when you come out of Ray Place.  
 7 There's a lot of elderly people in here, they  
 8 come out of there, cars fly up and down the  
 9 road, you're going to add another capacity of  
 10 building here, it's just ridiculous. It's just  
 11 insane.

12 The last thing I'm going to say here  
 13 is, you know, everybody -- I know you guys know  
 14 about the tallness of the building. This  
 15 building is out of character in the area. It  
 16 looks like a Days Inn plopped down in the  
 17 middle of nowhere. I mean, the building  
 18 doesn't even look like anything -- I mean, the  
 19 brick with Ray Place and CVS, you know, they  
 20 coincide. Every building on Garth Road looks  
 21 the same. This thing looks like I4 in Orlando.  
 22 It's ridiculous, I got to tell you.

23 I know guys do a great job. I give  
 24 you guys a lot of credit for doing these, you  
 25

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 know, meetings once a month. It's got to be a  
 2 lot of work. I thank you for your service.  
 3 Margaret, I thank you as well. I wish you guys  
 4 good luck and good night. Please do measure  
 5 the comments of the community. I know you guys  
 6 live in Eastchester as well. I bet you if I  
 7 went to -- not only just Frank, but I went to  
 8 the other 11 residents of the north -- of their  
 9 districts of their Civic Association, if they  
 10 had a project like this that was going up in  
 11 their area, I would canvas for them for days  
 12 for free going around to protest against a  
 13 project like this. So I appreciate you guys.  
 14 Thank you very much. Have a good evening.

15 THE CHAIRMAN: Thank you. Mr.  
 16 Tudisco?

17 MR. TUDISCO: At this time, Mr.  
 18 Chairman, I do not see any additional hands --  
 19 there's another hand coming up. Okay. Mr.  
 20 Connolly, please fully identify yourself to the  
 21 bother and un-mute yourself and offer your  
 22 comments.

23 MR. CONNOLLY: Mike Connolly, 47  
 24 Webster Road. So I'm just echoing everyone  
 25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 else that just spoke where I'm against this  
 2 project. The mass just doesn't fit in with our  
 3 community. I'm not looking forward to looking  
 4 out my back window and looking at a hotel on  
 5 top of Ray Place. I've lived in this  
 6 community -- I remember when those stores  
 7 didn't even exist and it was just all woods.  
 8 My mother actually lived on top of that hill  
 9 when their family came from Italy. I'm just  
 10 entirely against this project, so hopefully you  
 11 vote it down. That's all.

12 THE CHAIRMAN: Thank you, Mr.  
 13 Connolly. I'm not even going to ask. I figure  
 14 if you don't say anything, there's nobody else.

15 MR. TUDISCO: I'm working it. Hold on  
 16 one second, please. If there is anyone else --  
 17 I don't see.

18 MS. UHLE: I think, Jim, too, you  
 19 know, you are going to keep the public hearing  
 20 open, so there will be an opportunity at the  
 21 next meeting to speak.

22 THE CHAIRMAN: Right. Rob?

23 MR. TUDISCO: Mr. Sweeney's hand went  
 24 down.  
 25

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 THE CHAIRMAN: As Mr. Margaret said,  
2 Mr. Sweeney, we're going to be here in July.  
3 MS. UHLE: It went back up, Rob.  
4 THE CHAIRMAN: Can you recognize him?  
5 Can we make this his last comment? I think  
6 this will be 3.  
7 MR. SWEENEY: This will be very brief.  
8 THE CHAIRMAN: Good. We lost you  
9 again.  
10 MR. NEMECEK: That was brief.  
11 MR. TUDISCO: Mr. Sweeney, are you out  
12 there?  
13 MR. SWEENEY: This will be very brief.  
14 I just wanted the public to really understand  
15 my comments as it relates to the overall design  
16 of the project. It looks very nice. It's  
17 pretty handsome in terms of the capability.  
18 The item that I really wanted to clarify is  
19 that JMC, oddly enough, was involved with  
20 Summerfield, and is involved now with 5 Ray  
21 Place. All the items that we spoke about  
22 tonight, I & I, migration, MTA, the number of  
23 variances is nothing new. Nothing. Zero. So  
24 I'm going to leave it at that. I'm asking the

DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 board tonight to defer the decision and take a  
2 better look at what we have on the table right  
3 now. That's my only comment. I'm going to  
4 close at that.  
5 THE CHAIRMAN: Great. Thank you. So  
6 I'm not going to give you a chance to respond,  
7 Robert.  
8 MR. TUDISCO: Mr. Sweeney's hand went  
9 back up.  
10 THE CHAIRMAN: Really? Does he really  
11 have another comment?  
12 MR. TUDISCO: Mr. Sweeney, did you  
13 have another comment?  
14 THE CHAIRMAN: Good. Let's cut him  
15 off until the next meeting. We can move  
16 forward.  
17 Margaret, so I think there are a  
18 number of things that came up that we said  
19 we're going to ask the applicant to address.  
20 I'm not going to go over them, but the very  
21 first comments about the construction and  
22 sequences, and then a few comments about the  
23 retaining walls and anything else that might be  
24 open items that we said we would ask them to

DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 follow up at the next meeting.  
2 MS. UHLE: Yes. Do you want me to go  
3 over those? You just said you weren't going  
4 to. I could coordinate with the applicant  
5 after the meeting.  
6 THE CHAIRMAN: Thank you for offering.  
7 MS. UHLE: Yes, I have notes. I'll  
8 coordinate with Anthony and Ed tomorrow  
9 morning.  
10 THE CHAIRMAN: I would like to go to  
11 sleep before midnight.  
12 MS. UHLE: I do have notes and I have  
13 an actual video recording of this.  
14 THE CHAIRMAN: Oh, yes, you could do  
15 that. Thanks. You'll take care of it,  
16 Margaret. Good.  
17 As you said, the next public hearing,  
18 just for everyone who just spoke, if you would  
19 like to come back, it's on the 20th at 7 p.m.  
20 in Town Hall, and we'll all be there  
21 face-to-face.  
22 MS. UHLE: Yes. I know you just said  
23 this, but for the record because this is not  
24 one of our regularly scheduled meeting, it is a

DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 special meeting on July 20th at 7:00 in the  
2 court room in Town Hall. I know you just said  
3 that, but I am just reiterating it.  
4 THE CHAIRMAN: You always say things  
5 so much better, Margaret.  
6 MR. NEMECEK: For those who were  
7 complaining that we're not handling  
8 face-to-face discussion, we will --  
9 MR. CUNNINGHAM: We'll see you on  
10 July 20th.  
11 MR. NEMECEK: Live and in person.  
12 THE CHAIRMAN: So let's keep moving.  
13 The next one is going to be a piece of cake  
14 compared to this. The applicant is 21-22, 750  
15 White Plains Road.  
16 MS. UHLE: I'm going to start  
17 promoting those people. I'll try to get the  
18 right people this time. Do I have everyone,  
19 Diego?  
20 MR. VILLAREALE: Hopefully. Is John  
21 there?  
22 MS. UHLE: John. Sorry, John. There  
23 he is. He's coming. I believe that's  
24 everyone.

DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 MR. DAVIS: Good evening. I'm Bob  
2 Davis. I'm the attorney for the applicant.  
3 Hopefully, we'll keep you awake for just a  
4 little while longer.

5 As you know, we met with your board on  
6 May 27th, and with the ARB on June 3rd. We'll  
7 meet again with them next Tuesday. We've been  
8 working very extensively since the last meeting  
9 with you, with Margaret and Phil working on a  
10 landscaping plan that we're quite proud of, and  
11 a lot of site improvements, related traffic and  
12 parking matters. So Tonight we would like to  
13 present to you the rather substantial  
14 landscaping plan we put together and all of our  
15 site improvements. We've added to our plans as  
16 a result of all the efforts these past few  
17 weeks, and we do hope that the board will be  
18 comfortable enough at the conclusion of this  
19 meeting, to request Margaret, perhaps, to  
20 prepare a Resolution for your consideration at  
21 the special July meeting. We're very  
22 appreciative, by the way, of your holding that  
23 meeting. I look forward to wearing an entire  
24 suit for the first time in perhaps a year and a

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 half.

2 With me tonight, again, our project  
3 team, we have Jose Olmo Gonzalez, he's the  
4 Senior Director of Real Estate Development for  
5 Street Works Development; we have, of course,  
6 Diego Villareale from JMC, our planners and  
7 engineers; Ron Hoina of Design Development, our  
8 project architect; and, of course, John Canning  
9 of Kimley-Horn, our traffic engineer.

10 So without further ado, I'll turn the  
11 floor over to Diego, who will take you through  
12 the landscaping plan and the site improvements,  
13 and then John will have a few things to say  
14 about the traffic and parking matters.

15 MR. VILLAREALE: Thank you very much,  
16 Bob. Good evening, all. For the record, my  
17 name is Diego Villareale with JMC, the  
18 engineer, planning and landscaping consultant  
19 working with the applicant. You see Lucille  
20 Munz is with me this evening. She was not with  
21 us at the last meeting. Lucille and I have  
22 been working together collaborating, obviously,  
23 with Street Works and Ron Hoina, the project  
24 architect, on developing really this overall

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 site plan, including the landscaping plan for  
2 the project.

3 I do have a bunch of slides to take  
4 you through this evening. Understanding the  
5 hour is late, I'll try to go through it as  
6 quickly as possible, but I think it's important  
7 just to take you through some of the  
8 improvements. So if it's okay, I would like to  
9 share my screen just to take you through a  
10 couple of things.

11 THE CHAIRMAN: We would like to see  
12 it.

13 MR. VILLAREALE: I just want to make  
14 sure everybody sees my screen.

15 THE CHAIRMAN: Yes, I do.

16 MR. VILLAREALE: Okay. Just jumping  
17 right in, I'll jump to the next slide, this is  
18 a copy of the overall site layout and  
19 landscaping plan that we prepared. We will  
20 formally submit this. I understand the board  
21 really has not seen this yet at this point. We  
22 really just wrapped it up over the last couple  
23 of days. I had an opportunity to preview it  
24 with Margaret to take her through a number of

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the improvements that are now being proposed to  
2 the center. As directed really by this board,  
3 meeting with Margaret, meeting with staff,  
4 having an opportunity to walk the site, we took  
5 a step back and developed just a global site  
6 plan and landscaping plan for the property,  
7 addressing, again, primarily landscaping  
8 features in and around the building and around  
9 the perimeter of the property, but also  
10 addressing a number of the site improvements,  
11 sidewalks, curbs up against the building,  
12 landscaping and lighting. So this is the  
13 culmination of all that work that has gone into  
14 it. It really summarizes the improvements that  
15 are being done.

16 We also had an opportunity again  
17 working with Mr. Canning and then working with  
18 Mr. Grealy, addressing a number of the comments  
19 and concerns that were raised by him as it  
20 relates to traffic and circulation.

21 I'm going to take you through some of  
22 those items that we have again have addressed.  
23 As Bob had indicated before, John will take you  
24 through a couple of those things a little later

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 on as well. But we're going to formally  
2 respond to all of the comments that were  
3 received with one comprehensive package that's  
4 going to include this plan, as well as a  
5 narrative responding to each of those  
6 individual comments.

7 With the site plan -- just take you  
8 through it pretty quickly here -- starting in  
9 the southwest corner of the property, really,  
10 again, where the main entrance to the office  
11 component is -- and, please, if anybody wants  
12 me to step back, I'm going to defer and not  
13 recap on some of the things we discussed at the  
14 last meeting, I'm really just going to focus on  
15 the site improvements, but if anybody wants me  
16 to recap, please let me know. Again, this  
17 portion of the parking lot is really going to  
18 serve as the main entrance to the proposed  
19 office use. You could see the main entrance is  
20 highlighted here. We've looked at the striping  
21 and the circulation in this area, and have a  
22 circulation and striping plan that reflects  
23 that. There was a comment that was made by Mr.  
24 Grealy regarding the access. We made some

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 modifications to the driveway and the  
2 circulation in this area here. Originally, you  
3 were able to come into the shopping center,  
4 then make a quick left-hand turn, or you were  
5 able to come out of this drive aisle and make a  
6 quick right-hand turn, really limited the  
7 amount of stacking in this area that was  
8 available. By creating this canoe and  
9 reworking the drive aisle just a little bit, it  
10 provides a more channelized entrance, and then  
11 out onto White Plains Road.

12 Again, the landscaping, which Lucille  
13 is going to get into it, there are a number of  
14 slides that addresses that, was really looked  
15 at along the entire frontage of the property,  
16 including all of the landscaped areas up  
17 against the building and along the entire  
18 roadway itself. The landscaping around the  
19 main entrance has been redone, as well as on  
20 the south side of the property as well.

21 As we go around in a clockwise fashion  
22 around the perimeter of the property, you could  
23 see all the landscaping improvements that were  
24 done here. Similar to the White Plains Road

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 entrance, we have a number of striping and  
2 curbing improvements that's being done to the  
3 New Wilmot Road entrance. In a similar  
4 fashion, we created this canoed island right in  
5 this area here, if you could see that, which  
6 really channelizes everybody as they approach  
7 this intersection out onto New Wilmot Road, and  
8 reduces some of the conflict points that exist  
9 out there today.

10 One of the big changes you'll see as  
11 well along the site plan, and it's really on  
12 the eastern side of the property in this area  
13 here, is the introduction of all these  
14 landscaped islands at the end of the parking  
15 bays. Each of the parking bays we've  
16 incorporated a landscaped island, and what that  
17 was allow us to reduce the drive aisle back  
18 there. If you recall, there is really an  
19 oversized drive aisle. It's very wide. It's  
20 easy to get confused with where you should be  
21 driving. This really channelizes that drive  
22 aisle along the back portion of the property.  
23 One of Mr. Grealy's comments as well was to  
24 help better define the drive aisle along the

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 back portion of the project. There is some  
2 striping that we need to add. We're going to  
3 add a better line along this back drive aisle,  
4 with is something that's not shown on the plan  
5 right now, but we will add that to this drive  
6 aisle as well. It helps with the traffic and  
7 circulation aspect of it, but it also gives us  
8 an opportunity to incorporate a significant  
9 amount of landscaping along that back drive  
10 aisle with each of these landscaped islands.  
11 You'll see some of them have trees within it,  
12 some of them do not. Islands without the trees  
13 in it have existing light fixtures. We didn't  
14 want to block it or go against it with the  
15 trees that are being proposed, so we really  
16 tried to limit that to the islands that don't  
17 have the existing lighting feature in there.

18 You'll see attention was also paid to  
19 the neighboring properties to the east. During  
20 the last meeting, we heard from Mrs. Castaldi  
21 regarding some of the concerns that she had  
22 with sheds from the proposed building  
23 modifications and the windows that were being  
24 installed on this facade of the building. So a

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 couple of things just to point out, the new  
2 windows and the office use is really being  
3 limited to this portion of the building here,  
4 in this area here. You could see where the  
5 residential properties are located. It's quite  
6 a bit distance away. The way the line of sight  
7 is, it's really shielded by a bunch of the  
8 existing landscaped areas along the back  
9 portion of the property. Regardless, we really  
10 tried to look at the existing vegetation along  
11 that area there. Supplemental screening was  
12 installed. We're going to remove some of the  
13 dead vegetation that's directly behind Ms.  
14 Castaldi's property and replace it with some  
15 new evergreen plantings. Again, one of the  
16 suggestions that was made with these landscaped  
17 islands, we incorporated a number of trees in  
18 here, which will also help create a little bit  
19 of screening between the residential properties  
20 and this property as well.

22 Going to the next slide, touching on  
23 some of the sidewalk and curbing improvements  
24 that are also being done, these are some photos  
25 of the existing curbs and sidewalks that exist

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 out there. All of that will be removed and  
2 replaced with new curbing and new sidewalks.  
3 No more yellow curbs up against the building.  
4 The cracked sidewalks will all be replaced.  
5 Then the light fixtures as well is another  
6 thing we were going to address. Again, they're  
7 yellow concrete, we'll get rid of that, new  
8 paving of the concrete bowl bases, and then  
9 the intention is to paint the individual light  
10 fixtures black so that they blend a little  
11 better with the existing conditions out there.

13 Now we dive into the landscaping  
14 itself. This is a rendered version of the site  
15 plan. I'm going to turn it over to Lucille  
16 again to quickly go through these individual  
17 areas and the improvements that are being made,  
18 and then we'll turn it over to John at the end  
19 of this.

20 Lucille, if you want to jump into  
21 this.

22 MS. MUNZ: Thanks, Diego. My name is  
23 Lucille Munz. I'm a Senior Landscape Architect  
24 at JMC, and I worked with Diego and the team on  
25 the landscape design.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 So we're going to start very quickly  
2 with an overview and our approach. Our goal  
3 here was to respect and pay homage to the  
4 simplicity of the industrial design of the  
5 building, which was designed by Raymond Loewy,  
6 considered the father of industrial design, and  
7 also to provide a cohesive vocabulary material  
8 to create a unified appearance throughout the  
9 site. Having Maples along the perimeter and  
10 Red Buds creates this vocabulary. Our goal was  
11 also to provide seasonal interest with  
12 perennials and ornamental grasses. We tried to  
13 chose plant material that is best suited for  
14 the site, that would thrive in these  
15 conditions.

17 Finally, we were very mindful of the  
18 privacy concerns at the east of the property  
19 with the residential units, so we tried to  
20 provide additional screening with Norway  
21 Spruces in that back area.

22 We'll go through area A, which is in  
23 the front. Essentially, we're keeping the two  
24 main trees that are by the main entrance. They  
25 are Chinese Chestnuts. There is one there,

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 actually, that we would like to remove in the  
2 corner. There are actually two in that one  
3 corner. Again, keeping all the -- where the  
4 steps are, that area there, we're taking out  
5 the Hollies because windows are going in, so  
6 we're keeping all the plantings there very low.  
7 Then there is very attractive stone wall, so  
8 we're keeping, again, the hedges low there with  
9 some ornamental perennials and some lawn area.  
10 What we tried to also do is create some  
11 seasonal interest with the Red Buds along the  
12 roadway, keeping those underneath -- obviously  
13 they're lower in height so they won't get  
14 mauled by the -- hopefully they will not get  
15 mauled by Con Edison coming in and pruning  
16 because they are way underneath the height of  
17 the wires.

19 Again, we worked with some interesting  
20 plants at the canoe area, and then tried to  
21 find some trees, which are the Sunset Red  
22 Maples which are throughout the site that we  
23 are proposing.

24 Quickly, this is just some visuals to  
25 help folks understand. So again, those blue

**DINA M. MORGAN, REPORTER**



## EASTCHESTER PLANNING BOARD - 6/24/2021

1 areas that we're noting, those are proposed to  
2 be Taylor Junipers. We're taking out all the  
3 plant materials there, putting in the low  
4 evergreen hedge. You could see in the  
5 right-hand corner where we say, remove the tree  
6 in the corner because there are actually two  
7 there, and we're proposing to limb it up so we  
8 can get some interesting plant material  
9 underneath there. Again, if you look at the  
10 lower slide, lower image, all of those shrubs  
11 and/or trees are just smashed against the  
12 building. So we're removing those because  
13 windows are going in, and keeping everything  
14 very low and interesting.

15 This is a rendering of the site, and  
16 again, it shows how we're handling certain  
17 elements. We have, again, the Tailored  
18 Junipers as sort of keeping up with that, you  
19 know, upright position, showing the stone wall,  
20 low perennials and hedges. Then as you start  
21 to look at the left of the screen, we are  
22 proposing Fastigate Hornbeams to create a  
23 green wall effect on that one wall area that's  
24 quite open. Again, this is just the front of

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the building. Again, you could see here there  
2 are windows going in, and we're keeping the  
3 plantings there very low. There's not a lot of  
4 real estate, if you will, for the actual  
5 plantings, so we are trying to go with what we  
6 have.

7 This is area B as we start to move  
8 north on the road. This is that area we're  
9 proposing to put Fastigate Hornbeams. Again,  
10 there are the flowering Red Buds along the  
11 roadway, and again, some interesting shrubs and  
12 perennials as we move along.

13 Next slide, Diego. Again, the  
14 proposed rendering is above, some existing  
15 below. That's what the Fastigate Hornbeam  
16 hedge would look like in that area. We're  
17 using Fastigate Hornbeams in between the  
18 windows. Again, there's not a lot of real  
19 estate for landscaping, so we're trying to  
20 capitalize on what we have with the right plant  
21 material.

22 This is the rear area, I guess the  
23 side area on New Wilmot Road. Again, not a lot  
24 of real estate in front of the building and

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 where the sidewalk is, so what we're proposing  
2 to do here is use Fastigate Sweetgums, again,  
3 mirroring the simplicity of the industrial  
4 architecture and being respectful of that. So  
5 we have a row of Fastigate Sweetgums on both  
6 sides proposed, with Coral Bark.

7 Japanese Maples at the corner, and  
8 some evergreens in the planters.

9 This is a view of the entrance as you  
10 go into the site from New Wilmot Road, and what  
11 we're proposing here is actually removing some  
12 of the hedges on both sides of the driveway  
13 because it is a bit of a sight distance issue.  
14 By removing those hedges on either side in  
15 those blue circle areas, we will be putting low  
16 perennials and grasses with some Red Buds on  
17 either side, again, trying to keep that same  
18 vocabulary at each of the entrances, and make  
19 it interesting when you go into the facility.

20 This would be eastern side of the  
21 property looking at the back of the building.  
22 Again, not a lot of real estate for  
23 landscaping. What we're proposing here  
24 actually in this instance is making the

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 planters a little bit smaller, and that allows  
2 us to get some landscaping and add some  
3 planters on either side. Again, upright  
4 Ginkgos on either side with some planter boxes  
5 with some evergreen shrubs in the back.

6 Similarly, just a little south, same  
7 instance, same treatment, again, flanked by  
8 that consistency of low perennials, shrubs with  
9 the trees.

10 Just the overall plant pallet just to  
11 give you a sense of where we're going with  
12 this. The Columnar Ginkgo, which is in the  
13 rear. We're also using multi-stem Birch in  
14 between several of the embankments of the  
15 parking area where there are currently Junipers  
16 now. The Red Sunset Maples as the vocabulary  
17 trees around the site. Norway Spruce in the  
18 back for screening. The Columnar Sweetgums in  
19 the lower left-hand photo gives you a sense of  
20 what we're trying to accomplish in that area.  
21 The Eastern Red Buds, and then the Coral Bark  
22 Japanese Maple with the proposed Hornbeams as a  
23 hedge. Again, we're keeping the pallet really  
24 simple, proposing some Viburnums, Tailored

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 Junipers, Ruby Slipper, Oakley Hydrangea,  
 2 Japanese Holly, which is a lower version. You  
 3 can see here the lower left-hand side we're  
 4 proposing a hedge where that stone veneer wall  
 5 is. That's what it might look like. Here are  
 6 some of the perennials for the sun and for the  
 7 shade. So we're trying to create a simple  
 8 vocabulary that will be peppered throughout the  
 9 site so there is consistency.

10 This is essentially the landscape plan  
 11 again at the end. Diego, I guess I'll turn it  
 12 over to you.

13 MR. VILLAREALE: That's great. Thank  
 14 you, Lucille. I know we tried to move a little  
 15 bit quick there. I just wanted to get through  
 16 it. Again, Mr. Chairman, members of the board,  
 17 just wanted to give you an idea of the exercise  
 18 that we really went through to take a global  
 19 look at the property, try to come up with a  
 20 comprehensive landscaping plan that addresses a  
 21 number of the comments that we received from  
 22 the board and from staff, as well as addressing  
 23 the number of comments that were received from  
 24 Mr. Grealy regarding traffic, and incorporate

25 DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 those into the overall design.

2 We really think we came up with a very  
 3 comprehensive plan for the property, that will  
 4 really just give it a good facelift as compared  
 5 to what's out there right now.

6 John, I can I guess at this point turn  
 7 it over to you if you want to do just a quick  
 8 recap on where we are with Mr. Grealy and  
 9 addressing his comments. You're muted, John.

10 MR. CANNING: My apologies. Thank  
 11 you. I'm trying not to make noise here.

12 Good evening, Mr. Chairman, members of  
 13 the board. For the record, my name is John  
 14 Canning. I work for Kimley-Horn. We prepared  
 15 the traffic impact study for the re-occupancy  
 16 of this building. As Diego indicated, we have  
 17 incorporated Dr. Grealy's suggestions into the  
 18 site plan, and the applicant has elected to  
 19 implement them all immediately after approval.

20 Dr. Grealy did have some other minor  
 21 comments and questions on the traffic study.  
 22 Items such as the use of trips rates versus  
 23 trip formula, no indication of DOT regarding  
 24 signal timing changes, providing computer

25 DINA M. MORGAN, REPORTER

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 files, which we've already done.

2 We have prepared a response memo to  
 3 provide the requested additional information  
 4 and clarification, and we will submit this  
 5 shortly. Obviously, Dr. Grealy has to review  
 6 and concur with our conclusions, but we are  
 7 confident that if there are any items that we  
 8 have overlooked, they could be easily resolved  
 9 as any conditions of approval.

10 We believe the proposed plan to  
 11 reoccupy the building will have a minimal  
 12 impact on traffic, as most uses are less than  
 13 the former Lord & Taylor, and we've implemented  
 14 a number of the measures, in fact, all of the  
 15 measures that Dr. Grealy had suggested to  
 16 improve conditions at the site. Thank you.

17 MR. VILLAREALE: That really concludes  
 18 our presentation at this point. Happy to  
 19 answer any questions, comments, thoughts,  
 20 concerns at this point. That does it for us.

21 THE CHAIRMAN: So, first off, thank  
 22 you for being so brief. I apologize that I  
 23 asked you to run through it so quickly, but  
 24 even in the short amount of time that you took

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 showed us how everything looks very nice. The  
 2 landscape plan is certainly going to bring  
 3 color and life to a -- it has always been a  
 4 little bit barren, I hate to say, but I think  
 5 we're looking forward to seeing that. Very  
 6 nice job to the landscape architect.  
 7 Otherwise, I think it's going to look much  
 8 nicer, and I appreciate the work you guys have  
 9 done.

10 Guys on the board, any comments or  
 11 clarifications we would like?

12 MR. NEMECEK: I just wanted to confirm  
 13 with Margaret that this -- particularly the  
 14 landscape plan, which has been a big emphasis  
 15 of what we've seen today -- is going back to  
 16 the ARB for its review.

17 MS. UHLE: Yes. It's going to be on  
 18 the agenda for a special meeting next Tuesday,  
 19 June 29th. I believe that meeting will be in  
 20 person as well. We're kind of trying to  
 21 confirm that. Yes, that will be on the agenda.

22 MR. NEMECEK: Good. I know the Vernon  
 23 Hills Shopping Center, which is just to the  
 24 south of this former Lord & Taylor building,

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## EASTCHESTER PLANNING BOARD - 6/24/2021

1 does have some fairly nice -- I don't know if  
2 they're pear trees, but they turn a very  
3 vibrant color in the Fall, and are very  
4 conspicuous and a little more developed. So it  
5 will be nice to match up this northern part of  
6 the property, the adjacent northern part of the  
7 property with some nice plantings. It looks  
8 very well conceived from my amateur's view.

9 MS. UHLE: I would like to hear what  
10 Jennifer thinks, because I actually think the  
11 plant pallet is very lovely for the tight  
12 spaces, and unusual in a good way.

13 MR. NEMECEK: Yes, I defer to her on  
14 those issues myself.

15 THE CHAIRMAN: You could have an  
16 opinion on landscaping, Phil.

17 MR. NEMECEK: I know what looks nice  
18 and what doesn't. I think I could do that. It  
19 looks nice.

20 MR. CAMPANA: I think this is quite an  
21 improvement to the area. One question I had  
22 was, with all the beautiful trees that you're  
23 introducing to this location, have you taken  
24 into consideration some landscape lighting in

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 terms of up-lighting and things of that nature  
2 because that would really look beautiful? I'm  
3 sure it's going to be implemented, it's a work  
4 in progress.

5 MR. NEMECEK: Can I point out the  
6 irony that the guy that's barely visible here  
7 is talking about lighting.

8 MR. VILLAREALE: It's certainly  
9 something we could look at, especially around  
10 the main entrances of the building, you know,  
11 some tree lighting, something like that. We  
12 can certainly discuss that as a team and come  
13 back. I think that's a minor item we could  
14 look at and certainly be considered.

15 THE CHAIRMAN: That's very true. I  
16 never thought about that. That's a great  
17 point.

18 We have to do a public hearing, so  
19 just standby, guys. I make a motion to reopen  
20 the public hearing on this application, 21-22,  
21 750 White Plains Road.

22 MR. NEMECEK: Second.

23 THE CHAIRMAN: All in favor.

24 (AYE)

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 MR. TUDISCO: Mr. Chairman, there is a  
2 Ms. Gabriele. I'm going to allow you to  
3 un-mute yourself. Please identify yourself  
4 fully and offer your comments to the board.

5 MS. GABRIELE: Hi, this is Pat  
6 Gabriele, 24 Ray Place. I just stepped away  
7 for a minute after the 5 Ray Place discussion  
8 was over, so I missed the beginning of this  
9 presentation. Is this just the owner fixing up  
10 the building in preparation for renting it out,  
11 or is somebody specifically going in there that  
12 you know of yet? I'm just curious.

13 THE CHAIRMAN: You know what, Mr. --  
14 where is your attorney there?

15 MR. DAVIS: Right here.

16 THE CHAIRMAN: Do you want to answer  
17 that?

18 MR. DAVIS: Yes, certainly. As we  
19 discussed in some detail at the last meeting,  
20 we do have a tenant for a flex work space for  
21 90,000 square feet of the building. It's an  
22 office type use. We are working on the  
23 branding of that, so we don't have the exact  
24 name of the tenant, but it's an affiliate of

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

1 the owner and developer, Hudson Bay Company,  
2 and their affiliate, Street Works Development,  
3 so it is within our control. They've had some  
4 sites that they've been opening around the  
5 country, and it's a very nice design. We  
6 showed the interior of it at the last meeting  
7 in May. It's a very open design. So it's  
8 primarily an office use, and as a result it  
9 will actually decrease any non-conformity in  
10 parking. By the way, our landscaping plan, as  
11 extensive as it is, didn't decrease one parking  
12 space. We retained 650 parking spaces. So,  
13 yes, we have an office tenant for 90,000 square  
14 feet of the 215,000 square feet, and we've  
15 indicated that the approval which we're seeking  
16 will encompass any use in the office, retail or  
17 medical office variety, which will not increase  
18 the parking to the site.

19 MS. GABRIELE: Thank you. Just  
20 curious.

21 THE CHAIRMAN: Thank you for your  
22 comments. Mr. Tudisco?

23 MR. TUDISCO: Yes. A hand is up for  
24 Mr. Connolly.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

THE CHAIRMAN: Sure.

MR. TUDISCO: Please un-mute yourself and address the board.

MR. CONNOLLY: Hi. Mike Connolly, 47 Webster Road. So I attended the Architectural Review Board and asked some questions about traffic, so they told me to come here. So my first question -- and I went to the Town website to see if I could find the traffic study, and all I could find was I guess the firm that the Town hired to review the traffic study, so I wasn't able to find out what was done. My first question in regards if the study considered relocating the Post Road entrance to Swift Place, opposite Swift Place where the traffic light is?

MR. DAVIS: I'll let Mr. Canning answer that. That was a comment that was raised for us to consider by Dr. Grealy, and we've addressed that at some length in our perspective submission to his comments, and perhaps John can address that a little further.

MR. CANNING: Sure. Thank you, Bob. So the analysis indicates that the existing

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

driveway, which is a right turn in, right out driveway on White Plains Road, functions acceptably at Level Service B or Level Service C conditions, which is quite good. If we relocate the driveway opposite Swift Avenue, we would be increasing the number of movements in and out. We would be adding left turns in and left turns out, and it's likely to take what issues are going on down at Farrela Way and create the same sort of issues further up at the subject property. It also has some other issues associated with it. Instead of allowing vehicles to enter the driveway from either side, because right now there's parking on either side, the vehicles would only be able to enter the parking from one side of the driveway, the south side of the driveway, so that would increase traffic across the parking area in front of the building. It would also increase traffic and have circulation issues in front of the doorways. So on the face of it, we view this as not a benefit to the site. In fact, it could be very detrimental to the site. We do know that the proposed uses are all

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

reducing traffic as compared to the previous department store use, and so we believe that they're not needed. But we will be participating in a post occupancy study, which Dr. Grealy has requested, and we could certainly revisit the matter at that time.

MR. CONNOLLY: What about putting in lighting at the existing entrance and exist, so opposite Fresh Market?

MR. CANNING: Sure. So to install a traffic light requires the satisfaction of a number of warrants, or at least one of a number of warrants, which measures a number of issues such as the volume of traffic over eight hours entering and passing, the number of pedestrians, the number of school children, and then a few crazy ones like trains, that don't apply. Based on a review of the traffic volumes and the fact that Swift Avenue is quite close to the signal, we don't believe that the signal would be warranted at that location. But again, that is something that we could look at as part of the post occupancy study.

MR. CONNOLLY: Then you could talk to

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

Police Chief Bonci and tell him he no longer needs to permanently place a police car at that entrance to give people tickets when they make left-hand turns from Post Road into the Lord & Taylor lot because it's done constantly. Now maybe it will be less with this new use, but invariably on Fridays and weekends and so forth, there is always a police officer stationed there to give tickets.

So I live on Webster Road, which is directly opposite the Wilmot Road exit, so I remember years ago when the Town deliberately changed the traffic pattern to funnel traffic onto Webster to take it off of White Plains Road at 22. Did this study at all look at reducing the volume of traffic on 22? Those of you who live in Town, know that Cooper Field has been getting a tremendous amount of use by various leagues, and there's lots of children walking up and down Webster Road, so there is a lot of concern about the traffic volume and trying to reduce it.

MR. CANNING: Understood. Well, our analysis indicates that each of the

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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 contemplated uses will actually reduce traffic  
 3 volumes as compared to what would formally have  
 4 been generated by the store, or what would be  
 5 generated by the building if it were entirely  
 6 leased out for retail in the future because  
 7 office traffic is considerably less per square  
 8 foot than retail. Medical office is even less  
 9 than retail during the busiest periods. The  
 10 proposed action will reduce traffic volumes as  
 11 compared to what the building is currently  
 12 permitted for.

13 MR. CONNOLLY: But we don't know,  
 14 right, what the rest of the building is; it  
 15 could all turn into retail?

16 MR. DAVIS: Not 90,000 square feet of  
 17 it.

18 MR. CONNOLLY: I'm saying the  
 19 remainder of the building. Frankly, that can  
 20 easily be converted to retail; right? It's  
 21 just some office -- the remainder of that --  
 22 any retail, frankly, is not going to be  
 23 something like Lord & Taylor or Neiman Marcus,  
 24 it's going to be multiple stores, probably  
 25 something along the line of TJ Maxx, and those

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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 would develop a lot of traffic. It would  
 3 become like Central Avenue.

4 MR. CANNING: We certainly looked at  
 5 it, and we looked at having 90,000 square foot  
 6 of the store, which is over a third, I believe,  
 7 be office, which is a much lower generator.  
 8 Any change of that would require, I guess,  
 9 further study. At this point in time, the  
 10 contemplated development of the property will  
 11 generate less traffic than previously.

12 MR. CONNOLLY: Okay. Thank you. Is  
 13 it possible --

14 MS. UHLE: John, can I ask you a  
 15 question? I think Mr. Connolly, maybe this is  
 16 what he was going to ask. I don't know whether  
 17 this was my oversight. Did you submit a formal  
 18 traffic study to us? I know that you've been  
 19 going back and forth with Phil Grealy and you  
 20 guys have communicated, but it might have been  
 21 our oversight that we did not post your traffic  
 22 study on the website.

23 MR. DAVIS: There is an extensive  
 24 traffic study, Margaret, that was submitted by  
 25 John in early May, I believe it's dated

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
 2 May 4th, and that's what Mr. Grealy commented  
 3 on.

4 MS. UHLE: I want to see whether we  
 5 linked it to a previous agenda. Well, I guess  
 6 you haven't been here. We may have been  
 7 negligent in not posting that. I think I was  
 8 anticipating more of a final report in response  
 9 to some of Phil's comments and some things were  
 10 going on behind the scenes, but I will post  
 11 what you submitted in, along with Phil's  
 12 comments, so people could review those.

13 MR. DAVIS: John discussed it at  
 14 length at the last meeting. That was the total  
 15 focal point of his discussion on May 27th, he  
 16 took us through that.

17 MS. UHLE: Yes, I understand that, but  
 18 at that point I don't think we had actually  
 19 received the physical report, or we had just  
 20 received it. It was subsequent to that meeting  
 21 or the night of that meeting. So, Michael,  
 22 I'll make sure that we post that, whatever we  
 23 have, along with Dr. Grealy's comments, so that  
 24 you could see all of those.

25 MR. CONNOLLY: Great. Thank you.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021

2 MS. UHLE: The other comment I was  
 3 going to make, and this is one thing that I  
 4 think Phil Grealy had recommended and we still  
 5 have to look into a little more detail, is that  
 6 the applicant is asking for approvals to allow  
 7 permitted retail and office uses to occupy the  
 8 building without coming back for site plan  
 9 approval in the future, but we may determine  
 10 that there are certain thresholds depending on  
 11 the type of use where they may have to come  
 12 back for site plan approval. We need to  
 13 discuss that prior to the next meeting as what  
 14 those thresholds might be. With regard to your  
 15 concern about retail uses that might generate a  
 16 lot of additional traffic, if that was the  
 17 case, I think we would incorporate something  
 18 into a Resolution that requires the applicant  
 19 to come back for additional approvals and  
 20 evaluation.

21 MR. CONNOLLY: Thank you very much.

22 MR. CANNING: Thank you, Mr. Connolly.

23 MR. TUDISCO: I don't see any  
 24 additional hands raised, which would indicate  
 25 that there are no members of the public that

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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 wish to address the board on this application  
3 tonight.

4 THE CHAIRMAN: Okay. So we'll leave  
5 the public hearing open, or am I supposed to  
6 make a motion to do that? I guess I could.

7 MS. UHLE: No, you can just keep the  
8 public hearing open for the special July  
9 meeting.

10 THE CHAIRMAN: Okay. Right. The  
11 public hearing is going to be, as Margaret  
12 said, on July 20th. Hold it. Do we have any  
13 more comments from the board?

14 MR. CAMPANA: No comments.

15 MR. NEMECEK: No.

16 THE CHAIRMAN: Then, as we said, the  
17 final traffic study will be done before that,  
18 and Mr. Grealy will review it. Then, as we  
19 just found, the landscaping plan is going to go  
20 in front of the ARB, and that will be commented  
21 on before the next meeting. As you know,  
22 Margaret, right, as far as the SEQRA, before  
23 the end of the meeting, we will get to the  
24 point of adopting a Negative Dec. Okay.

25 MR. DAVIS: May we also ask, Mr.

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1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 Chairman, if you're going to get to that point  
3 of considering the Neg Dec, might we also, as  
4 we've been anticipated, perhaps consider a  
5 Resolution at that time? I think anything that  
6 is left open at this point would either be  
7 completed by that meeting, which we'll discuss  
8 with you, or could be a condition of approval,  
9 as Margaret alluded to.

10 THE CHAIRMAN: Yes, I think a  
11 Resolution will be drafted. Margaret, will it  
12 be?

13 MS. UHLE: Well, I think you'll be in  
14 a position to adopt a SEQRA determination and  
15 vote on a Resolution at the next meeting, if  
16 you feel you're ready for that position, yes.

17 MR. DAVIS: Thank you.

18 THE CHAIRMAN: Sure. You're welcome.  
19 All right, gentlemen, thank you for the  
20 presentations and thank you for your patience.

21 MR. DAVIS: Thank you for your time.  
22 You were more patient than us.

23 THE CHAIRMAN: You're welcome.

24 MR. GONZALEZ: Thank you very much. I  
25 appreciate it.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021

2 MR. VILLAREALE: Goodnight.

3 THE CHAIRMAN: Two down, two to go.

4 The next one is 21-20, oddly enough, 20

5 Greystone Circle subdivision.

6 MR. MAIORANO: Can you hear me?

7 THE CHAIRMAN: Yes, we can.

8 MR. MAIORANO: Good evening, board

9 members. Adamo Maiorano from Community Designs  
10 and Engineering. On behalf of the applicant,  
11 Steve Piacquadio, we are proposing a two lot  
12 subdivision at 20 Greystone Circle.

13 I'm going to share my screen. Can you  
14 see that?

15 THE CHAIRMAN: Yes.

16 MR. MAIORANO: Just to recap very  
17 quickly in regards to our last month meeting,  
18 again, this is two lot subdivision. The  
19 existing residence is proposed to remain.  
20 There are existing impervious areas that we  
21 will be removing as part of this project, that  
22 has actually been updated in this subdivision  
23 plot that is highlighted in yellow. Also,  
24 there is an adjustment to an existing retaining  
25 wall on the middle portion of the property that

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1 EASTCHESTER PLANNING BOARD - 6/24/2021

2 abuts the proposed new vacant lot. The vacant  
3 lot will be situated on the north side of the  
4 property.

5 Since the first meeting, we did  
6 receive comments from the Town's consulting  
7 engineer, Joe Cermele from Kellard Sessions,  
8 and the surveyor has since added a majority of  
9 those comments to the subdivision plot. We did  
10 recently receive just a couple of minor  
11 comments that obviously we will continue just  
12 to add to this subdivision plot as well.

13 Again, there were some additional comments for  
14 the future improved lot, that we will pay close  
15 attention to and adhere to when the time comes  
16 in the future for the development of the future  
17 lot. Again, that's next door to the existing  
18 residence that will remain.

19 Other than that, in a nutshell, that  
20 pretty much sums up where we are today with the  
21 proposed project.

22 THE CHAIRMAN: Okay. Thank you.

23 Pretty simple compared to what we've been up  
24 against, so I don't have any questions, unless  
25 someone else does.

**DINA M. MORGAN, REPORTER**

<p style="text-align: right;">141</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 MR. NEMECEK: No.</p> <p>3 THE CHAIRMAN: Great. So then let's</p> <p>4 do the public hearing. I make a motion to</p> <p>5 reopen the public hearing on this application,</p> <p>6 21-20, 20 Greystone Circle.</p> <p>7 MR. NEMECEK: Second.</p> <p>8 THE CHAIRMAN: All in favor.</p> <p>9 (AYE)</p> <p>10 MR. TUDISCO: Mr. Chairman, at this</p> <p>11 time I do not see any hands from the public.</p> <p>12 If there is anyone that wishes to make a</p> <p>13 comment, raise your hand now.</p> <p>14 There are no hands, indicating no</p> <p>15 members of the public wish to address the board</p> <p>16 on this application.</p> <p>17 THE CHAIRMAN: Thank you. So I make a</p> <p>18 motion to close the public hearing on</p> <p>19 Application 21-20, 20 Greystone Circle.</p> <p>20 MR. NEMECEK: Second.</p> <p>21 THE CHAIRMAN: All in favor.</p> <p>22 (AYE)</p> <p>23 THE CHAIRMAN: With no further ado, I</p> <p>24 make a motion to approve Application 21-20, 20</p> <p>25 Greystone Circle subdivision, subject to the</p> <p style="text-align: center;"><b>DINA M. MORGAN, REPORTER</b></p>	<p style="text-align: right;">143</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 MR. IANNACITO: Okay. So here we</p> <p>3 have -- what's going on here? Let me just this</p> <p>4 really quick.</p> <p>5 MR. NEMECEK: Could you put your</p> <p>6 credit card number up there too, John.</p> <p>7 MR. IANNACITO: What happened? Hold</p> <p>8 on.</p> <p>9 THE CHAIRMAN: Take your time.</p> <p>10 MR. NEMECEK: Everybody turn away.</p> <p>11 MR. IANNACITO: All right, that</p> <p>12 worked. Here is the site plan. We are</p> <p>13 requesting a special use permit tonight for</p> <p>14 outdoor dining at the existing residence. This</p> <p>15 is the site plan and this is the location of</p> <p>16 the outdoor dining in front of the existing</p> <p>17 restaurant.</p> <p>18 I'm going to zoom into this area here.</p> <p>19 The existing condition did have a planter there</p> <p>20 at one time. I'm not quite sure when that was</p> <p>21 removed. It might have been removed by this</p> <p>22 existing tenant. When we looked back at the</p> <p>23 photo of when the space was Bagel Cafe, here is</p> <p>24 what the planter looked like. Today, the</p> <p>25 planter is gone and this is the new dining</p> <p style="text-align: center;"><b>DINA M. MORGAN, REPORTER</b></p>
<p style="text-align: right;">142</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 final review and approval by the Town's</p> <p>3 engineering consultant.</p> <p>4 MR. NEMECEK: Second.</p> <p>5 THE CHAIRMAN: All in favor.</p> <p>6 (AYE)</p> <p>7 THE CHAIRMAN: Great. Thank you.</p> <p>8 MR. MAIORANO: Thank you. That ends</p> <p>9 that.</p> <p>10 THE CHAIRMAN: Have a good evening.</p> <p>11 MR. MAIORANO: Thank you. I</p> <p>12 appreciate your time.</p> <p>13 MR. NEMECEK: He may be being attacked</p> <p>14 by a wolf.</p> <p>15 THE CHAIRMAN: The last application is</p> <p>16 John Iannacito. That's Application 21-25, Sea</p> <p>17 Flame, 693 White Plains Road. He promised to</p> <p>18 keep it brief.</p> <p>19 MR. IANNACITO: Okay. Good evening.</p> <p>20 My name is John Iannacito, I'm an architect,</p> <p>21 and I'm representing Sea Flame Restaurant and</p> <p>22 Bar this evening. I'm going to share my</p> <p>23 screen. Can everyone see that?</p> <p>24 THE CHAIRMAN: Yes.</p> <p>25 MS. UHLE: Yes.</p> <p style="text-align: center;"><b>DINA M. MORGAN, REPORTER</b></p>	<p style="text-align: right;">144</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 area. As part of this application, we are</p> <p>3 going to submit drawings legalizing the removal</p> <p>4 of this planter and providing new pavers in</p> <p>5 this area that they want to use as a permanent</p> <p>6 seasonal outdoor dining area in front of the</p> <p>7 restaurant. The tables will be similar to what</p> <p>8 they have inside with aprons. The chairs will</p> <p>9 be wood chairs, similar to what they have</p> <p>10 inside. They will have this velvet rope around</p> <p>11 the seating area and some planting that can be</p> <p>12 removed every evening and brought back inside.</p> <p>13 This is another view of the dining tables along</p> <p>14 the walkway here, and a third view from the</p> <p>15 other side. The tables have been pulled away</p> <p>16 from the main covered walkway which accesses</p> <p>17 all the other shops, and doesn't really</p> <p>18 obstruct any pedestrian or vehicular traffic in</p> <p>19 the parking lot.</p> <p>20 That's basically it. Thank you for</p> <p>21 your time, and I'm happy to answer any</p> <p>22 questions.</p> <p>23 THE CHAIRMAN: Thank you. Could you</p> <p>24 just go back to the pictures of the tables, I</p> <p>25 just want to see it again, please. Okay, got</p> <p style="text-align: center;"><b>DINA M. MORGAN, REPORTER</b></p>



<p style="text-align: right;">145</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 it.</p> <p>3 MR. IANNACITO: So they'll be 6</p> <p>4 tables, 4 chairs at each table, so 24 chairs.</p> <p>5 MR. NEMECEK: The furniture would be</p> <p>6 taken in every day?</p> <p>7 MR. IANNACITO: It goes in, yes. So</p> <p>8 they're probably pulling it out for lunchtime,</p> <p>9 and then it will be out for the day, unless</p> <p>10 it's raining because it's not covered where the</p> <p>11 tables would be. So if it rains, they wouldn't</p> <p>12 have outdoor dining that day.</p> <p>13 THE CHAIRMAN: Sure. Okay. Looks</p> <p>14 good to me.</p> <p>15 MR. NEMECEK: No awnings?</p> <p>16 MR. IANNACITO: Everything is</p> <p>17 existing. The lighting stays the same. The</p> <p>18 brick, everything stays the same.</p> <p>19 THE CHAIRMAN: There is just one</p> <p>20 entrance into the restaurant?</p> <p>21 MR. IANNACITO: Yes. So the entrance</p> <p>22 is right behind this column here. This glass</p> <p>23 here is actually part of Chico's. If you look</p> <p>24 at the plan, the Chico's is right here. So the</p> <p>25 restaurant only has this one door right here.</p> <p style="text-align: right;"><b>DINA M. MORGAN, REPORTER</b></p>	<p style="text-align: right;">147</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 MR. NEMECEK: Second.</p> <p>3 THE CHAIRMAN: All in favor.</p> <p>4 (AYE)</p> <p>5 MR. TUDISCO: Mr. Connolly, I'm going</p> <p>6 to invite you to un-mute yourself. Please</p> <p>7 identify yourself fully for the board.</p> <p>8 MR. CONNOLLY: Thank you. I'm just</p> <p>9 curious -- Michael Connolly, 47 Webster Road.</p> <p>10 They've already removed the planters put these</p> <p>11 tables in. So they've already done this.</p> <p>12 Isn't this illegal? Did they have to pay a</p> <p>13 fine to the Town or has the Town fined them?</p> <p>14 MR. TUDISCO: I could answer that</p> <p>15 question, Mr. Chairman, if you would like.</p> <p>16 THE CHAIRMAN: Yes, please do.</p> <p>17 MR. TUDISCO: There are a number of</p> <p>18 violations against this business with respect</p> <p>19 to permits, etcetera. We've been working in</p> <p>20 court -- I'm the person who prosecutes these.</p> <p>21 There are a number of issues that are facing</p> <p>22 the court right now. We seem to have gotten</p> <p>23 the applicant into compliance, and we're trying</p> <p>24 to resolve the cases that are currently</p> <p>25 pending.</p> <p style="text-align: right;"><b>DINA M. MORGAN, REPORTER</b></p>
<p style="text-align: right;">146</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 THE CHAIRMAN: Right. I see. The</p> <p>3 seating actually overlaps with the Chico's</p> <p>4 window.</p> <p>5 MR. IANNACITO: A little bit here,</p> <p>6 yes, up to this column.</p> <p>7 THE CHAIRMAN: I mean, there isn't</p> <p>8 anything about who owns the sidewalk, I guess,</p> <p>9 in their lease? If there was, they would know;</p> <p>10 right?</p> <p>11 MR. IANNACITO: I'm sure if they have</p> <p>12 a problem with it, they probably would have to</p> <p>13 reduce it by a couple of tables.</p> <p>14 THE CHAIRMAN: We're not going to get</p> <p>15 involved in that.</p> <p>16 MR. IANNACITO: This is a temporary</p> <p>17 dining area for a little bit here, and no one</p> <p>18 has had any issues with it.</p> <p>19 THE CHAIRMAN: If they give them some</p> <p>20 food, they'll be fine.</p> <p>21 MR. IANNACITO: Right. A couple of</p> <p>22 steaks.</p> <p>23 THE CHAIRMAN: So I make a motion to</p> <p>24 open the public hearing on Application 21-25,</p> <p>25 Sea Flame, 693 White Plains Road.</p> <p style="text-align: right;"><b>DINA M. MORGAN, REPORTER</b></p>	<p style="text-align: right;">148</p> <p>1 EASTCHESTER PLANNING BOARD - 6/24/2021</p> <p>2 MR. IANNACITO: They did some interior</p> <p>3 alterations without permits. We did file those</p> <p>4 plans, and they were approved. We're moving</p> <p>5 forward with that. When we file the drawings</p> <p>6 for this, I'm sure there will be some kind of a</p> <p>7 legalization fee for removing the planter and</p> <p>8 repaving this area.</p> <p>9 MS. UHLE: I think the problem here</p> <p>10 with regard to the outdoor dining, we have</p> <p>11 during the pandemic been issuing temporary</p> <p>12 permits for outdoor dining that don't have to</p> <p>13 go before the Planning Board, and this</p> <p>14 particular applicant, I think, was hoping to</p> <p>15 get a temporary permit from us, but because</p> <p>16 they did remove the planter without the proper</p> <p>17 permits and approvals, we were not able to</p> <p>18 issue the temporary permit, and I think then we</p> <p>19 issued a violation and summons. There are a</p> <p>20 lot of other restaurants in town that have</p> <p>21 temporary permits for outdoor dining. They</p> <p>22 were hoping to do that, but we issued the</p> <p>23 violation because of the removal of the</p> <p>24 planter.</p> <p>25 MR. CONNOLLY: They had tables in the</p> <p style="text-align: right;"><b>DINA M. MORGAN, REPORTER</b></p>

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 middle of parking lot.

3 MS. UHLE: That they had permission to  
4 do. Again, we were allowing temporary outdoor  
5 dining in parking lots and on public  
6 sidewalks -- which is not usually permitted --  
7 during the pandemic. That will shortly no  
8 longer be permitted. Obviously, there were  
9 extenuating circumstances during the pandemic,  
10 so the Town Board agreed to those measures.

11 MR. CONNOLLY: One other question.  
12 Are they going to -- I walked by this and I'm  
13 not sure if those planters are plastic or  
14 ceramic that those plants are in, but I'm just  
15 wondering if they're going to put anything up  
16 more substantial to protect people dining, like  
17 the rest of the town, Tuckahoe and Bronxville,  
18 where they have big cement barriers up, similar  
19 to what they had in the parking lot? Just  
20 curious.

21 MR. IANNACITO: I don't think they  
22 could put anything more substantial because  
23 that is a fire lane. I don't think the Fire  
24 Department would want anything more substantial  
25 there. They probably have to do something that

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 they can bring inside every night.

3 MR. CONNOLLY: He has to put the wall  
4 up, I guess, where the curb is, the curb cut.

5 MR. IANNACITO: Right. It's a very  
6 narrow space, so I don't know if there would be  
7 enough room there to put a wall, and then have  
8 enough room for tables.

9 MR. CONNOLLY: Thank you.

10 THE CHAIRMAN: Thank you. Anyone  
11 else, Robert?

12 MR. TUDISCO: Mr. Chairman, it does  
13 not appear that there are any other members of  
14 the public that wish to address the board on  
15 this application. If there is anyone, use the  
16 raise your hand feature now.

17 There does not appear to be any other  
18 members of the public who wish to address the  
19 board on the application.

20 THE CHAIRMAN: That's great. So I'm  
21 going to quickly make a motion to close the  
22 public hearing on this application, 21-25, Sea  
23 Flame, 693 White Plains Road.

24 MR. NEMECEK: Second.

25 THE CHAIRMAN: All in favor.

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 (AYE)

3 THE CHAIRMAN: Margaret, do we have to  
4 make a separate motion to approve the special  
5 permit?

6 MS. UHLE: No, because the application  
7 is for a special permit, that's what it is, and  
8 site plan approval. It's all one approval.

9 MR. NEMECEK: Margaret, in terms of  
10 any approval that we were to grant, that  
11 wouldn't necessarily, you know -- there are six  
12 tables right now that extend to in front of the  
13 Chico's Store, any approval we would get would  
14 not define the perimeters of what that space  
15 would be, it would just give sort of a blanket  
16 special permit for Sea Flame to have outdoor  
17 dining; right?

18 MS. UHLE: Well, you're actually  
19 approving this layout, but I don't think there  
20 is any problem if they have to remove a couple  
21 of tables. Our law requires that they have  
22 minimum of 12 seats outside, so they can  
23 accomplish that even if they have to eliminate  
24 a table in front of Chico's. I think you could  
25 make that clear, that if they need to remove a

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER PLANNING BOARD - 6/24/2021  
2 table or two, that would be fine.

3 MR. NEMECEK: Yes, that works.

4 THE CHAIRMAN: Good. Then I make a  
5 motion to approve Application 21-25, Sea Flame  
6 Sea flame, 693 White Plains Road.

7 MR. NEMECEK: Subject to that  
8 condition.

9 THE CHAIRMAN: Right.

10 MR. NEMECEK: Second.

11 THE CHAIRMAN: All in favor.

12 (AYE)

13 THE CHAIRMAN: Great. Thank you, Mr.  
14 Iannacito.

15 MR. IANNACITO: Have a great summer.  
16 Take care.

17 THE CHAIRMAN: Just a quick update.  
18 As we said before, there's another special  
19 meeting, which is going to be Tuesday,  
20 July 20th at 7 p.m. in person in Town Hall, and  
21 then the next meeting after that, that's our  
22 regularly scheduled meeting, will be in  
23 September on the 23rd, also at 7, also in  
24 person at the Town Hall. Looking forward to  
25 it. I mean that.

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## EASTCHESTER PLANNING BOARD - 6/24/2021

Anything else guys? We're good? Can we do minutes now that you're here?

MR. NEMECEK: Rob, did you have something?

MR. TUDISCO: We skipped over the minutes.

MR. NEMECEK: I did not have the opportunity to review the minutes, which I don't think were part of our packet, but I was able to find the minutes for the April meeting online.

MS. UHLE: You were given the April minutes previously I thought, but anyway --

MR. NEMECEK: I have them now. They're available on the Eastchester website. I did download them, but I just haven't had the chance to review them.

THE CHAIRMAN: Therefore, we cannot approve the minutes, but we can approve to close the meeting. So I make a motion to close the Planning Board meeting of June 24, 2021.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

MS. UHLE: Thank you, everyone.

THE CHAIRMAN: Have a nice evening.

MS. UHLE: Thank you. Goodnight.

(MEETING ADJOURNED)

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EASTCHESTER PLANNING BOARD - 6/24/2021  
C E R T I F I C A T I O N

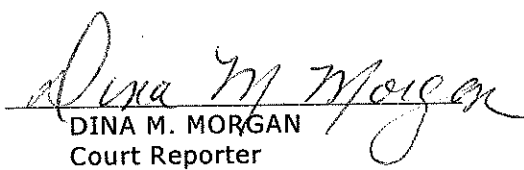
STATE OF NEW YORK )  
 ) SS.  
COUNTY OF WESTCHESTER)

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 video of the zoom meeting. I was not present for such meeting. The video 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 6th day of August, 2021.

  
DINA M. MORGAN  
Court Reporter

**DINA M. MORGAN, REPORTER**

## EASTCHESTER PLANNING BOARD - 6/24/2021

CORRECTION SHEET

PAGE

CORRECTION

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