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MS. UHLE: Okay, so we're just waiting for the attendees to get set up. I think you're good now.

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

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

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

MR. CUNNINGHAM: Present.

THE CHAIRMAN: Can you guys hear me?

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

THE CHAIRMAN: Am I breaking up?

MR. CUNNINGHAM: Now you're okay.

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

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

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

Mr. Mark Cunningham.

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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
6 Anyway, let's see, the next is
7 instructions on how to participate in the
8 public hearing for people who are viewing. The
9 instructions are: If you would like to make a
10 comment after the public hearing has been open,
11 use the raise hand feature on your computer or
12 star 9 if you're calling from a phone, Mr.
13 Tudisco will acknowledge you and invite you to
14 speak, please un-mute your microphone, state
15 your name and address, and put forth your
16 comments.
17 That being said, the first application
18 that we're going to hear tonight is Application
19 19-42, 5 Ray Place.
20 MS. UHLE: So I actually have to
21 promote people. Just give me a minute here.
22 I'm going to try this over again. Hi, Phil.
23 MR. NEMECEK: Hello, Margaret. Sorry
24 about that. I was caught in the city, and I
25 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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25, 2020, it was referred to the Zoning Board for a variety of variances that it needed to obtain in order to move forward. One of the reasons for the variety of variances is that the project site is located where two zones meet, so there were a number of variances that were needed. The applicant went to the Zoning Board for meetings in July, September, October and November of 2020. In November of 2020, the Zoning Board finished its public hearing and then voted to approve the project. The Resolution of Approval was dated January 12, 2021, and was filed with the Town Clerk in Eastchester on February 17th, 2021.

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

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MR. VOGEL: Thank you, Dan, I appreciate that. Good evening, Chairman and members of the board. What I'm going to ask is, Anthony Nester from JMC, he has all the documents, and to prevent us from screening sharing back and forth, if he would share his screen with the documents, we'll begin to refresh everyone about the project and update the board on the ARB's findings.

MR. NESTER: Can everybody see my screen?

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

So this is 5 Ray Place, and this is the front elevation. The project is a residential 21 unit project with one bedrooms and two bedrooms. We'll come back to the elevations as we go through the presentation. So the site is located at 5 Ray Place, and it's near the Brook Street and White Plains Road or Route 22 corridors. DeCicco's Shopping Center is to the south, and we also have a multifamily residential, The Enclave, which is slightly to the west.

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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 bedroom, 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 and, 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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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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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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mansion, 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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2. engineering and site planning process.
3. MR. NESTER: Good evening, Chairman,
4. and members of the board and staff. My name is
5. Anthony Nester with JMC. I will go through
6. where we are with regard to the site plan
7. today.
8. So, as Mr. Tartaglia mentioned, the
9. site is located off of Ray Place. The address
10. is 5 Ray Place, and is on the east side of Ray
11. Place between Ray and Route 22. It is
12. approximately a half acre in size. Currently,
13. there are two parking lots at different levels,
14. which vary around 10 foot in elevation
15. difference between the southern rear portion of
16. the parking area and the northern parking lot.
17. There exists retaining walls that are pretty
18. much along all sides of the property, actually
19. on the east, north and south sides of the
20. property that make the grade changes up for the
21. different levels of the parking area.
22. What I’m going to do now is, I’ll go
23. to the layout plan. So as Mr. Vogel had
24. mentioned also with regard to the egresses in
25. and out of the project, the first driveway,
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2. which is to the lower level, is the northern
3. driveway, which is 24 feet wide, which accesses
4. the lower level parking. As you further go
5. south, the driveway widens to 26 feet wide,
6. where we are providing the required aerial
7. apparatus access road for fire protection for
8. the building. That access was reviewed
9. with the Town Fire Department and was found to
10. be acceptable.
11. Improvements that are being made with
12. regards to trash and pedestrian access from the
13. property to the Ray Street right-of-way, will
14. be provided via sidewalks from the building to
15. the right-of-way. As part of some of the
16. public improvements, which were worked on and
17. agreed to during the review process with the
18. town and their consultants, was that we were
19. going to add a new sidewalk on the east side of
20. Ray Place down to where it intersects with the
21. Brook Street sidewalk, and improve both drop
22. curbs on either side of Ray Place with regards
23. to pedestrian access. Ray Place will also be
24. resurfaced from its intersection with Brook
25. Street all the way up to past our intersection
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2. Ray Place to the south.
3. As part of the Fire Department aerial
4. access, and for purposes of fire fighting,
5. there was a hydrant that was added to the
6. project, which is located on the north side of
7. the north driveway.
8. The project will also require an
9. extension of a public sanitary sewer main. I
10. do know, which I will get into a little later,
11. that the issues with regards to the I & I and
12. the sanitary sewer I will touch on after we
13. review this, but the project will require about
14. a 220 foot extension of a public 8 inch sewer
15. main, which will provide service to the
16. proposed building.
17. The project also proposes to provide
18. electric, telephone and cable from a utility
19. pole off of Brook Street on the west side of
20. Brook Street, so the services will run up east
21. to the east side of Brook Street, and then up
22. into the building.
23. A traffic study, a sensitivity
24. analysis, and a traffic signal warrant analysis
25. was prepared and reviewed by the town
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consultant, and it was determined that no
further roadway improvements would be required
to satisfy the additional traffic being
developed by the project.

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

I would like to go back to the town
sewer issue -- excuse me, I'm just having a
little difficulty here -- with regards to I &
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I. So the applicant, our office,
representatives of the town and town's
consultants have met many times and have
discussed options with regards to proper or --
to discuss our contribution to the existing I &
I situation with regards to the existing sewer
that runs down Brook Street into Harney. There
were many options explored. We are currently
still working with the town with regards to
what exact improvements that this project would
warrant based on our contribution based on
additional flows into the system, and we will
continue to work with them in order to provide
a satisfactory solution to our proposed
mitigation.

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

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

Referring to 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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able to address this more specifically, the
second point with regard to the lateral
collections is referring to single family homes
where there is illegal connections. That would
not be something that the applicant would be
required to do, that’s asking the municipality
to do that at the transfer of property, I
believe. Am I understanding that correctly?

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

MS. UHLE: Town wide?

MR. SWEENEY: No. This specific
environment. We’re talking about Ray Place to
Brook Street to Scarsdale Avenue is basically
the areas that we’re kind of focused on
here.

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

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

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Gardens down to Scarsdale Avenue.

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

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

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

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

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

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

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

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mitigation as well.

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

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

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

MS. UHLE: One thing that I want to say is that one thing that might have created some confusion with regard to this issue is we could have gone directly to that third alternative, which is probably more typical of what communities do. It was because of the application at 151 Summerfield Street where this concept or idea of going under the railroad tracks was proposed, that we really wanted to do our due diligence with regard to seeing if that really was a viable alternative. Actually, the town staff, our town consultants and the applicant put in a considerable amount of time simply to come to the conclusion that it's really not a viable alternative, those two alternatives of going under the tracks aren't viable. I think that was good information to have. It's always been kicked around, we'd always talked about it, something may reappear at 151 Summerfield Street, so we really wanted to know how viable those alternatives were. It
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again. Mr. Sweeney, please un-mute yourself and continue if you have an addition to your comment.

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

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

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

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

The third comment I would like to make is that, as you said, after the fact, and why agree it's after the fact because projects get

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

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

MR. TUDISCO: Mr. Chairman, I see
another hand from a Michael Fasciglione.
Mr. Fasciglione, I'm going to invite
you to un-mute yourself. Please identify
yourself fully for the board and offer your
comment.

MR. FASCIGLIONE: Good evening. My
name is Michael Fasciglione. I live at 43
Woodruff Avenue. I came in with a myriad of
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time property ownership is transferred, and the
necessary corrective actions be enforced by the
municipal building inspector. What that tells
me -- and I'm a laymen -- it's the
responsibility of the developer to pay for any
and all inspections and/or improvements that
need to be done in this particular matter.

So I'm going to leave that matter as
it is, and I will try to come back later on and
discuss some other things that I had in mind.

Thank you very much.

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

MS. UHLE: I wish I had that
Westchester County letter in front of me, but
the applicant will be required to pay for the
mitigation measures that the Planning Board
imposes on the applicant as a condition of
approval. So the applicant will pay for those
improvements. Other town wide generalized
improvements would be part of the town budget
and the town's responsibility to pay for. The
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applicant will be required to provide for the
mitigation that the Planning Board requires it
to implement.

MR. CERMELE: Margaret, if I can --
The CHAIRMAN: Thank you.

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

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

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

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

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

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

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

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

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

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

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more.

MR. NESTER: Correct.

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

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

THE CHAIRMAN: That's what I thought.

So whoever thinks that we're holding flow and
then releasing it, that's not the case at all.

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

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

MR. CERMELE: Right.

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

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

MR. FASCIGLIONE: Am I on?

THE CHAIRMAN: Yes, you are.

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

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

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

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

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

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

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

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

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

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

MR. FASCIGLIONE: Are you going to address it?

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

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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
6  THE CHAIRMAN: Margaret, I mean, would
7  you sort of explain to Mr. Fasciglione the
8  process here? Mr. Fasciglione, am I saying
9  your name right I hope?
10
11  MR. FASCIGLIONE: Good enough.
12
13  THE CHAIRMAN: This has been going on
14  for quite awhile. It's been going on for quite
15  awhile, and we've come to the conclusion and
16  we've issued a Negative Declaration about the
17  matters you're bringing up, which they have
18  been addressed. Everything you're bringing up
19  has already been spoken about.
20  Margaret, I don't know what sections
21  he's referring to right now, but I put my faith
22  in Margaret.
23
24  MS. UHLE: I think what the issue
25  is 5 -- first of all, when Mr. Fasciglione refers
26  to Local Law 5, that's actually the Zoning Law.
27  So we're accustomed to calling it the Zoning Law.
28  There is a section with regard to Planning
29
30  DINA M. MORGAN, REPORTER

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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
25
26  DINA M. MORGAN, REPORTER

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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
25
26  DINA M. MORGAN, REPORTER

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1  With regard to the ARB, once you
2  adopted the Negative Declaration and once the
3  Zoning Board granted the area variances with
4  regard to the height, the ARB really has no
5  additional I think authority with regard to
6  decreasing the height of the building. They
7  very much look at materials and finishes. If
8  you watched that meeting, they were getting
9  into the kind of grout that was used and
10  whether it was convex or concave and all sorts
11  of things. They were really looking at the
12  very specific design details, but I think
13  that's largely because the other boards had
14  really considered the issues related to height
15  and scale very thoroughly before it got to the
16  ARB.
17
18  MR. FASCIGLIONE: If I may, I think
19  I'm still on.
20
21  MS. UHLE: Yes.
22
23  MR. FASCIGLIONE: I understand
24  everything you said. I have to respectfully
25
26  DINA M. MORGAN, REPORTER
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2. disagree with you pretty adamantly. Again, I
3. have studied this Local Law 5. It's not just
4. the Zoning Law, it is the town of Eastchester
5. Local Law, and it was amended just two or
6. three years ago, so they've been on top of it.
7. I'm going to again be a professor and quote in
8. the area that refers to standards, I'm going to
9. state that it says: A quality of building and
10. overall site design to enhance and protect the
11. character and property values of the adjacent
12. neighborhood, the Planning Board shall evaluate
13. the architectural features of the proposed
14. design to determine if they are in harmony with
15. the neighborhood, including consideration of
16. architectural style, bulk, dimensions and
17. location on the site in relationship to
18. development on adjoining properties. I'm going
19. to have to say that the impact of what amounts
20. to an eight story building -- you could call it
21. a five story building, but realizing the fact
22. that it is on a sharp upgrade and really the
23. base of that building starts at the roof of the
24. CVS building, which is at least two stories
25. high. So you got the equivalent of an eight

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

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

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2. story building, which will overcome the poor
3. people that have paid a lot of money to live in
4. The Enclave and to have a wonderful viewpoint
5. of the area. They're going to be closed in,
6. and I think that that truly is against the
7. spirit of what this local law is.
8. I honestly feel that you should relook
9. at it, and maybe we should start this project
10. all over again. I may be preaching to the
11. wrong choir, but I'm begging you to please look
12. at it again. Let's see whether we could do
13. something to make this whole project a little
14. more in the flavor that Eastchester residents
15. would accept. Thank you so much for your time.
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

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2. town's viewpoint is on that. I'm not sure if
3. this is the right board to look at that. I
4. don't think we were allowed to ask the Zoning
5. Board, so that's why I'm asking you.
6. THE CHAIRMAN: This is the board that
7. addresses those questions. Margaret, I think
8. we ask the consultant to answer that or you?
9. MS. UHLE: I think Mr. Grealy should
10. answer the first question about the traffic
11. study.
12. MR. GREALY: Good evening, Mr.
13. Chairman --
14. THE CHAIRMAN: Sorry to cut you off,
15. but for just Ms. Gabriele, Mr. Grealy is
16. the consultant that works on behalf of the
17. town. He is our expert on traffic, so we
18. always defer to his opinion.
19. MS. GABRIELE: He is the town traffic
20. consultant?
21. THE CHAIRMAN: Yes.
22. MS. GABRIELE: He works for the town?
23. THE CHAIRMAN: That's correct.
24. MS. GABRIELE: I like to understand
25. that.

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MR. GREALLY: 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

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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,

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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 have any more questions.

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Mr. Cam: My second question is -- can you hear me?

The Chairman: Yes, keep going.

Mr. Cam: It will certainly cause sound pollution and make peaceable living here impossible. I have another question.

The Chairman: I would rather you finish.

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

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

As the other gentleman before Pat Gabriele had said, I'm going to be sitting here, I'm never going to see the sun again. My place is probably worth, what, $624,000, never going to lose money. Who cares? That's your...
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problem. You came in you, approved it, and now you're going to give them not only the building that is going to protrude like King Kong coming out of the woods, you're also going to give them an extra story and a half because of his profitability on the building. That has nothing to do with us. We live here. We live in a nice, peaceful place.

Margaret, you talked about Enclave.

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

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different sites have different conditions that need to be addressed. So that is something that we do on a regular basis on large construction projects, meet with everybody in emergency services, etcetera, to ensure that those things are addressed.

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

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

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<td>where the crane is going to be, where they're loading, all that kind of stuff. Now is a good time to talk about it. So I'm sure it's in the record, so the applicant knows what the issues are, they could, as Margaret said, bring it back. We certainly would like to have it to show the public and address the issues that were just brought up.</td>
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<td>MR. CUNNINGHAM: I have to second that. I happen to be one of the board members and also in the construction business in New York City and work for a very large developer. Site logistic plans, rock removal, all that is a very, very important issue to all the surrounding area and to the neighboring buildings and neighboring folks. Site safety plans, all that has to be in place for a project of this size. Margaret, you mentioned Leewood. I just want everyone to know that all the guys sitting on this board are residents of the town of Eastchester, and I happen to live by where the project is going to go on at Leewood. There's been a lot of conversation about you.</td>
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<td>know, the safety and the movement of construction vehicles. The Town takes it very seriously, and they're looking into all these things. It's just not over on 22 and Brook Street, it's throughout the whole community. This is one of the reasons we're here. It needs to all be addressed and put in place before that project starts.</td>
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<td>THE CHAIRMAN: So just one more issue.</td>
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<td>Thanks, Mark, I agree. I second that. In addition, the gentleman also brought up something about vibration monitoring on adjacent buildings. I have no idea what the developer wants to do about that. That's their call. Just a suggestion, the gentleman said what about vibrations. The owners and developers should know there are ways to monitor the vibrations during excavation, and it's certainly to their benefit to maybe actually consider that to sort of alleviate any vibrations going to the surrounding areas. We would like the owner to come back with those issues addressed at the next Planning Board meeting?</td>
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<td>So I think we're done with those questions for now. Is there anyone else, Mr. Tudisco?</td>
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<td>MR. TUDISCO: It appears that Mr. Fasciogione has his hand up again.</td>
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<td>THE CHAIRMAN: Sure.</td>
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<td>MR. TUDISCO: Mr. Fasciogione, I will permit you to un-mute yourself. Go ahead.</td>
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<td>MR. FASCIOLIGONE: I promise to be brief. I have one question for Mr. Grealy. I do recall that there was some discussion with reference to egress at the bottom of Ray Place requesting permission from the town of Eastchester to remove one parking spot from, I believe, the western side, and possibly adding that parking spot to the eastern side in order to open the sight area. Has anything moved forward there? Has the Town approved that or have we asked them? Where are we there?</td>
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<td>MR. GREALY: Yes, Philip Grealy again. The applicant had prepared a plan. As you know, exiting out of Ray Place today when vehicles are parked in that closet space to the west, sight distance is very limited. So that</td>
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<td>first space is to be removed and replaced on the east side, just to the east of where the CVS loading dock area, there is room there. That was reviewed. I believe the Town Board weighed in on that, and with the replacement -- basically you're replacing in kind that space, and it would help alleviate that existing condition. I believe that that's been resolved.</td>
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<td>Margaret, I don't know if you have any further information on that.</td>
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<td>MS. UHLE: The Town Board weighed in on it in an informal way, and indicated that they would approve it. They have not formally approved it at a Town Board meeting yet. I was told by the Supervisor that they would agree to it.</td>
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<td>THE CHAIRMAN: Good.</td>
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<td>MR. GREALY: That would improve the safety of that intersection. Westchester County, since that's a County road, was also involved. The applicant's engineer had gotten input from Westchester County, DPW on that modification also.</td>
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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

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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

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water problems? If that's the case, I got
another double question: Mr. Sweeney and Mike
have also brought this out over numerous
meetings way back to Summerfield Gardens, that
they have a problem there. Frank has pictures
because he always sees the water coming up.
Anyone that lives there has a problem.
(Inaudible) We're going to put pipe busting in
there, all of a sudden, what happened all the
other years when he brought this to the Town's
attention? Why is this project such a priority
on taxpayer's money to get this project done?
You, as the Board, have not shown me, that's
listening to this meeting, what it costs the
Town. That's part of their project, but it's
not supposed to be part of the Town's project.
I don't want to hear, well, this was always a
problem down here on Summerfield, so we
replaced it anyway, it had to get done, and
there's no cost to the developer. That's how I
feel this project is going, and it's wrong. If
you could sit there as board members and not
see that and agree and rubber stamp this whole
thing, are you really helping us, the rest of
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THE CHAIRMAN: Great. Thank you.
Where do we start? I do take a little bit of
exception to the rubber stamp because we all
are town members. We spend time on this. We
understand the concerns. We try and sort it
weigh it out through all the concerns.
Also, the comment about pipe busting,
I think -- and I'm going to go to you, Mr.
Cermele -- I think when you mentioned pipe
busting, that was just an alternative that
wasn't being used here. I'm going to ask Mr.
Cermele to talk about some of these things. I
copied seven comments. I could certainly tell
you what they were, Mr. Cermele. The first one
was the retaining wall, and I'm not really
familiar with the site plan to know exactly
what he's referring to, but if it's on their
property, I'm sort of thinking the owner is
responsible for it.
Do you want to start, Mr. Cermele, if
you would?
MR. CERMELE: So with regard to the
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THE CHAIRMAN: Can we go back to the
applicant for retaining walls in a minute?
There were other comments that were made and
I'm trying to sort my way through them. It was
about the manhole at Galloway's ever being
replaced, the flow tests and pipe busting,
there's a long list. I guess we could go
through them one at a time.
MR. CERMELE: Generally, we've been
working with the Town and with the applicant
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for more than a year at this point, trying to evaluate various alternatives to mitigate the sewer impacts from this project. Keep in mind, we've said all along that any mitigation efforts by this applicant are not meant to cure any overall problems for the Town, it's simply to offset the potential impacts specific to this project. So that gets back to that targeted three to one mitigation. For simplistic sake, you know, if you have a thousand gallons of sewage going into the system, we target or the County recommends you offset up to 3,000 gallons. By doing so, you're not curing all the problems of the sewer system, you're just offsetting, and in a positive way more than offsetting the potential impact from any specific project.

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

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

That was just this Spring with the MTA.

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

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

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

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

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

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

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

MR. TUDISCO: I'm looking, Mr. Chairman. At this time, I do not see any
hands -- wait, there was a hand and it went
down again. Okay, this is Mr. Fioravanti.
Please un-mute yourself and identify yourself
for the board.

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

I know you guys had a long night. I
thank you guys on the board -- I know you guys
are volunteers -- for appearing tonight and all
the other nights. Thank you as well, Margaret.
I’m going to try to keep it brief
here. I’ll tell you one thing though, I lived
in Eastchester for 30 years, and this is the
most ridiculous thing I’ve ever seen in the
entire town of Eastchester. I have no fault
with the developer or the architect. The owner
of this property is just ridiculous. He had no
regard for the surrounding area. He really
should have -- he or she, I don’t know if it’s
a she -- should have gone out and take a little
survey of the area and community there. The

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

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

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

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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,

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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

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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 14 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

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THE CHAIRMAN: As Mr. Margaret said, Mr. Sweeney, we're going to be here in July.

MS. UHLE: It went back up, Rob.

THE CHAIRMAN: Can you recognize him?

Can we make this his last comment? I think this will be 3.

MR. SWEENEY: This will be very brief.

THE CHAIRMAN: Good. We lost you again.

MR. NEMECEK: That was brief.

MR. TUDISCO: Mr. Sweeney, are you out there?

MR. SWEENEY: This will be very brief.

I just wanted the public to really understand my comments as it relates to the overall design of the project. It looks very nice. It's pretty handsome in terms of the capability.

The item that I really wanted to clarify is that JMC, oddly enough, was involved with Summerfield, and is involved now with 5 Ray Place. All the items that we spoke about tonight, I & I, migration, MTA, the number of variances is nothing new. Nothing. Zero. So I'm going to leave it at that. I'm asking the

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

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

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site plan, including the landscaping plan for the project.

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

THE CHAIRMAN: We would like to see it.

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

THE CHAIRMAN: Yes, I do.

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

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

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

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

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

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2. entrance, we have a number of striping and
3. curbing improvements that's being done to the
4. New Wilmot Road entrance. In a similar
5. fashion, we created this canoed island right in
6. this area here, if you could see that, which
7. really channelizes everybody as they approach
8. this intersection out onto New Wilmot Road, and
9. reduces some of the conflict points that exist
10. out there today.
11. One of the big changes you'll see as
12. well along the site plan, and it's really on
13. the eastern side of the property in this area
14. here, is the introduction of all these
15. landscaped islands at the end of the parking
16. bays. Each of the parking bays we've
17. incorporated a landscaped island, and what that
18. was allow us to reduce the drive aisle back
19. there. If you recall, there is really an
20. oversized drive aisle. It's very wide. It's
21. easy to get confused with where you should be
22. driving. This really channelizes that drive
23. aisle along the back portion of the property.
24. One of Mr. Grealy's comments as well was to
25. help better define the drive aisle along the

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2. modifications to the driveway and the
3. circulation in this area here. Originally, you
4. were able to come into the shopping center,
5. then make a quick left-hand turn, or you were
6. able to come out of this drive aisle and make a
7. quick right-hand turn, really limited the
8. amount of stacking in this area that was
9. available. By creating this canoed and
10. reworking the drive aisle just a little bit, it
11. provides a more channelized entrance, and then
12. out onto White Plains Road.
13. Again, the landscaping, which Lucille
14. is going to get into it, there are a number of
15. slides that addresses that, was really looked
16. at along the entire frontage of the property,
17. including all of the landscaped areas up
18. against the building and along the entire
19. roadway itself. The landscaping around the
20. main entrance has been redone, as well as on
21. the south side of the property as well.
22. As we go around in a clockwise fashion
23. around the perimeter of the property, you could
24. see all the landscaping improvements that were
25. done here. Similar to the White Plains Road

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

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

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

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

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

Lucille, if you want to jump into this.

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

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

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

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

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

This is a view of the entrance as you go into the site from New Wilmot Road, and what we’re proposing here is actually removing some of the hedges on both sides of the driveway because it is a bit of a sight distance issue.

By removing those hedges on either side in those blue circle areas, we will be putting low perennials and grasses with some Red Buds on either side, again, trying to keep that same vocabulary at each of the entrances, and make it interesting when you go into the facility.

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

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

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

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

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

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

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

Just the overall plant pallet just to give you a sense of where we’re going with this. The Columnar Ginkgo, which is in the rear. We’re also using multi-stem Birch in between several of the embankments of the parking area where there are currently Junipers now. The Red Sunset Maples as the vocabulary trees around the site. Norway Spruce in the back for screening. The Columnar Sweetgums in the lower left-hand photo gives you a sense of what we’re trying to accomplish in that area.

The Eastern Red Buds, and then the Coral Bark Japanese Maple with the proposed Hornbeams as a hedge. Again, we’re keeping the pallet really simple, proposing some Viburnums, Tailored

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Junipers, Ruby Slipper, Oakley Hydrangea, Japanese Holly, which is a lower version. You can see here the lower left-hand side we're proposing a hedge where that stone veneer wall is. That's what it might look like. Here are some of the perennials for the sun and for the shade. So we're trying to create a simple vocabulary that will be peppered throughout the site so there is consistency. This is essentially the landscape plan again at the end. Diego, I guess I'll turn it over to you.

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

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

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

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

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

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

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

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

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

MR. DAVIS: Right here.

THE CHAIRMAN: Do you want to answer that?

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

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

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

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

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

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

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

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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...
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 would develop a lot of traffic. It would
2 become like Central Avenue.
3 MR. CANNING: We certainly looked at
4 it, and we looked at having 90,000 square foot
5 of the store, which is over a third, I believe,
6 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
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1 May 4th, and that's what Mr. Grealy commented
2 on.
3 MS. UHLE: I want to see whether we
4 linked it to a previous agenda. Well, I guess
5 you haven't been here. We may have been
6 negligent in not posting that. I think I was
7 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.
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1 MS. UHLE: The other comment I was
2 going to make, and this is one thing that I
3 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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THE CHAIRMAN: Okay. So we'll leave the public hearing open, or am I supposed to make a motion to do that? I guess I could.

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

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

MR. CAMPANA: No comments.

MR. NEMECK: No.

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

MR. DAVIS: May we also ask, Mr. DINA M. MORGAN, REPORTER

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

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

MR. DAVIS: Thank you.


All right, gentlemen, thank you for the presentations and thank you for your patience.

Mr. Davis: Thank you for your time.

You were more patient than us.

THE CHAIRMAN: You're welcome.

Mr. Gonzalez: Thank you very much. I appreciate it.

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Mr. Villareale: Goodnight.

THE CHAIRMAN: Two down, two to go.

The next one is 21-20, oddly enough, 20 Greystone Circle subdivision.

Mr. Maiorano: Can you hear me?

THE CHAIRMAN: Yes, we can.

Mr. Maiorano: Good evening, board members. Adamo Maiorano from Community Designs and Engineering. On behalf of the applicant, Steve Piacquadio, we are proposing a two lot subdivision at 20 Greystone Circle.

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

THE CHAIRMAN: Yes.

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

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MR. NEMECEK: No.

THE CHAIRMAN: Great. So then let's
do the public hearing. I make a motion to
reopen the public hearing on this application,
21-20, 20 Greystone Circle.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

MR. TUDISCO: Mr. Chairman, at this
time I do not see any hands from the public.

If there is anyone that wishes to make a
comment, raise your hand now.

There are no hands, indicating no
members of the public wish to address the board
on this application.

THE CHAIRMAN: Thank you. So I make a
motion to close the public hearing on
Application 21-20, 20 Greystone Circle.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: With no further ado, I
make a motion to approve Application 21-20, 20
Greystone Circle subdivision, subject to the

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final review and approval by the Town's
engineering consultant.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Great. Thank you.

MR. MAIORANO: Thank you. That ends
that.

THE CHAIRMAN: Have a good evening.

MR. MAIORANO: Thank you. I
appreciate your time.

MR. NEMECEK: He may be being attacked
by a wolf.

THE CHAIRMAN: The last application is
John Iannacito. That's Application 21-25, Sea
Flame, 693 White Plains Road. He promised to
keep it brief.

MR. IANNACITO: Okay. Good evening.

My name is John Iannacito, I'm an architect,
and I'm representing Sea Flame Restaurant and
Bar this evening. I'm going to share my
screen. Can everyone see that?

THE CHAIRMAN: Yes.

MS. UHLE: Yes.

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MR. IANACITO: So they'll be 6 tables, 4 chairs at each table, so 24 chairs.

MR. NEMECEK: The furniture would be taken in every day?

MR. IANACITO: It goes in, yes. So they're probably pulling it out for lunchtime, and then it will be out for the day, unless it's raining because it's not covered where the tables would be. So if it rains, they wouldn't have outdoor dining that day.

THE CHAIRMAN: Sure. Okay. Looks good to me.

MR. NEMECEK: No awnings?

MR. IANACITO: Everything is existing. The lighting stays the same. The brick, everything stays the same.

THE CHAIRMAN: There is just one entrance into the restaurant?

MR. IANACITO: Yes. So the entrance here is actually part of Chico's. If you look at the plan, the Chico's is right here. So the restaurant only has this one door right here.

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THE CHAIRMAN: Right. I see. The seating actually overlaps with the Chico's window.

MR. IANACITO: A little bit here, yes, up to this column.

THE CHAIRMAN: I mean, there isn't anything about who owns the sidewalk, I guess, in their lease? If there was, they would know; right?

MR. IANACITO: I'm sure if they have a problem with it, they probably would have to reduce it by a couple of tables.

THE CHAIRMAN: We're not going to get involved in that.

MR. IANACITO: This is a temporary dining area for a little bit here, and no one has had any issues with it.

THE CHAIRMAN: If they give them some food, they'll be fine.

MR. IANACITO: Right. A couple of steaks.

THE CHAIRMAN: So I make a motion to open the public hearing on Application 21-25, Sea Flame, 693 White Plains Road.

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MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

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

MR. CONNOLLY: Thank you. I'm just curious -- Michael Connolly, 47 Webster Road. They've already removed the planters put these tables in. So they've already done this. Isn't this illegal? Did they have to pay a fine to the Town or has the Town fined them?

MR. TUDISCO: I could answer that question, Mr. Chairman, if you would like.

THE CHAIRMAN: Yes, please do.

MR. TUDISCO: There are a number of violations against this business with respect to permits, etcetera. We've been working in court -- I'm the person who prosecutes these. There are a number of issues that are facing the court right now. We seem to have gotten the applicant into compliance, and we're trying to resolve the cases that are currently pending.

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MR. IANACITO: They did some interior alterations without permits. We did file those plans, and they were approved. We're moving forward with that. When we file the drawings for this, I'm sure there will be some kind of a legalization fee for removing the planter and repaving this area.

MS. UHLE: I think the problem here with regard to the outdoor dining, we have during the pandemic been issuing temporary permits for outdoor dining that don't have to go before the Planning Board, and this particular applicant, I think, was hoping to get a temporary permit from us, but because they did remove the planter without the proper permits and approvals, we were not able to issue the temporary permit, and I think then we issued a violation and summons. There are a lot of other restaurants in town that have temporary permits for outdoor dining. They were hoping to do that, but we issued the violation because of the removal of the planter.

MR. CONNOLLY: They had tables in the

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

MR. CONNOLLY: One other question.

Are they going to -- I walked by this and I'm not sure if those planters are plastic or ceramic that those plants are in, but I'm just wondering if they're going to put anything up more substantial to protect people dining, like the rest of the town, Tuckahoe and Bronxville, where they have big cement barriers up, similar to what they had in the parking lot? Just curious.

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

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

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

MR. CONNOLLY: Thank you.

THE CHAIRMAN: Thank you. Anyone else, Robert?

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

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

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

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

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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)

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MS. UHLE: Thank you, everyone.
THE CHAIRMAN: Have a nice evening.
MS. UHLE: Thank you. Goodnight.

(MEETING ADJOURNED)