

EASTCHESTER PLANNING BOARD - 6/28/18

Road; 43 Hathaway Road; and 96 Fairway Drive.

MS. UHLE: And 11 Arlington.

THE CHAIRMAN: 11 Arlington got slipped in there. It was cut off at the bottom of the page. That's number 8. Good. So we'll start.

MS. UHLE: Could you just go over what's adjourned just in case people showed up for those particular applications?

THE CHAIRMAN: Sure. Items that we have open hearings on that are adjourned this evening is Siwanoy Country Club; 71 Park Drive; 11 Mill Road; Kidz Corner at 189 Brook Street; and USAgain; 21 Ray Place. Great.

MS. UHLE: Those will not be heard tonight.

THE CHAIRMAN: So last time when we had a full agenda, I just asked that architects sort of try and summarize things briefly. We love everything you do. We're more concerned about elevations and what it looks likes from the street than plans. If you could just walk us through it at a brisk place, we'll get to questions and move the meeting along tonight.

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So the first application is 600 White Plains Road, Gas Mart.

MS. UHLE: I think in this case you are interested in the plans because it's a commercial property.

THE CHAIRMAN: Yes.

MR. VILLANI: Good evening. My name is Jonathan Villani, I'm with Annunziata & Villani Design Consultants. We are representing 600 White Plains Road, Gas Mart, located at 600 White Plains Road.

This application has appeared in front of the Planning Board several times. It also has went to the Zoning Board and was approved for use variances for a convenience store, as well as granted area variances for the landscaping. We most recently were approved by the Architectural Review Board with one contingency, which was the color of the stucco being specified, which I have tonight.

As you recall, it's an existing site that is a convenience store with two service bays that's going to be converted. So the whole one story structure will become a

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THE CHAIRMAN: Good evening. This is the town of Eastchester Planning Board meeting of June 28th, 2018. If everyone would rise for the Pledge of Allegiance, please.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: The roll call is, first person, Mr. Nemecek, is not present right now. He said he may be able to be here for part of the meeting. Mr. Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: James Bonanno is here. Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham is not here.

We have a full agenda; old business, new business. Let me just run through it. We're going to go in the order I read them. So in all there's 1, 2, 3 -- 12 applications. The first one is Gas Mart, 600 White Plains Road; the next it 10 Morgan Street; the third is Mezzaluna; the next is 37 Nelson; followed by 1 Huntley; then Pizza Bar at 322 White Plains

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TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING

JUNE 28, 2018

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

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
ROBERT PULASKI, MEMBER
PHILIP NEMECEK, MEMBER
BILL WEST, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

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

Dina M. Morgan, Reporter
25 Colonial Road
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<p style="text-align: right;">5</p> <p>1 EASTCHESTER PLANNING BOARD - 6/28/18</p> <p>2 convenience store. The footprint will not</p> <p>3 increase. We propose parking as well as site</p> <p>4 improvements, including landscaping. It's been</p> <p>5 through a review and we've addressed all the</p> <p>6 issues from that review. So we are trying to</p> <p>7 get final site plan approval to go to permit.</p> <p>8 THE CHAIRMAN: Is there a lighting</p> <p>9 plan?</p> <p>10 MR. VILLANI: The lights are indicated</p> <p>11 on the site plan. They're indicated in the</p> <p>12 four corners. We will be lighting the back of</p> <p>13 the parking lot, as well as the two corners in</p> <p>14 the front. There also is an illuminated sign</p> <p>15 that exists already on the site.</p> <p>16 THE CHAIRMAN: Could you point out the</p> <p>17 light locations?</p> <p>18 MR. VILLANI: The dark dots at the</p> <p>19 four corners of the property, as well as they</p> <p>20 have an illuminated sign.</p> <p>21 THE CHAIRMAN: Do we have cut sheets</p> <p>22 on those?</p> <p>23 MR. VILLANI: No, I do not have cut</p> <p>24 sheets on those.</p> <p>25 THE CHAIRMAN: When we look at</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">7</p> <p>1 EASTCHESTER PLANNING BOARD - 6/28/18</p> <p>2 site plan and traffic and parking and</p> <p>3 circulation issues in order to do a Neg Dec for</p> <p>4 SEQRA to refer you to the Zoning Board, with an</p> <p>5 understanding that when it came back here, it</p> <p>6 would be subject to further site plan review.</p> <p>7 So, yes, there's a number of other issues that</p> <p>8 the board may like additional information on</p> <p>9 that they didn't request when you were here for</p> <p>10 preliminary review.</p> <p>11 MR. VILLANI: They haven't been</p> <p>12 documented as of yet to address them now?</p> <p>13 Obviously in the next submission.</p> <p>14 MS. UHLE: Yes. Well, I think after</p> <p>15 the board asks questions, then, yes, they'll</p> <p>16 likely either ask you to submit things as a</p> <p>17 condition of approval or to come back with</p> <p>18 additional information.</p> <p>19 THE CHAIRMAN: Let me just get the</p> <p>20 timeline straight. You were here, we referred</p> <p>21 you to the Zoning Board, you were at the Zoning</p> <p>22 Board on the 10th, and now you're back?</p> <p>23 MR. VILLANI: Not that simple. I</p> <p>24 think we presented, Margaret, I believe three</p> <p>25 times to the Planning Board?</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>
<p style="text-align: right;">6</p> <p>1 EASTCHESTER PLANNING BOARD - 6/28/18</p> <p>2 lighting, usually we like to understand what</p> <p>3 fixture it is and if it's lighting down and how</p> <p>4 much --</p> <p>5 MR. VILLANI: Presently, every project</p> <p>6 I design are LED lights. There are no more of</p> <p>7 those lights with the lamp posts that glare in</p> <p>8 a semicircle out on the property. They'll be</p> <p>9 directed downward, the downward LED lamppost</p> <p>10 lights, just for that reason so it doesn't</p> <p>11 affect the neighbors.</p> <p>12 MR. PULASKI: Usually we get a</p> <p>13 photogrammetric -- I think is the expression --</p> <p>14 so you could see how much light intensity you</p> <p>15 get so we don't go more intensity than we need,</p> <p>16 we see where the spill is, particularly where</p> <p>17 we're running into a late hour use up to 11:00</p> <p>18 or so in the evening.</p> <p>19 MR. VILLANI: I would have presented</p> <p>20 that to you if I -- we've presented in front of</p> <p>21 the Planning Board, I believe, three or four</p> <p>22 times, and I've never been asked that before.</p> <p>23 MS. UHLE: There's a couple of things.</p> <p>24 One, the first few meetings that you presented</p> <p>25 before the board, they primarily focused on</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">8</p> <p>1 EASTCHESTER PLANNING BOARD - 6/28/18</p> <p>2 MS. UHLE: They began on December 1st,</p> <p>3 2016, then October 27th, 2016, and then</p> <p>4 March 23rd, 2017. So the last time you were</p> <p>5 before this board was more than a year ago.</p> <p>6 Then they did go to the Zoning Board October of</p> <p>7 2017, January and February of 2018, and</p> <p>8 actually April for a determination, and then</p> <p>9 they went to the Architectural Review Board on</p> <p>10 June 7th, 2018. But again, you have to</p> <p>11 remember you haven't been before this board in</p> <p>12 over a year.</p> <p>13 MR. VILLANI: I understand. It's</p> <p>14 understandable, but also understandable that</p> <p>15 we've been through a very long road and to now</p> <p>16 get new information is a little disheartening</p> <p>17 as far as what we have to submit on the plans.</p> <p>18 I thought the site plan approval was kind of</p> <p>19 now we're moving to zoning, we got the</p> <p>20 variances, and then coming back from the</p> <p>21 Architectural Review Board.</p> <p>22 MS. UHLE: I guess I would say that if</p> <p>23 you're asking for final site plan approval, the</p> <p>24 whole purpose of being here is to allow the</p> <p>25 Planning Board to ask for additional</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>

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 2 information.
 3 THE CHAIRMAN: I wasn't making light
 4 of the efforts you put forth so far. I mean, I
 5 do appreciate that you've been very receptive.
 6 I think in the end we have an application that
 7 is perfect, now we're just crossing the T's and
 8 dotting the I's.
 9 MS. UHLE: The applicants submit their
 10 applications to our department exactly two
 11 weeks prior to the meeting, and as much as we
 12 like to advise applicants of anything that we
 13 see is outstanding, again, the understanding is
 14 basically that what you're submitting is what
 15 you're going to have comments on and reviewed
 16 by the Planning Board when you get here,
 17 otherwise, it's two weeks for us you to get
 18 information for you, you to scramble to get
 19 things in. We're reviewing what you submitted
 20 at that particular time. This is a significant
 21 site, and the fact that the applicant got a use
 22 variance is significant for the applicant. The
 23 board needs to be careful with their review.
 24 THE CHAIRMAN: Margaret is good at
 25 pointing out things to our attention too. One
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 2 thing she did point out that I would like you
 3 to maybe just elaborate on, and that is in the
 4 back there's like a slope; do you know what the
 5 condition is back there with the site?
 6 MR. VILLANI: The existing grade is
 7 level with White Plains Road, and it grades
 8 down to the back of the property where the
 9 parking will be in the rear, as well as in the
 10 front, handicapped parking in the rear as well.
 11 They'll circulate through the site. We were
 12 requested to see where the tank location for
 13 the fill-ups would be, so we put this truck
 14 here to indicate the truck would fill up at odd
 15 times, not during, you know, the peak hours.
 16 We also put additional signage on the pavement
 17 to indicate the traffic circulation. All the
 18 bubbles were all the revisions that were kind
 19 of requested of us throughout the process, the
 20 Planning Board. You could see the bubbles.
 21 We've addressed those on the Planning Board.
 22 We also were requested to put a fence along the
 23 northern property line, as it is in disrepair;
 24 additional parking space up front of structure;
 25 and the additional arrows, directional arrows
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 2 that I pointed out; and we enlarged the parking
 3 spaces in the front. So we address those.
 4 MR. PULASKI: Those were all critical
 5 items. We spent a lot of time talking about
 6 those items.
 7 MR. VILLANI: Correct. Yes.
 8 MS. UHLE: I think one of the issues
 9 right now is even though things are expressed
 10 in notes, there aren't catalogue cut sheets or
 11 details, like what the fence will look like,
 12 how high the fence is, the exact location --
 13 well, you show the location there, but I have a
 14 concern about that. The same thing with the
 15 light posts. Just having details.
 16 MR. VILLANI: Details. That's fine.
 17 MS. UHLE: The one thing that I wanted
 18 to say with the fence at the rear, that's
 19 actually not the rear of the property, and the
 20 owner owns that wooden slope down to Stewart
 21 Avenue. So I think that the fence should be
 22 located at the base of the slope to fully
 23 enclose that property, and also the owner is
 24 responsible for maintenance of that wooded
 25 area. I'm afraid where you're showing the
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 2 fence, it sort of segregates that area and it's
 3 going to make it much more difficult to
 4 maintain.
 5 MR. VILLANI: Prevent them from
 6 maintaining it.
 7 THE CHAIRMAN: That's dead man's land
 8 if you put up the fence there. It has to be
 9 maintained.
 10 MR. VILLANI: That could be a
 11 condition, yes.
 12 THE CHAIRMAN: Is there a guardrail?
 13 MR. VILLANI: Yes. We put a low
 14 concrete curb to obviously prevent -- there is
 15 a little bit of a significant change between
 16 the grade where I'm proposing the parking to
 17 where the unmaintained part of the property is.
 18 We can address the maintenance of that
 19 property, but I still want to create a barrier
 20 between those two properties.
 21 MR. PULASKI: Is that grade changing?
 22 MR. VILLANI: It is, but not -- it's a
 23 drop -- I didn't take a measuring stick to it
 24 but it's probably 18 inches. It's more than
 25 just a rollover.
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 2 MR. PULASKI: The reason why I mention
 3 that is, I know that the last time you were
 4 before us one of my concerns was that when you
 5 have a lot of vehicle parking, a lot of vehicle
 6 movement and you have a gas station, this site
 7 doesn't have any drains, and I think one of the
 8 people from the public had said how that slopes
 9 off in the back and then down. I don't know if
 10 through the Zoning Board's process if anything
 11 has changed where a drain could be required
 12 back there?
 13 MS. UHLE: That would be your purview
 14 to talk about that. The Zoning Board didn't
 15 address that.
 16 MR. VILLANI: That's where all the
 17 water goes anyway. There could be some
 18 mitigation there with traprock. I'm not
 19 concerned of or would like to put structures
 20 there, but there could be some sort of
 21 percolation -- some sort of treatment in the
 22 back area that percolates it to mitigate the
 23 water, storm water.
 24 MR. PULASKI: I think there should be
 25 with any area that has a lot of parking and car
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 2 activity of a gas station type.
 3 THE CHAIRMAN: Drains for the surface
 4 water on the parking?
 5 MR. PULASKI: Yes.
 6 THE CHAIRMAN: Then you have to scrub
 7 it and -- you can't just --
 8 MR. VILLANI: It's already a hundred
 9 percent impervious surface the property or 90
 10 something percent. We really would just be
 11 catching the runoff.
 12 THE CHAIRMAN: From the parking lot
 13 with cars.
 14 MR. VILLANI: The grade slopes to the
 15 back.
 16 MR. PULASKI: Otherwise, it just goes
 17 down the hill.
 18 THE CHAIRMAN: I don't know. If you
 19 put a drain on a parking lot, what happens to
 20 the water; where does it go?
 21 MS. UHLE: I think we would have to
 22 talk to Joe Cermele about that. They would
 23 have to put a dry well in or something. If you
 24 put a drain in, it has to go someplace.
 25 THE CHAIRMAN: It's also a gas station
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 2 and it's also --
 3 MS. UHLE: There would be some
 4 mitigation you would have to do.
 5 MR. WEST: It's already paved now, so
 6 what are you improving?
 7 THE CHAIRMAN: Right now you're saying
 8 it's just going off to here?
 9 MR. PULASKI: Yes. It slopes. That's
 10 why he was saying the -- that grade has changed
 11 18 inches in the back?
 12 MR. VILLANI: Drop off from here. I'm
 13 just guessing.
 14 MR. PULASKI: So maybe it's a little
 15 less severe. Maybe it's pocketing a little
 16 bit.
 17 MR. VILLANI: It's creating a natural
 18 mitigation right now. It slows down, you know,
 19 the rain water. I mean, it's pretty forestry
 20 back there.
 21 MS. UHLE: I think, if you would like,
 22 we could have our engineer just take a look at
 23 it.
 24 MR. PULASKI: I think it's just good
 25 environmental concerns.
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 2 THE CHAIRMAN: There's a retaining
 3 wall back there?
 4 MR. VILLANI: No. I'm proposing a
 5 small curb, concrete curb.
 6 MS. UHLE: That was a question I had
 7 because it says a retaining wall there. It
 8 shows it on the existing plan though I think
 9 too. I didn't see a retaining wall, unless
 10 it's all overgrown with vegetation.
 11 MR. VILLANI: Yes, it is, and the
 12 vegetation is growing over it.
 13 THE CHAIRMAN: You're removing it and
 14 replacing it?
 15 MR. VILLANI: Yes.
 16 THE CHAIRMAN: With what?
 17 MR. VILLANI: Concrete, and also act
 18 as a curb stop.
 19 THE CHAIRMAN: Bumper height?
 20 MR. VILLANI: No, not bumper height.
 21 About six inches above just to stop the wheels
 22 of cars rolling.
 23 THE CHAIRMAN: The slope is right
 24 there, so you could step over it and down the
 25 slope; right?
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MR. VILLANI: Yes. But it's enough that if a car rolls over it, it's detrimental to the car.

THE CHAIRMAN: I'm not worried about the cars, I'm worried about the people just sort of --

MR. VILLANI: We were proposing a fence there too, but now we're putting the fence toward the rear.

MS. UHLE: You might be able to put a guardrail or something there and then the fence at the back. It's pretty steep if you were to go over that curb. You would hit a few trees on the way too.

Can I follow up with a lighting question? Are you proposing any lighting on the building itself?

MR. VILLANI: We would have downward flood lights just for nighttime just at the front of the store for safety as well.

MR. WEST: What are the hours of operation?

MR. VILLANI: We have that as part of one of the conditions, I believe. 6 to 11.

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MS. UHLE: At the last meeting, the hours were discussed but not determined. My question with regarding to the lighting was, again, if you're proposing any details like that, they'll need to see where they're located and catalogue cut sheets.

MR. VILLANI: Sure.

MR. NEMECEK: There is new post lighting indicated in the back part?

MS. UHLE: Yes, and two in the front. But there's some existing lighting. There's not really a canopy but the pumps themselves, and then they'll be proposed lighting on the building itself, probably on the back and the front, I image.

MR. VILLANI: The existing pumps already have lights on them. Do you want spec sheets on the existing lights there?

MS. UHLE: No, but I believe that would still show up in the photometric plan.

THE CHAIRMAN: Any comments?

MR. PULASKI: Is this a public hearing?

THE CHAIRMAN: Yes, it is. So this is

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an open public hearing, so let me see if there are any comments from the public, please. Don't go too far. Comments on this application?

(No comments.)

THE CHAIRMAN: There was -- if I remember, and my memory isn't that good -- I remember we had some concern about how snow was being moved around on the site; has that been addressed somewhere?

MR. VILLANI: Yes. It's a paid service. During the winter, we could store it somewhere around the trash enclosure. I remember having a discussion on that. I don't know if we every resolved it. That's where it is now presently. I don't know if we ever discussed any displacement of that somewhere else.

THE CHAIRMAN: I would like to actually see on the site plan like a storage area so everything moves towards that and during storms that's how the procedure is.

MR. VILLANI: I don't have to take notes, right, this will all be --

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MS. UHLE: Yes. If you recall at the property at 504 New Rochelle Road, which is a similar type property, they did actually have some area at the rear of the property that they could put snow. But otherwise, there was a condition that if it was over four inches within a certain time frame, that they actually had to remove it from the site. You're not permitted to put it into White Plains Road. Even if that's what's being done, it's not permitted.

MR. VILLANI: Part of his service now he does -- when it's a super storm or there's more than a foot -- he gets it displaced to another location. He doesn't continuously pile it up. During the winter he showed me, actually, that he does have a service that comes and takes the snow away.

MS. UHLE: It doesn't look like there's a lot of room on the site to store snow without eliminating parking spaces.

MR. NEMECEK: This may be opening a Pandora's Box, but how about that sloped area in the back?

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2 MS. UHLE: Honestly, there may be a

3 way to deal with that, yes.

4 MR. VILLANI: Either that or we could

5 make it a condition that he needs to remove it

6 from the site.

7 MS. UHLE: I just feel like having

8 someplace on site is a lot easier to enforce

9 and to implement than to have people come and

10 truck it away.

11 MR. VILLANI: Absolutely.

12 MS. UHLE: If possible, if you have a

13 place on the site.

14 MR. PULASKI: You probably have to

15 have a removable section on your rear barrier

16 because usually that gets pushed.

17 THE CHAIRMAN: In the back?

18 MS. UHLE: The slope in the back

19 because that's all open space.

20 MR. PULASKI: But if you put a barrier

21 there, most plows are push plows and they

22 aren't buckets, so you'd want to be able to --

23 so if you have a section that you could open,

24 you just push it right out.

25 MR. NEMECEK: At the same time if

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2 you're talking about the alternative being

3 removing it, that's definitely --

4 MR. VILLANI: Also, when they pile it

5 up, they could push it over.

6 THE CHAIRMAN: Somehow address the

7 snow on the plans.

8 MR. VILLANI: Sure.

9 THE CHAIRMAN: Is there a flagpole?

10 MR. VILLANI: Is there a flagpole?

11 THE CHAIRMAN: Yes, on the site.

12 MR. VILLANI: I don't believe so.

13 THE CHAIRMAN: There was a flag when I

14 went to get gas. It sort of surprised me. I

15 liked it.

16 MR. VILLANI: I don't believe so.

17 THE CHAIRMAN: If you want to add one,

18 I won't object.

19 MR. NEMECEK: You have to tell us what

20 flag you're going to be flying. Pirate flag is

21 out.

22 THE CHAIRMAN: So I think you get the

23 idea we have a few more things. I can't

24 promise, but I think if you address all these

25 things, it should be easy sailing when you get

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2 back.

3 MS. UHLE: I think the main issue,

4 again, is more detail and information about all

5 of the site features.

6 MR. VILLANI: That's not a problem.

7 As long as I get a list of all the items you

8 have questions about, I can address them all.

9 MS. UHLE: I believe in my previous

10 notes the applicant had hoped for 6 to

11 midnight, what was approved for Chester Heights

12 was 6 to 11.

13 MR. VILLANI: I believe he wanted 6 to

14 12.

15 THE CHAIRMAN: They requested 6 to 12.

16 Is that their present operating hours?

17 MR. VILLANI: I believe so. I don't

18 know if it's written anywhere but that's what

19 it is.

20 MS. UHLE: You can think about that

21 and talk about it. You can think about that

22 when they return. That's something eventually

23 you'll need to --

24 MR. VILLANI: Is it possible to --

25 even though I'm coming to the next -- we could

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2 close the public hearing and move to -- I still

3 have to come back or we have to leave it up?

4 MR. PULASKI: We're going to leave the

5 public hearing open.

6 THE CHAIRMAN: So we will give you

7 that list of things. We do appreciate you

8 continuing back here every time.

9 MR. VILLANI: It's been a long

10 process.

11 THE CHAIRMAN: This site has been a

12 site that has needed repair in the community.

13 MR. PULASKI: I don't think you were

14 here the last time. I think it was somebody

15 else that presented.

16 MR. VILLANI: No, I've always been

17 here.

18 MS. UHLE: Did you try to open the

19 public hearing? You did open it?

20 MR. NEMECEK: It was open already.

21 MS. UHLE: So it will be continued.

22 THE CHAIRMAN: Great. Thank you very

23 much. Have a nice summer.

24 MR. VILLANI: Thank you.

25 MR. NEMECEK: Chairman Bonanno, when I

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2 was not here, did you finish like about five or

3 six applications; we're near the end?

4 THE CHAIRMAN: Yes, we work from the

5 back forward. But you're here. Mr. Phil

6 Nemecek is now present.

7 The next application is 10 Morgan

8 Street.

9 MR. MARGIOTIS: May I start?

10 THE CHAIRMAN: Yes.

11 MR. MARGIOTIS: Good evening,

12 everyone. My name is James Margiotis. I'm an

13 architect. I'm filling in for John Cotugno

14 this evening. He's been away for a couple of

15 weeks. He's away for one more. I'm a

16 colleague of John's, and I familiarized myself

17 with the property and with the drawings. Over

18 the last few weeks, we've been receiving and

19 responding to comments from the Planning Board.

20 So I've been heading that up in communication

21 with John while he's away, as well as the

22 landscape architect Rob Sherwood here, and Greg

23 from Eliot Senor, the civil engineer's office.

24 We think that we have, I think,

25 adequately responded to the comments. The last

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2 round of comments, mostly civil engineer's,

3 have actually been revised and resubmitted

4 directly to Joe Cermele yesterday at the, I

5 think, request of Margaret, which was, don't

6 resubmit anything before this next hearing to

7 you guys. So, obviously, we're waiting to sort

8 of hear from that on that. We have a colored

9 site plan now with the planting specified. The

10 planting was specified before, but Rob also has

11 photographs of all the different plant material

12 if you would like to see that.

13 The house I really think cuts into the

14 topo really well. You enter at the lower

15 level, as you know, first floor is up, walks

16 out onto the back, there's a 4 foot high

17 terrace wall, and then the slope in the back

18 has been stabilized with the planting. Rob can

19 speak more to that than I. The site section I

20 think is illustrative and shows everything from

21 property line to property line. I believe it's

22 a two on one slope in the back. I think it

23 might have been perceived as being steeper than

24 that, although --

25 MS. UHLE: I think it's a 50 percent

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2 slope; correct?

3 MALE SPEAKER: Yes.

4 MR. MARGIOTIS: Which I'm told is

5 maintainable, but there's a lot of plant

6 material on it to stabilize it, and the grade

7 kind of flattens out through the terrace and

8 you could see what happens thereafter.

9 THE CHAIRMAN: Is that slope a rock

10 cut or is that soil?

11 MR. MARGIOTIS: Greg?

12 THE CHAIRMAN: Just curious. Was that

13 rock back there that was filled.

14 MR. CACCIOPPOLI: I'm sorry, can you

15 repeat the question?

16 THE CHAIRMAN: That slope in the back,

17 was that a rock cut or was that soil just

18 graded?

19 MR. CACCIOPPOLI: It's soil. It's

20 about 12 inches of soil and then rock based off

21 of our deep tests.

22 MR. NEMECEK: I know you were

23 introduced earlier, but can you state your

24 name?

25 MR. CACCIOPPOLI: Sure. I'm Greg

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2 Caccioppoli from Eliot Senor's office.

3 THE CHAIRMAN: That shows it?

4 MR. MARGIOTIS: It looks like the

5 grade is being moved about a foot.

6 THE CHAIRMAN: It's shown on the

7 section that you put up. It's shown well. On

8 that one right there. That's the result. It

9 flattens out. Well done. Maybe he could just

10 run us through the landscaping.

11 MR. SHERWOOD: Good evening. Robert

12 Sherwood, landscape architect. I'm going to

13 flip back and talk about the landscaping.

14 Coming down Morgan Street, there's

15 street trees that exist and kind of give it a

16 nice canopy, a nice framing effect for the

17 house. Flanking the driveway, I planted two

18 Servicebury, which are more of an understory

19 ornamental tree, white flowers, multi stemmed,

20 to give it some interest. To the left we

21 graded out a flat lawn to be utilized for the

22 occupants of the building. As you come up this

23 side this is a slope, so I have lawn kind of

24 circling back up the hill. The steeper part of

25 the slope in the back I planted ground cover

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1 Juniper and more towards the property line
 2 something a little bigger to give it color and
 3 interest, Forsythia. I do have some larger
 4 Green Giant arborvitae being planted along the
 5 property line for evergreen screening, here and
 6 over here, and I show some down here on the
 7 lower section as well. That's just to green up
 8 the site and provide some evergreen from the
 9 adjacent neighbors. I do show one tree on the
 10 north side that was to stay but now we are
 11 going to remove it. I feel that it should come
 12 down. It's not worth trying to save. It's one
 13 sided and not the best looking tree. So this
 14 tree will be removed. We will be saving a tree
 15 on the back.

17 THE CHAIRMAN: What's going to replace
 18 the one that's being removed?

19 MR. SHERWOOD: Excuse me.

20 THE CHAIRMAN: What's going to replace
 21 the one that's being removed?

22 MR. SHERWOOD: The evergreens on that
 23 side, I'll probably slide them down. In that
 24 area is where the most direct, I would say,
 25 neighboring house is.

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2 THE CHAIRMAN: So you will put
 3 additional ones?

4 MS. UHLE: I think the plan that we're
 5 looking at has some additional landscaping
 6 that's not shown on your plan possibly, unless
 7 it's just not showing up. You have six Green
 8 Giant arborvitae along that left side property
 9 line, and then you're showing five Goldmound
 10 Spirea along the retaining wall there, the
 11 front retaining wall on the left-hand side.
 12 Are those shown on your rendered plans?

13 MR. SHERWOOD: Yes.

14 MS. UHLE: Okay. They're covered by
 15 the tree.

16 MR. SHERWOOD: There are six
 17 evergreens on that side and six evergreens on
 18 the other side.

19 MS. UHLE: Okay. I just had a quick
 20 question: I know you stabilized the slope in
 21 the back. It wasn't that I didn't think it was
 22 maintainable, it's that I think if you go over
 23 about 30 percent you difficulty mowing grass.
 24 So you have the 50 percent in the back, but I
 25 think you have a 40 percent slope on the

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2 right-hand side. If you look at the contours
 3 on the right-hand side of the house, that's
 4 about a 40 percent slope there.

5 MR. SHERWOOD: On the right-hand side,
 6 it's three on one, so every three feet you're
 7 going one vertically down and that is
 8 maintainable.

9 MS. UHLE: Okay. When I scaled it
 10 off, it was a little over 40 percent. Maybe
 11 the grading was changed slightly. Maybe it's
 12 flattened out.

13 MR. SHERWOOD: I can slide this lower
 14 further down and achieve even a flatter slope
 15 there.

16 MS. UHLE: Okay.

17 THE CHAIRMAN: So, Margaret, we have
 18 some comments from Joe. They've all been
 19 addressed?

20 MS. UHLE: Yes. Well, you received
 21 the comments that he submitted most recently,
 22 and then he did send me an e-mail earlier this
 23 week that I forwarded to you that said even
 24 though there are outstanding comments, that
 25 they're things that he thinks can readily be

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2 addressed as a condition of approval.

3 THE CHAIRMAN: Okay. Beautiful
 4 landscape. Thank you. I think compared to
 5 what's there, that's going to certainly
 6 brighten up the whole street as you come in.
 7 Thank you for the effort.

8 Any more comments from up here, guys?

9 MR. PULASKI: No.

10 THE CHAIRMAN: This is an open public
 11 hearing, so let me just see if there are any
 12 comments from the public, please.

13 Comments from the public regarding
 14 this application, 10 Morgan?

15 (No comments.)

16 THE CHAIRMAN: No. Good. So I'm
 17 going to close the public hearing then because
 18 I think we're just about wrapping it up. So I
 19 make a motion to close the public hearing on
 20 Application 17-17, 10 Morgan Street.

21 MR. NEMECEK: Second.

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

24 THE CHAIRMAN: Subject to the
 25 conditions that --

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1 MR. NEMECEK: I just have a couple of
2 questions just about the curb cut and about the
3 driveway because I recall last time the
4 applicant was here, there were a few different
5 possibilities proposed, and there was a loose
6 stone wall as well I guess on the bottom right
7 portion of the property as we're viewing it;
8 how did that all get resolved?

9 MR. CACCIOPPOLI: Are you referring to
10 this portion?

11 MR. NEMECEK: Yes.

12 MR. TUDISCO: Could you just take the
13 microphone.

14 MR. CACCIOPPOLI: Yes. So we're going
15 to remove about 6 feet of the existing wall on
16 this side of the property to create space for
17 the driveway. It's going to have an 18 foot
18 curb cut at the walkway, and then it's going to
19 widen out to 22 feet, which is the existing.
20 We're removing some wall also on the left side,
21 I'm going to call it, of the driveway, to make
22 room for the walkway also and just have a
23 grander entrance.

24 MR. NEMECEK: The driveway will be
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1 sufficiently wide that two cars can enter it at
2 the same time?

3 MR. CACCIOPPOLI: Absolutely.

4 MR. NEMECEK: That's what it certainly
5 appears like.

6 MR. CACCIOPPOLI: The typical width of
7 a parking spot is 9 by 18, and we have 18 feet
8 here. So you can get two cars by comfortably.
9

10 MR. NEMECEK: Because originally this
11 was conceived as having sort of a bottleneck,
12 and that did not appear to be a good idea to
13 me. Thank you.

14 MR. CACCIOPPOLI: Sure.

15 MS. UHLE: Do you also want to
16 understand where the construction vehicles are
17 parking?

18 THE CHAIRMAN: Is the spot for the
19 construction parking shown on the site plan?

20 MR. CACCIOPPOLI: Yes. Let me just go
21 to the drawing. So our construction staging
22 areas are here on the right side, this flat
23 area to the right of the driveway, and also
24 here there's an existing two car garage, so you
25 could fit two vehicles in this area, which we

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1 just plan on removing the roof of the garage
2 and the front of the garage because it's half
3 buried right now. So there's block walls
4 currently as the walls of this garage. It's
5 not framed. So we're just going to leave the
6 blocked walls, and cars will still be able to
7 pull in and pull out.

8 THE CHAIRMAN: Now that you said it,
9 what's the final condition there with that
10 structure?

11 MR. CACCIOPPOLI: The structure will
12 be walls, retaining walls that are still there
13 that exist.

14 THE CHAIRMAN: Oh, those are retaining
15 walls?

16 MR. CACCIOPPOLI: Yes, retaining
17 walls.

18 MR. NEMECEK: You said you're taking
19 off a roof of what's an existing garage right
20 now?

21 MR. CACCIOPPOLI: I provided a cross
22 section here. This is the existing lot on this
23 side. So starting from left to right, the
24 property line is here, the property line is

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1 here. This wall, it steps down to this
2 elevation, which is 216, which I specify on the
3 grading plan, and that is a stone wall that's
4 supporting this existing garage. So instead of
5 framing it with wood, they used a wall in the
6 back. This could be used for plantings and
7 stuff when we remove this existing garage. It
8 will just look like a tiered wall.

9 MR. NEMECEK: We're just concerned
10 that it doesn't look like it's rubble that's
11 been left behind. We have this very nice
12 landscape plan, and we want to make sure that
13 this is incorporated into it.

14 MR. CACCIOPPOLI: Yes, absolutely. I
15 added a note to the plan to repair the wall as
16 needed and clean it up. Actually, Joe Cermele
17 asked me to address that. On the cross section
18 sheet, it's sheet three of four, there's a note
19 that says, repair existing walls as needed. So
20 we're going to make sure that there -- that's
21 something we have to verify in the field after
22 the garage is demolished, the top of the
23 garage.

24 THE CHAIRMAN: Can you be a landscape
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2 architect for a minute and put the landscape

3 plan back up just so we could see it. Is that

4 garage area addressed on the landscape plan? I

5 just want to see it with reference to the rest.

6 MR. WEST: Is it already removed?

7 THE CHAIRMAN: It's the dark lines

8 right there. That's it right there.

9 MR. SHERWOOD: It's been there for a

10 long time. When the roof gets removed gets

11 removed, based on Senor's note, the builder

12 will get in there and assess.

13 THE CHAIRMAN: Right. Clean it up.

14 But right now once it's gone, that's grass

15 you're going to put there, I guess?

16 MR. SHERWOOD: Yes.

17 MR. WEST: Is this the picture of the

18 property and the garage will be over here?

19 MR. SHERWOOD: It's to the immediate

20 left as you go in. Really all you see is the

21 front.

22 THE CHAIRMAN: Thank you. Are you

23 looking for a picture? Do you have one there?

24 MR. MARGIOTIS: I don't have a photo

25 of that.

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2 THE CHAIRMAN: About how high are the

3 walls of the garage?

4 MR. MARGIOTIS: About 8 feet as you

5 look at the high side. We were just over there

6 a minute ago. 10 feet-ish.

7 MR. CACCIOPPOLI: This wall here, if

8 you're looking at the property, is about 3 feet

9 high. This side, when we remove this garage,

10 is going to look similar to this side.

11 MS. UHLE: Greg, can you use the

12 microphone. Sorry.

13 MR. CACCIOPPOLI: So when we remove

14 this garage -- if you've been to the property,

15 on this side there's a wall that is about 3

16 feet high and then there's soil in between two

17 walls, and it's just an elevated area right in

18 here. When we remove this garage, it's going

19 to mirror this side. So it's just going to be

20 an elevated area here because that's what's

21 currently there. There's fill in between this

22 wall and this wall and then it will get low

23 again. The slab elevation of the existing

24 garage is lower than this elevation.

25 THE CHAIRMAN: Right. That will just

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2 be the general grade once you enter the

3 property?

4 MR. CACCIOPPOLI: Correct.

5 THE CHAIRMAN: Okay. Any other

6 comments, guys?

7 (No comments.)

8 MR. PULASKI: From what I understand,

9 Joe Cermele reviewed everything and he seems to

10 be fine with it?

11 MS. UHLE: Yes.

12 MR. PULASKI: There's a few minor

13 things that he has to clear up?

14 MS. UHLE: A few minor things. As the

15 applicant said, I think they already submitted

16 something to him today, but there was no point

17 in getting it to you guys. He said based on

18 what he received for this submission, they were

19 loose ends that he felt could be readily

20 addressed.

21 Do you want me to go over kind of the

22 standard conditions of approval, and I've added

23 one standard condition of approval?

24 THE CHAIRMAN: For all applications?

25 MS. UHLE: Yes, pretty much. I'll

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2 explain this one. I'm sorry, I have a quick

3 question about the landscape plan. In one of

4 my comments was to where appropriate or

5 necessary show bed lines only because I'm not

6 really accustomed to seeing many landscape

7 plans that don't show bed lines, which I

8 appreciate you did. Are you actually planning

9 to cut in all those bed lines, because it looks

10 like you'll end up with a lot of areas that are

11 primarily mulch or something? I didn't mean

12 for you misconstrue my comment as they needed

13 to be all connected. I'm assuming you would be

14 cutting in some bed lines; right?

15 MR. SHERWOOD: It would just be a hand

16 spade cut edge for the bed lines. Yes, I do

17 show it around where the grass is going, and

18 there will be areas of mulch to maintain.

19 MS. UHLE: Even without plantings in

20 them? So the beds will be cut like you're

21 showing them on the plan here?

22 MR. SHERWOOD: Pretty much, yes.

23 MS. UHLE: Okay. So we always have a

24 standard condition of approval for landscape

25 plans, which is that the applicant has to

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1 understand that you are required to install
2 what the landscape architect proposed, because
3 that's often a big problem is that builders
4 will come in and install something completely
5 different. Then if you need to make certain
6 modifications, we'll need your landscape
7 architect to indicate in writing to us what
8 those modifications or changes are so that we
9 know they're appropriate. You could just send
10 an e-mail to my office. Once the landscape is
11 installed, we'll need a letter from the
12 landscape architect signed and sealed saying
13 that it was installed consistent with what was
14 approved. That's basically just install what
15 was approved.

16 The other condition of approval will
17 be that the issuance of the building permit
18 will be subject to the approval of the storm
19 water management plan by our engineering
20 consultant. So that you could wrap up with him
21 fairly quickly.

22 This is the third one that's going to
23 become a pretty standard condition I think,
24 which is, any necessary sidewalk and curb
25

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1 repairs and/or replacements will be required
2 subject to the requirements and specifications
3 of the Highway Superintendent, which doesn't
4 mean you necessarily need to do anything, but
5 if something is severely damaged or whatever,
6 he needs to be involved in the improvements
7 within the right-of-way. That would be it.

8 THE CHAIRMAN: That's a good idea. So
9 then subject to those conditions, I make a
10 motion to approve this application, 17-17, 10
11 Morgan Street.

12 MR. NEMECEK: Second.

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

15 THE CHAIRMAN: Please give Mr. Cotugno
16 our regards. I hope he's well.

17 The next application is 18-23,
18 Mezzaluna Restaurant.

19 MR. DELICATA: Good evening, Mr.
20 Chairman, Alfred Delicata on behalf of the
21 applicant. This is our second time before the
22 board. First time rather informally. Tonight
23 we're on a formal application for site plan
24 approval for the issuance of a special permit
25

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1 for outside dining. If I could just hand up
2 the Affidavits of Mailing and certified
3 receipts. Thank you very much.

4 I know you have a full agenda, so I
5 would like to turn over the presentation
6 immediately, if I could, to the architect on
7 the project, Mr. Bruno Pietrosanti. We have a
8 lot of plans here, a lot of drawings, and he
9 could go over the elevations for you, and then
10 I'll remain in the room for any issues
11 regarding the site plan and the special permit
12 issuance.

13 THE CHAIRMAN: Thank you.

14 MR. PIETROSANTI: Good evening,
15 members of the board, I'm Bruno Pietrosanti.
16 This board was presented with this initial plan
17 at last month's hearing. We've gone to the
18 ARB, received approval from the ARB. We did
19 receive some comments from this particular
20 board and from the ARB, and we thank you very
21 much for those comments. Some of the issues
22 here with regards to these drawings have been
23 updated accordingly with some of these fine
24 comments.
25

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1 Just to give you a basic rundown or an
2 overview, Mezzaluna Restaurant, which was
3 established in 2003, 2005 -- I think we came to
4 the boards in 2003 and by the time everything
5 got done and opened it was about 2005. We have
6 now requested to convert this back area here to
7 an open dining space and also a smaller, more
8 superficial dining area in the front of the
9 restaurant. As you may know, those who do
10 frequent the restaurant, you have two parts of
11 this restaurant; one is the pizza shop in the
12 front and the dining area in the back. One of
13 the purposes of creating this outdoor dining
14 area, it creates a more formal entry into the
15 restaurant proper. So this has been set up
16 very well for that purpose and leaving the
17 pizza shop kind of like a separate entry so
18 this way you don't have that cross traffic
19 within, you know, the pedestrians or the
20 customers within the tight space in the front.
21

22 So this back area here basically will
23 be constructed of low walls, this type of
24 block, uniblock walls, which I think they are
25 in your package. Along here the gray in the

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1 gray form with brick pavers also in the gray.
 2 This is the furniture that we had presented to
 3 you at the last meeting.

4 Just again to get back to the patio,
 5 this is really more of a raised terrace, raised
 6 patio, we're about 2 feet above grade, which
 7 basically brings you flush straight into the
 8 dining area. We are providing a combination of
 9 railing and trellis work along the back area,
 10 which was formally landscaped, and along this
 11 garage which is an adjoining structure, in
 12 order to create more of a nook, an internal
 13 type of garden.

14 The pictures here that you see are
 15 examples of trellis work that would be designed
 16 against these walls or fences with Rugosa Rose
 17 type of plantings, which are very hardy and
 18 have become naturalized in the United States
 19 for many, many years now. In addition to that
 20 planting, we have had some discussions with
 21 neighbors with regard to -- the neighboring
 22 property specifically adjacent here that wished
 23 for a little added screening, so we wound up
 24 putting some arborvitae type plants in pots to

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1 help them with the visual disconnect of that,
 2 but it also gives them something nice to look
 3 at. In addition, we have stairs that come up
 4 to this area. We also have a handicapped ramp
 5 which leads you into the restaurant,
 6 handicapped spot along here.

7 Lighting, with regard to lighting, we
 8 have this up lighting, as you see examples
 9 along here that would be along this trellis
 10 area along the fence walls. We would be
 11 putting these wall mounted LED type lights
 12 along the building. These are all low, they're
 13 below the fence line, and they also project
 14 just within this area here. This lighting
 15 supplements the existing lighting, which is
 16 already here, been improved years ago with
 17 regards to the former Planning Board review.
 18 So that's all been installed previously.

19 I think that's pretty much it. I know
 20 that the board had -- rather than have the
 21 board ask the question, I'm going to maybe
 22 answer it ahead of time -- asked questions
 23 about parking and issues like that. We are in
 24 compliance with the code with regard to

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1 parking. In addition to that, the board had
 2 asked is there any way to find out whether we
 3 have availability of additional parking. So
 4 what we've done is, we've provided this radius
 5 map, which in the red here that you see is
 6 about a 300 foot radius of the property, which
 7 indicates all of the public spaces available
 8 within 300 feet. Tabulated here we've got that
 9 all noted. So there are about 42 parking
 10 spaces within the 300 foot radius, which is
 11 open public parking. If you were to extend
 12 this a little further to 400 feet, we have
 13 another 20 or so parking spaces additional.

14 The other point I would like to make
 15 is that the times when the restaurant is a
 16 little busier, usually on weekends and the
 17 evenings, we do have some other uses in this
 18 building which are office space and a caterer,
 19 those equate to about seven parking spaces in
 20 terms of requirement. When the restaurant
 21 business is in peak need of these parking
 22 spaces, we actually have another seven spaces.
 23 Something to consider.

24 THE CHAIRMAN: Where are those seven?

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1 MR. PIETROSANTI: Excuse me.

2 THE CHAIRMAN: Where are those seven
 3 spaces?

4 MR. PIETROSANTI: They're all within
 5 the parking lot. When I say the seven, meaning
 6 they're counted for in the count, in the
 7 required count. So we have 18 parking spaces
 8 along here, and what's not accounted for -- we
 9 don't count them in terms of the compliance
 10 requirement but they do exist and we use them
 11 for employees -- are three parking spaces along
 12 the alleyway here in the back -- I don't want
 13 to call it the back side -- side driveway. So
 14 that kind of adds a couple more, but again,
 15 we're not counting them because they're not
 16 countable because they're tandem, tandem type
 17 spaces.

18 That's pretty much it. I think those
 19 mostly are the comments. I've highlighted the
 20 areas that we've discussed with this board,
 21 with the ARB, and we thank you for your time
 22 and your input.

23 THE CHAIRMAN: Just a few questions.
 24 The adjacent property where the new seating is

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going to be, what's the proximity of that house there?

MR. PIETROSANTI: Oh, the existing house. I'm going to say that it's probably about 30 feet from the property line, roughly. This is their rear yard.

THE CHAIRMAN: That's their rear yard?

MR. PIETROSANTI: That's their rear yard, yes. It's behind them quite a bit.

MR. PULASKI: Where the seating is, that's a garage?

MR. PIETROSANTI: This is the rear of this commercial property, which extends around here. So this is a blank, kind of not very attractive garage wall. By putting this trellis and the plantings along there, it will help it, you know, transform into a nicer appearing wall.

THE CHAIRMAN: As you said, it's 30 feet to the next building.

MR. PIETROSANTI: Yes, I believe it's about 30 feet.

MR. NEMECEK: From the property line.

MR. PIETROSANTI: From this property

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line to there. Just so you now, there's a 6 foot high fence on top of an existing wall. So you're up at least 8 to 10 feet in general.

THE CHAIRMAN: Okay. The other question I had is, the parking lot, is that striped right now?

MR. PIETROSANTI: This is striped like this.

THE CHAIRMAN: What's the condition of all that; has it been done recently?

MR. PIETROSANTI: Well, it's original. So does it need some refurbishment and maybe some re-striping and updating? I would say that it wouldn't be a bad idea for them to do that.

THE CHAIRMAN: One of our concerns, probably the only concern, is the parking, the circulation in there. As we all know, when you go to get pizza, pulling in there and getting out you sort of take your life into your hands. So something to sort of get traffic flowing. I think if everyone sees new striping, new arrows, new directional arrows, they'll understand that it's an operating parking lot.

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MR. PIETROSANTI: They're kind of there but they may be fading away. That definitely should be updated. When they do all of their sprucing up, they would definitely intend to do all of that.

THE CHAIRMAN: Bigger, brighter.

MR. PIETROSANTI: Yes, absolutely.

THE CHAIRMAN: Control traffic.

MR. PIETROSANTI: I did also mention previously that they have -- they've gotten approvals for their signage and updated signage and awning and things of that nature. That was presented previously by the sign people. The color scheme kind of all goes together with the gray and the black and that sort of thing. So you'll see the enhancements of details like the railings and the trellises are in black, so we have the grays. That's the kind of type of color scheme that they're going for.

THE CHAIRMAN: Okay. Thank you. Additional comments, gentlemen?

MR. PULASKI: I think he addressed mine in the back and really showing us how attractive you're going to make it. That was

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one of my concerns. I think you've done a good job.

MR. NEMECEK: Remind me again when this outdoor seating area would be used. Would it be used -- I'm assuming there's not going to be much of a demand for it in January.

MR. PIETROSANTI: Right. It's a seasonal thing. So obviously the spring time, now would be a great time.

MR. NEMECEK: How about a day like today where it's, you know, like a sauna outside, it's humid and occasional rainstorms; are you going to shut it down on that kind of day or play it by ear?

MR. PIETROSANTI: I think the idea is to kind of play it by ear. For example, during the season, you know, you'll get an August where it's unbearable to be outside and you're not going to use it, but you may get an October day or two that's really going to be perfect weather and you'll use it.

MR. WEST: Is smoking allowed out on this patio area?

MS. UHLE: No.

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THE CHAIRMAN: This is an open public hearing. Let me just see if there are any comments, please. Comments from the public for this application, 18-23, Mezzaluna?

(No comments.)

THE CHAIRMAN: So I'm going to make a motion to close the public hearing then. I make a motion to close the public hearing on this application, 18-23, Mezzaluna Restaurant.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MS. UHLE: I have one quick comment or question. It sounds kind of minor, but talk to me about the Rosa Rugosa, because I think that's considered an invasive species in New York State even though people utilize it.

MR. PIETROSANTI: It is unless it's contained. It's similar to bamboo. Bamboo is also a --

MS. UHLE: I still would not plant that even though people do. There may be other options for you.

MR. PIETROSANTI: It requires a lot of

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work. It's just something that's thought to be something different, let's try something. Bamboo is used very successfully too, and it's used unsuccessfully.

MS. UHLE: Again, I would advise against using an invasive species under any circumstances. I think you may want to consider -- unless the board disagrees -- you may want to consider at least discussing some other alternatives that could be equally attractive and equally as hearty that aren't on the list of invasive or noxious species in New York State.

MR. PIETROSANTI: I don't think we have any problem with that.

MS. UHLE: Okay.

MR. NEMECEK: We promote native American plants.

MR. PIETROSANTI: We don't want anything from Asia.

MS. UHLE: Again, it's not so much native as invasive. People that have supposedly contained their bamboo, it's not necessarily contained.

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MR. PIETROSANTI: You have to contain it within a structure. That's really the key with most of these. So in our case we have a planter, and it will have to be lined so that it's root systems can't really get out. In this case, you have a vine, and the vines can also get out of control if it's not trimmed. But, like I said, I don't think we have an issue changing that.

MS. UHLE: Okay.

MR. NEMECEK: It's not going to be a deal breaker?

MR. PIETROSANTI: No, I don't think so.

THE CHAIRMAN: With Margaret's comment about the invasive species and my comment about the striping being redone or -- more than just redone, clearer --

MS. UHLE: To repaint --

MR. PIETROSANTI: They may need to do resealing also and kind of, you know, really clean up the whole driveway in addition to the painting and all that. I think that would be amenable.

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THE CHAIRMAN: That's my second condition. Any more comments? Would you like to readdress the board because we're going to wrap it up?

MR. DELICATA: I'm fine.

THE CHAIRMAN: So then with the conditions just put forth, I make a motion to approve this application, 18-23, Mezzaluna Restaurant.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: So when is this going to be done? When does construction start?

MR. DELICATA: As soon as possible.

THE CHAIRMAN: Be there for the fall. Okay. We don't have to approve the special permit, do we?

MS. UHLE: Yes, you just did approve the special permit. So you did both site plan approval and special permit approval.

THE CHAIRMAN: Next application is already up here, 37 Nelson Road, Application 18-25.

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MR. NEMECEK: By the way, I think the town owes Margaret a big thank you for ceasing this invasion of a plant that was going to take over probably the whole north end.

THE CHAIRMAN: Not a subject of discussion in my house, plants or landscaping in particular.

MR. NEMECEK: It's the little things Margaret does that really push this town forward.

MS. MYLENSKI: Good evening. I'm Stephanie Mylenski with SM Architecture Studio, I'm the architect on 37 Nelson.

This is an existing elevation of the house. What we're proposing is an addition to the side with a garage on the first level and living space above. Currently, there's a small garage below grade that we're going to enclose, seal off, and infill with grade so the grade is level.

The existing house is brick on the first level and stucco on the second. We're proposing horizontal vinyl siding at the addition, and to tie it in with the existing

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house, to replace the stucco with the same siding. The existing windows are going to remain. We're using Andersen 400 series at the addition. The garage door is Overhead Door Company, it's going to be white with glass lights, as you can see. It's a steel insulated door, as you can see in the elevation.

THE CHAIRMAN: The stucco is going to be gray color?

MS. MYLENSKI: The stucco is going to be replaced with the vinyl siding, which is this.

THE CHAIRMAN: It's going to match that?

MS. MYLENSKI: Yes, just to make it cohesive, you know, the addition and the existing.

THE CHAIRMAN: The trim is going to be?

MS. MYLENSKI: The trim is going to be white. You have the existing brick, and then the light gray siding, and then white trim on the windows, a white garage door.

MR. NEMECEK: Describe for me the left

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portion of the house because just looking at that, it looks almost like a monolith. I know the shape of the main portion of the house is such that you do get a lot of house right in front of you, but what are you doing on the left side of the house to sort of temper that?

MS. MYLENSKI: Do you want to see the side elevation?

MR. NEMECEK: Yes.

MS. MYLENSKI: So we're extending the existing roof, making a gambrel roof here, and we're going to redo the whole roof with new asphalt shingle in the charcoal gray right here. The Architectural Review Board requested some windows at the garage to break up that elevation, and also this horizontal element to break up that side elevation a little bit.

MR. NEMECEK: So above the garage you have a dormer sticking out, and then the roof sort of recedes back like some sort of --

MS. MYLENSKI: Yes, I know, it's a very steep roof at that point with the dormer popping out.

MS. UHLE: The perspective drawing is

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helpful on Sheet T1.

MR. NEMECEK: T1, okay.

MS. UHLE: At the very top there.

MR. NEMECEK: Yes, yes, that's good. The ARB liked the design?

MS. MYLENSKI: I'm sorry, what was that?

MR. NEMECEK: The ARB liked the design? Did they have any comments on it?

MS. MYLENSKI: They were just concerned about that side elevation, so they requested the addition of those two windows at the garage level and the horizontal element.

MR. NEMECEK: Those suggestions have been incorporated into this plan that we're seeing?

MS. MYLENSKI: Yes.

THE CHAIRMAN: Let me see if there are any comments from the public, please.

So I make a motion to open the public hearing on this application, 18-25, 37 Nelson Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

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(All aye.)

(No comments.)

THE CHAIRMAN: Motion to close the public hearing on 37 Nelson Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: It looks good to me.

MR. NEMECEK: Looks good. Thumbs up.

MS. MYLENSKI: Thank you.

THE CHAIRMAN: Don't go yet. Thank you for keeping it simple.

I make a motion to approve this application, 37 Nelson Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you.

MR. NEMECEK: Thank you.

MS. MYLENSKI: Thank you.

THE CHAIRMAN: Have a nice evening.

Next application is 18-26, 1 Huntley Road.

MR. PALUMBO: Good evening.

MR. NEMECEK: Can I begin by pointing

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out there's a flagpole there in the bottom left that the Chairman likes.

MR. PALUMBO: My name is Joe Palumbo. I'm the architect for the Esposito D'Ambrosio Family. This is 1 Huntley. So you could see the original garage, small dormer, etcetera. So what we've done on the front, this is existing, this is new, this is building over the garage, and then we extended a new front porch.

MR. TUDISCO: If you could put it on the podium, this way he might be able to get a better shot of it.

MR. NEMECEK: We have a very substantial viewing audience at home, and they want to catch every nuance.

MR. PALUMBO: So this is an additional dormer. It's actually 1 foot deeper beyond what's in the room up above, but we put the dormer on it. The space above the garage allowed for a new bedroom. If I turn it around, you could see this was a dormer. This is the original ridge, so we squared this off, and this line here represents the expansion

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above the garage.

So basically we think we match the house to the model, vice versa. It's fairly straightforward we think. We have all our colors, our siding. The whole house would be re-sided. We have the copper standing seam both on the front bay and the new entry porch. That's it.

THE CHAIRMAN: Very nice job, by the way. The photos on the right here, those are just views from down the street I guess. Could you just move them over because I could barely see them. Just move them right there on top of that. Yes. Good. Those are just photos of different views of the existing; correct?

MR. PALUMBO: Right. Those are on the house.

THE CHAIRMAN: Okay. I'd rather look at your new renderings than that. I just wanted to see. You could move them away.

MR. NEMECEK: You're only increasing the total gross floor area by 169 square feet; is that right?

MR. PALUMBO: The footprint, correct.

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MR. NEMECEK: The footprint.

THE CHAIRMAN: Oh, that's the footprint.

MR. PALUMBO: That's the front porch. We added more above on the second floor.

MR. NEMECEK: Got it. It's a spectacular improvement, quite frankly.

THE CHAIRMAN: In the Huntley Estates. So what happens on copper standing seam, it stays copper or with time turns a different color?

MR. PALUMBO: There are ways to keep it shiny but basically you let it weather.

THE CHAIRMAN: Right, and it gets that --

MR. PALUMBO: Patina.

THE CHAIRMAN: Gets the green patina, right.

MR. PALUMBO: The patina, you know, the green, that takes a long time. There are ways to do it, but leave it around a little bit, and then eventually when your grandchildren and other grandchildren --

THE CHAIRMAN: That's how long it

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 2 takes?
 3 MR. PALUMBO: It could take awhile.
 4 It depends on the weather, it depends on a
 5 whole bunch of things.
 6 THE CHAIRMAN: Got it. Since you
 7 brought all the colors, you might as well just
 8 run us through them. Do you mind? The
 9 samples.
 10 MR. PALUMBO: I'm sorry.
 11 THE CHAIRMAN: Can we see them since
 12 you brought them?
 13 MR. PALUMBO: Yes.
 14 THE CHAIRMAN: Can you hold them over
 15 there somewhere? Whatever is easiest for you.
 16 Gary, can you zoom in there? Yes, that's good.
 17 Okay, you're up. Just tell us.
 18 MS. D'AMBROSIO-ESPOSITO: This was
 19 just put together, this story board, because we
 20 didn't get the HardiePlank cedar in time, so
 21 that's the real thing, but we put that together
 22 with the AZEK trim.
 23 MR. NEMECEK: If you could state your
 24 name for the record too.
 25 MS. D'AMBROSIO-ESPOSITO: Sorry.
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 2 Laura D'Ambrosio-Esposito. There's the copper
 3 that we're going to be using for the standing
 4 seam roof, the gutters, the AZEK trim, and this
 5 is the HardiePlank, the real thing, which I'm
 6 sure you guys have all seen before.
 7 MR. NEMECEK: The Chairman can't get
 8 enough of HardiePlank.
 9 MS. D'AMBROSIO-ESPOSITO: Huh?
 10 MR. NEMECEK: The Chairman cannot get
 11 enough.
 12 THE CHAIRMAN: We like HardiePlank.
 13 We like vinyl too, but especially like
 14 HardiePlank on Huntley estates.
 15 MS. D'AMBROSIO-ESPOSITO: Roof is
 16 charcoal architectural single.
 17 THE CHAIRMAN: Right. We've seen that
 18 before.
 19 MS. D'AMBROSIO-ESPOSITO: Windows are
 20 Andersen 400 series black. I think we're doing
 21 four.
 22 THE CHAIRMAN: That's the porch light;
 23 right?
 24 MS. D'AMBROSIO-ESPOSITO: Yes.
 25 THE CHAIRMAN: Thank you. I'm just
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 2 going to the site plan here. So there's a new
 3 pathway coming up to the -- that's a new
 4 pathway in there?
 5 MR. PALUMBO: This is an existing
 6 pathway.
 7 THE CHAIRMAN: Oh, okay. So that
 8 remains. Are there any site changes other
 9 than --
 10 MR. PALUMBO: No, other than where the
 11 front porch is.
 12 MS. UHLE: There is an error in our
 13 meeting notes. The total gross floor area is
 14 increasing by about 397 square feet. What's
 15 referenced in the notes is actually the
 16 building coverage.
 17 MR. NEMECEK: That makes more sense.
 18 MS. UHLE: It does make more sense,
 19 yes.
 20 MR. NEMECEK: That was making me
 21 scratch my head a little.
 22 MR. PULASKI: But with the roofing
 23 that they're doing, they're being able to use
 24 that second floor more effectively. It becomes
 25 a nicer area.
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 2 MR. NEMECEK: Yes. They pop out the
 3 dormer in the middle, and they built out over
 4 the garage on the right. I agree, it's a
 5 nice -- it's not perfectly symmetrical, but it
 6 all works together very nicely.
 7 THE CHAIRMAN: Is there an increase in
 8 impervious? Is there an increase in impervious
 9 area?
 10 MR. PALUMBO: The front porch. About
 11 168 square feet. The drainage will go in our
 12 construction drawings.
 13 THE CHAIRMAN: Oh, where is that? Is
 14 it shown on the plans anywhere?
 15 MR. PALUMBO: They're preliminary
 16 drawings not construction documents.
 17 THE CHAIRMAN: We would like to just
 18 know what's going to be built.
 19 MR. PALUMBO: Basically it's two
 20 CULTECs. It's very small. It's 168 square
 21 feet. They're 330 CULTECs, two of them.
 22 THE CHAIRMAN: I guess they're going
 23 to be in the front?
 24 MR. PALUMBO: We'll run them out over
 25 here. You're not going to see them.
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1 THE CHAIRMAN: Right, but that's where
2 the water is going to go. The driveway stays
3 exactly the same, so it's just that?

4 MR. PALUMBO: The only change in the
5 footprint in any way is that front porch.

6 THE CHAIRMAN: Okay. We'll just
7 assume that they'll submit calculations and all
8 that to cover --

9 MS. UHLE: They're required as part of
10 the building permit review whether you were to
11 ask for it or not. Yes, they have to, and
12 they're aware of that.

13 THE CHAIRMAN: Okay. It's a public
14 hearing, so just give me a second. I make a
15 motion to open the public hearing on 1 Huntley
16 Road.

17 MR. PULASKI: Second.

18 THE CHAIRMAN: All in favor.

19 (All aye.)

20 (No comments.)

21 THE CHAIRMAN: Motion to close the
22 same public hearing, 1 Huntley Road.

23 MR. NEMECEK: Second.

24 THE CHAIRMAN: All in favor.

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1 (All aye.)

2 THE CHAIRMAN: So I see that every day
3 because I live on Huntley Road, and I think
4 it's a nice addition. Looking forward to
5 seeing it.

6 MR. WEST: I wish I lived in Huntley
7 area, it's getting nicer there.

8 THE CHAIRMAN: We started the trend a
9 few years ago.

10 MR. WEST: Show that to the other
11 architects on the way out, let them see that
12 model.

13 THE CHAIRMAN: We're not done yet. We
14 have to approve your application. Just stand
15 by. I make a motion to approve this
16 application, 18=26, 1 Huntley Road.

17 MR. NEMECEK: Second.

18 THE CHAIRMAN: All in favor.

19 (All aye.)

20 THE CHAIRMAN: This is where we
21 congratulate you, say what a great job you did,
22 we think it's a nice addition to the
23 neighborhood, and thank you for your time.

24 MR. PALUMBO: Thank you.

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1 THE CHAIRMAN: Thank you. The next
2 application is 18-24, Pizza Bar, 322 White
3 Plains Road.

4 MR. HAYNES: Good evening, Thomas
5 Haynes, architect for the project. This is a
6 conversion of an existing retail space into a
7 pizza restaurant space. All the work is
8 totally within the existing footprint of the
9 building. The only modifications we're making
10 is in the front we're adding some windows and
11 we're cutting a new entryway.

12 The existing mansard roof remains,
13 that stays, the brick facade remains. Again,
14 we're just cutting openings into the exterior
15 to get some windows and get some light into the
16 space, and relocating the entrance. The
17 parking is all existing. There is no change at
18 all to the site.

19 The darker lines on the inside show
20 the operation work that we're doing.

21 Obviously, there's a kitchen going in there.

22 There's a cooler inside, a wine refrigerator,
23 some toilets, and some storage areas, and
24 obviously a bar.

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1 THE CHAIRMAN: What's the menu going
2 to be? It's going to be pizza plus?

3 MR. HAYNES: If you don't mind, I'll
4 bring the owner up and let him address that.

5 MR. TAVOLILLA: Good evening, Manny
6 Tavalilla, the applicant. The menu is going to
7 be primarily pizza and small dishes and a full
8 bar to go along with it.

9 THE CHAIRMAN: What's in there right
10 now?

11 MR. TAVOLILLA: It was the old Dairy
12 Mart. It's an empty space right now.

13 THE CHAIRMAN: How long has it been
14 vacant for?

15 MR. TAVOLILLA: Since the fall of last
16 year.

17 THE CHAIRMAN: Fall of last year.

18 Okay.

19 MR. NEMECEK: The objective here is to
20 make it something more of a restaurant than a
21 pizzeria; is that correct?

22 MR. TAVOLILLA: Could you repeat that?
23 I'm sorry.

24 MR. NEMECEK: Is the objective here to

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make it something more akin to a restaurant?

MR. TAVOLILLA: Yes. It's going to be, you know, more full service than a regular pizzeria, but, you know, with the addition of the full bar and the liquor license, it's, you know -- it's going to be a simple menu but in addition to, you know, a full service restaurant.

MR. PULASKI: What do you intend to be your hours of operation?

MR. TAVOLILLA: From like noon until 10 and maybe a little later on Fridays and Saturdays.

MR. PULASKI: So it's lunch and dinner and after dinner?

MR. TAVOLILLA: Yes.

MR. NEMECEK: The big issue that's been raised here, and I suspect we'll hear about this when --

MR. HAYNES: Regarding the hours of operation, I believe there was a document that was submitted.

MR. PULASKI: It probably was.

THE CHAIRMAN: What does the document

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say?

MR. PULASKI: I was just curious because there was another applicant before us that is doing a breakfast in that same shopping area.

MR. HAYNES: Sunday through Wednesday is 11 a.m. to 10 p.m. Thursday through Saturday is 11 a.m. to 12 p.m.

THE CHAIRMAN: It's 12 p.m. Okay.

MR. NEMECEK: I was beginning to say that one of the issues that we ran into with the other establishment in the same lot is the smells and what can be done to mitigate the smells and --

MR. PULASKI: The hood.

MR. NEMECEK: The hood, yes, exactly.

MR. PULASKI: The exhaust system.

MR. NEMECEK: We understand that that's an issue here.

MS. UHLE: Well, it's also an issue with the deli that you proposed previously, and I know it's an issue with this applicant as well. Unfortunately, the applicant that was operating the deli was using a Type 2 hood that

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doesn't eliminate odors at all, and as you know, residents were concerned about their neighborhood smelling like bacon quite often. So at that time, the board imposed a condition of approval that was a little open ended because we all needed to do a little more research: That the proposed kitchen emission system shall be subject to final review and approval by the building inspector to ensure that the system removes and/or reduces the grease and odors to the maximum extent practicable. The maximum extent practicable wasn't necessarily defined.

This particular applicant may be able to give you a little more information about what he is proposing. I think the issue is, my understanding is the Type 1 hoods will dissipate some odors, but if you want to ensure that at a higher percentage, say up to 98 or 99 percent is eliminated, you have to add an additional unit. Those can be potentially -- again, we need applicants to provide us with a little more information, we've done a little bit of research -- those can be \$25,000 or more

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on top of the cost of the hood. I'm not sure whether for a Type 1 hood whether there's maybe additional filters that can be added or whether these additional systems are always necessary. I know that it's a concern of this particular applicant, and I also know that -- I don't want to speak for him -- I feel that unfortunately because of the actions of the gentleman that operated the deli without the proper hood to begin with, that that may have created some issues.

On the other hand, you will have two pizza restaurants and a deli all adjacent to this residential neighborhood, so I think the odors are a legitimate concern. That's something you may want to discuss with the applicant and try to determine how best to deal with it.

MR. NEMECEK: Sure.

MR. WEST: The deli mart or the deli across the street?

MS. UHLE: There's the deli mart that is within this building as well.

MR. NEMECEK: That was the application

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that was before us last month.

MS. UHLE: They cook breakfast and I guess lunches sometimes.

MR. NEMECEK: Apparently a lot of bacon.

MS. UHLE: Then there's what was formally Bon Appetite Deli is in a similar area, and that was approved as a pizzeria as well.

THE CHAIRMAN: You weren't here, but the applicant came and there were some concerns about the odors coming from the --

MS. UHLE: The deli mart.

THE CHAIRMAN: The deli owner --

MR. NEMECEK: I think we have one of the neighbors here.

THE CHAIRMAN: Right. So we imposed on him, eliminate the odor, and we came up with a type that will definitely scrub the exhaust.

MS. UHLE: Well, you didn't really come up with a type. Basically you said, you need to address this. In addition to just installing a Type 1 hood, you need to make sure that you're dissipating odors to the maximum

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extent practicable.

MR. NEMECEK: Basically what we had last month is the gentleman who's over here, who knows quite a bit about these products, suggested what sounded like sort of an ideal product.

MS. UHLE: Well, we were using terms like precipitator and scrubber, etcetera. I didn't want to use specific terminology because we were looking at manufacturer specifications and things. I was under the impression that the architect at that particular meeting implied that, yes, we're already kind of proposing that kind of thing, and so, we'll help you with the wording on it. It turns out for the deli that they actually weren't, they were just proposing a Type 1 hood. So they're also concerned about the potential cost, and I know this applicant as well. When I spoke to him a week or so ago, I did say, you know, maybe come in and discuss with the board what the various options may be. I think right now it's this application that's in front of you.

THE CHAIRMAN: That being said, I

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think it's something we have to understand.

We're looking to you for some sort of guidance as to how you deal with a kitchen exhaust.

MR. TAVOLILLA: We're going to be using All Safe fire equipment that does a majority of the restaurants -- I don't know if a majority but several restaurants in

Westchester. I've had extensive discussions with them regarding the equipment. This air scrubber that Margaret is talking about is --

it's a \$30,000 job. It's something that has to be maintained and inspected every year. The manufacturer that we're using does sell and upgraded filter system that is very practical.

I spoke to the technical department, it scrubs 200 times more grease molecules from the

kitchen exhaust. We don't plan on doing a lot of heavy -- we're not even going to have a

fryer in our location. There's not going to be a lot of type of food that's going to be cooked

that produces that kind of odor. The other applicant that you're talking about is

currently not in compliance with the building code. He's cooking things he shouldn't be

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cooking. We've had this discussion.

MS. UHLE: Hopefully he stopped.

MR. TAVOLILLA: I hoped he stopped.

MS. UHLE: I think we made it very clear to him to stop.

MR. NEMECEK: I assume you have no affiliation with this other owner?

MR. TAVOLILLA: No, I don't. I just don't want to be penalized and all the other restaurants in town that want to come up and do this. This is a prohibitively expensive piece of equipment.

THE CHAIRMAN: We have to make a decision based on what we think is best for the surrounding area, not on the cost.

MR. TAVOLILLA: Can I also add, you know, I worked in and around the area of that building for most of my life and there have been other delis, there's are other delis, there's the supermarket, and I have never had anybody complain to me about an odor. I've never, you know, noticed that myself. There's restaurants in that whole general area and, you know, I think it's pretty reasonable that

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2 they're using the proper equipment and there
3 are no offensive odors that come from them.
4 THE CHAIRMAN: So rather than -- and
5 Margaret gave some words here that puts it on
6 the building inspector to ensure that it's the
7 maximum extent practicable --
8 MR. NEMECEK: Practicable does, in my
9 view, account for cost as well. If you had an
10 unlimited amount of money, I'm sure you could
11 remove every single smell.
12 MS. UHLE: Well, this is the wording
13 that was included on the previous resolution
14 because at that time even Mr. King and I were
15 not really aware of what these costs were, so
16 we wanted it to be a little but open, but I do
17 think the building inspector needs instruction
18 from the Planning Board what's considered
19 practicable.
20 MR. TAVOLILLA: If I could add, when I
21 reviewed the minutes of that applicant in front
22 of this board at the last meeting and the
23 gentleman who had the concern, Mr.
24 Mastrogiacono, you know, he stated in his
25 comments that he just would be happy if
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2 everything was to code, which that's what we're
3 proposing to do, but that's not the current
4 situation there.
5 MR. NEMECEK: With the deli owner?
6 MR. TAVOLILLA: Yes. They're not to
7 code.
8 MR. NEMECEK: But that's an existing
9 business, so --
10 MR. TAVOLILLA: They were just before
11 you guys last week.
12 MS. UHLE: Last month.
13 MR. TAVOLILLA: I mean last month.
14 We're willing to do everything to code. We've
15 already done the leg work of hiring the right
16 contractors to do this work, and that's what we
17 propose to do.
18 MS. UHLE: Did you say if the Type 1
19 hood -- did you have some kind of alternative
20 or something as well?
21 MR. TAVOLILLA: It's not an
22 alternative, it's an addition. It's a more
23 comprehensive filter system that goes -- that
24 when you're standing at the hood and you see
25 those filters, if you want, you could have
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2 this -- it's a much more effective filter than
3 what is standard in the Type 1 hood, which we
4 would be willing to use.
5 MS. UHLE: That's potentially a
6 compromise. That's the kind of information we
7 were looking for.
8 MR. NEMECEK: I'm certainly
9 apprehensive about going down this road, but --
10 I mean, I know we have consultants, you know,
11 who help us with storm water management, they
12 help us with parking, they help us with traffic
13 generally, this sounds like, you know, we're
14 all sort of groping for, you know, what's out
15 there, what's reasonable, what's practicable.
16 Is there anyone that could help us?
17 MS. UHLE: I'm sure that we could find
18 somebody that could help us. I know Mr. King
19 had spoken to people affiliated with -- that
20 install hoods. I think we could get an
21 independent engineer that proposes systems for
22 restaurants, and maybe something like the
23 applicant just suggested, which is above and
24 beyond, you know, what would be the typical
25 Type 1 hood but that adds an additional
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2 protective measure.
3 MR. NEMECEK: That sounds like
4 something that's reasonable and doesn't impose
5 such a significant cost that would be a
6 deterrent to restaurants that intend to
7 operate, you know, within the code
8 requirements.
9 MS. UHLE: I think that this has come
10 up a couple of other times with restaurants,
11 and now that we have three in one area, I think
12 it's good to have sort of a standard that
13 applies to all restaurants, especially when
14 they're adjacent to residential areas. The one
15 thing that Mr. King mentioned to me today, if
16 you do go with one of the more expensive
17 systems -- you can't install a Type 1 hood,
18 then determine it's not really working that
19 well, and then retrofit it. It's all part of
20 the original construction. It's not like you
21 can kind of test it out and then retrofit it.
22 So you want to make the decision up front that
23 makes sense, and this sounds like it may be a
24 reasonable compromise. We could certainly
25 investigate through a consultant what might
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1 work best.

2 MR. TAVOLILLA: There's not any
3 municipality, that we're aware of, in
4 Westchester that requires that expensive unit.
5 They're required in the city in very high
6 density areas where a restaurant is right on
7 top of a high-rise, you know, that kind of
8 situation.

9 MR. NEMECEK: So we could be New York
10 City and Eastchester and everyone else.

11 MR. TAVOLILLA: Well, it's not the
12 situation. There are no high-rises behind us.

13 MR. PULASKI: I think with a lot of
14 products, there's usually a basis of selecting
15 them. So in this particular case, we've been
16 talking about a place that was cooking creating
17 a lot of grease vapor.

18 MS. UHLE: With the incorrect type of
19 hood.

20 MR. PULASKI: Right. So that level
21 might command a certain type of hood. Whereas,
22 if you are cooking, you're producing less of
23 this, then you don't have to go to that level.
24 So I think that that would be a part of

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1 determining what is practicable.

2 MS. UHLE: The only thing that I would
3 be careful about is that we really can't
4 control the menu down the road. I think if
5 you're talking about -- a Type 1 hood is
6 designed to deal with a certain type of
7 cooking, whether they're proposing it right now
8 or not. I trust you, but maybe zucchini sticks
9 will be very popular or something like that. I
10 think that's the only problem, then we're sort
11 of regulating the menu.

12 MR. TUDISCO: Mr. Chairman, if I may.
13 Margaret and I have discussed this in the past,
14 and rather than the building department in
15 terms of enforcement at the enforcement level
16 doesn't really think it's appropriate to get
17 involved in what is actually being cooked as
18 opposed to the actual cooking appliances that
19 are being used in terms of whether it's a grill
20 or whether it is some other type of facility
21 that can accommodate certain types of foods.
22 So I think it's probably a safer road to go
23 down to regulate based upon the type of cooking
24 fixtures that are going to be there.

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1 MR. PULASKI: I understand. I'm just
2 trying to be a little more economical.

3 THE CHAIRMAN: It's certainly new to
4 me to me. I don't know the differences of what
5 a Type 1 hood is. What's required by code,
6 what is it and --

7 MR. TAVOLILLA: A Type 1 hood is one
8 piece of construction welded together with
9 filtration and fire protection equipment. Type
10 2 hood could be just like a riveted together
11 galvanized metal, I'm not sure if it has
12 filters or not, and it doesn't protect for fire
13 as much as a Type 1 hood, is my understanding.
14 It probably doesn't work as well.

15 MS. UHLE: A Type 2 hood is required
16 for things that generate steam, like a pasta
17 cooker or even a dishwasher or something like
18 that, that generates steam, then you just need
19 a Type 2 hood. A Type 1 hood is required where
20 you produce grease or smoke using griddles,
21 fryers, broilers, ovens, and stoves. So it's
22 sort of the intensity of the amount of grease
23 or smoke. The problem, again, with the deli
24 that came before you last month, is he had a

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1 hood that was appropriate for boiling pasta but
2 he's frying bacon, which requires a different
3 kind of hood system.

4 THE CHAIRMAN: I don't think the
5 application we spoke about last time has to be
6 referenced because I just want to understand
7 what you're doing and what exactly it is. So I
8 understand him and why he got that and how we
9 got here. I just want to understand what we're
10 doing here. It sounds like the difference
11 between Type 1 and 2 is more construction and
12 the type of construction.

13 MR. TUDISCO: The fire suppression
14 system.

15 THE CHAIRMAN: That's fine. I would
16 like to know if there's a way to address the
17 amount of odor that comes out and how it's
18 mitigated. Is there some sort of standard that
19 you could tell me for different types or parts
20 per million?

21 MR. TAVOLILLA: As I said, there is
22 upgraded filtration for the Type 1 hood from
23 this particular manufacturer, Captive Air. I
24 spoke to them today, as a matter of fact, and

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1 it removes a much higher percentage of grease
2 molecules, which contain odor as well, and it
3 would do a much better job than your standard
4 filter.

5 THE CHAIRMAN: Let's keep going to
6 down that road. So now, standard filter, some
7 sort of filtration, and then highest degree of
8 filtration; is that all measured in percentage
9 of removal of --

10 MR. TAVOLILLA: According to the
11 gentleman I spoke to, their literature, they
12 state it removes 200 times more grease
13 molecules.

14 THE CHAIRMAN: That sounds like sales
15 material.

16 MR. TAVOLILLA: It is here.

17 THE CHAIRMAN: I'm looking for
18 something a little more technical to say, okay,
19 we put this in, we put filters in, it takes out
20 a certain amount; we put in that, it takes out
21 another amount; and if you really want to put
22 this in to take out 90 percent, we could do it.

23 MR. NEMECEK: I think what the
24 Chairman is saying, we've heard about the magic

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1 precipitator, and the Type 2 hood is on the
2 other end of the spectrum; is the Type 1 hood
3 with this extra filtration system somewhere --
4 is it still out here or is it getting closer to
5 this precipitator?

6 THE CHAIRMAN: Right. Do we need the
7 Cadillac or is, you know, the nice Buick --

8 MR. TAVOLILLA: In my opinion, you
9 don't need the Cadillac, especially for our --

10 THE CHAIRMAN: We're not asking for
11 your opinion. We're just trying to understand
12 and how do we go about addressing that.

13 MS. UHLE: I think on some of the
14 literature that Jay and I reviewed or Mr. King
15 and I reviewed, I think there's something that
16 referenced a 60 percent mitigation of odors.
17 In terms of referencing odors, it did talk
18 about percentage, either 60 percent or if you
19 went with the higher end, 98 percent. Again,
20 you don't know what percentage -- you don't
21 know what that is to begin with. I think maybe
22 what you want to do is, I think we should look
23 over this -- first of all, have the public
24 hearing and see what the concerns are, and then

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1 I think us reviewing the information that the
2 applicant has right now and also talking to
3 some people that are more familiar with the
4 systems would be helpful, and also what other
5 Westchester County communities are doing. I
6 know occasionally Westchester County
7 communities have required these when there's,
8 you know, a very specific impact to, you know,
9 an adjacent use or something. It may not be
10 universal, but I know periodically they are
11 required. I think I understand what
12 everybody's concern is, and it's sort of
13 balancing the benefits to the neighborhood
14 against the cost to the applicant, and trying
15 to find a balance where everybody feels
16 comfortable with it.

17 I do think, unfortunately -- and the
18 only reason I'm referencing the other applicant
19 is because you're talking about a Type 1 hood,
20 I think it does have to be consistent with what
21 you're requiring. So what you're requiring for
22 this applicant would be required for the
23 previous applicant as well. Again, the Type 2
24 hood is off the table completely. That's not

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1 an option for either of these places. So
2 they're both required to put in Type 1 hoods,
3 and you just want to make sure if they put in a
4 Type 1 hood with no additional filters is
5 sufficient, or is there something they need to
6 do above and beyond. The above and beyond goes
7 to 98 percent seems to be exorbitant. This
8 might be a good compromise.

9 MR. NEMECEK: Another point is, we
10 have consider some sort of matrix where, you
11 know, you're weighing how close the restaurant
12 or the exhaust system is to residential units.
13 The further away you are, maybe you could get
14 away with a lesser protection. I mean, you
15 know, these are all concerns that I think -- we
16 all think that if I were living right next door
17 to, you know, the bacon place, you know, as
18 much as I love bacon, I think I would get sick
19 of smelling bacon at 6:00 in the morning.

20 MS. UHLE: I think in this case the
21 three different restaurants are all located
22 equally to a residential neighborhood. I would
23 say in Eastchester probably most of the
24 restaurants are located pretty close to

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1 residential neighborhoods just because of the
2 way Eastchester is. I suppose if a restaurant
3 came in down the road that was isolated
4 somehow, you know, it may not be as much of an
5 issue.

6 MR. NEMECEK: Like we did a few years
7 ago, the Fig and Olive, that's really not near
8 any residential. There are some of that
9 nature, but you're right, the majority are not.

10 MS. UHLE: If something is not cost
11 prohibitive and it eliminates odors and grease
12 and smoke to extent, that may be a good policy.

13 MR. NEMECEK: Maybe that's our new
14 standard, and that's why I think we're spending
15 a little more time on this than we ordinarily
16 would, that and the fact that it's two months
17 in a row we've dealt with this.

18 THE CHAIRMAN: That and because it's a
19 concern of the adjacent neighbors and we're
20 trying to understand it and make sure we
21 address their concerns as well as the concerns
22 of the applicant.

23 MR. WEST: What's the seating capacity
24 of the restaurant?

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1 MR. TAVOLILLA: 50 seats, I believe.

2 THE CHAIRMAN: 6 times 4, that's 24.

3 MS. UHLE: It's 16 bar seats and 36
4 other seats.

5 THE CHAIRMAN: What did you say, it's
6 about 50? I can add them up or you could
7 just --

8 MS. UHLE: It's 52.

9 MR. WEST: 52.

10 MS. UHLE: It's 16 bar seats and 36
11 dining seats. They're in your meeting notes.

12 MR. PULASKI: This may be a good
13 question for a kitchen designer.

14 THE CHAIRMAN: Right. I think that --

15 MR. HAYNES: Including the bar, I
16 believe it's 56.

17 THE CHAIRMAN: So I think similar to
18 other applications where we used consultants to
19 educate us, or at least use the building
20 department or building inspector to research
21 and use the tools available to evaluate this, I
22 would be willing to leave it up to the building
23 department to figure it out. If it were up to
24 me -- I'm only an engineer -- I would say, oh,

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1 wow, there must be a number that tells you how
2 much is put out and proximity of buildings and
3 all sorts of studies you could do and what's
4 standard procedure, to come up with something
5 that's reasonable to ask you to abide by.

6 MS. UHLE: I think standard procedure
7 in this area is just to install a Type 1 hood.

8 THE CHAIRMAN: Nothing more?

9 MS. UHLE: Nothing more, for the most
10 part.

11 THE CHAIRMAN: Okay.

12 MR. KING: Did you want to try and do
13 this numerically from what we found out,
14 Margaret?

15 MS. UHLE: I don't think we know
16 enough. That's just going to confuse things.

17 THE CHAIRMAN: We're going to leave
18 that to the discretion of the building
19 department.

20 MS. UHLE: We may consult with you
21 guys, I mean, no inappropriate emails or
22 anything, but I think that we'll look and see
23 if we feel that it's reasonable, a reasonable
24 compromise and try to get back to the board on

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1 it.

2 MR. WEST: Mickey's has a Type 1?

3 MS. UHLE: Yes, most of those simply
4 have a Type 1.

5 MR. WEST: There are houses behind
6 those.

7 MS. UHLE: Yes. We have not received
8 complaints about odors from restaurants in
9 town. That doesn't mean that they are not
10 there, but we have not received complaints. I
11 think what we'll do is look at the information
12 from this applicant and do a little bit more
13 research on our own and then -- by that I mean
14 consult with somebody that deals with these on
15 a regular basis. Maybe you want to hear from
16 the residents as well.

17 THE CHAIRMAN: Although I would love
18 to understand it, let's leave it up to you
19 guys.

20 MR. NEMECEK: Considering we haven't
21 had a single comment from the public an it's
22 after 9:00 already, shameful.

23 THE CHAIRMAN: This is a public
24 hearing, so we are going to listen to comments

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from the public. So I make a motion to open the public hearing on this application, 18-24.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Comments from the public.

MS. UHLE: While he's coming up, I want to say, we did try hard to look for -- it wasn't as easy as finding, this is 50 percent, this is 60, and these are all the different cost differentials. It wasn't that easy, otherwise, we would have just brought it to you.

MR. MASTROGIACOMO: Good evening, Antonio Mastrogiacomo here representing my parents, residents of 12 Tuckahoe Avenue. Obviously, we appreciate, you know, the concern of the board for, you know, our previous issue that we talked about last month. We're going from having zero Type 1 cooking establishments, essentially next door to three in the matter year. It's a quality of life concern for us, for my family. To the applicant's comment,

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it's an expensive investment, you know, my parents built a house, brand new house a year and a half ago and that wasn't a drop in the bucket either. We appreciate your concern, but obviously we want a reasonable compromise. We're not trying to prohibit anybody from doing business, we just want to ensure that our, you know, quality of life isn't impacted or affected. Essentially, that's our biggest concern.

THE CHAIRMAN: We're doing our best to look out for your interest as well.

MR. MASTROGIACOMO: I understand there's a cost concern. I work in the industry as well, so cost is a factor for any business. But on the same token, there's an aspect of quality of life and, you know, it's not exactly fair that we're going from zero to three in essentially a matter of year.

MR. WEST: Bon Appetite was there for years, it's just reopening.

MR. MASTROGIACOMO: I'm sorry, say that again.

MR. WEST: Bon Appetite, the deli

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that's turning into a pizzeria, has been there for like 30 years.

MR. MASTROGIACOMO: The deli adjacent down the road?

MR. WEST: Yes. It's reopening but it's been there for years, so that's not a new restaurant.

MR. MASTROGIACOMO: Understood, but I don't know if they had a Type 1 cooking establishment or what they did there.

MR. WEST: Sandwiches, bacon and eggs they cooked.

MR. PULASKI: Just a relative comment. We could have one large restaurant putting out a certain amount of fumes, or we could have three smaller places putting out the same quantity but it's just broken up in three smaller places.

MR. NEMECEK: And different smells.

MR. PULASKI: If you look at that market that you're next to, that could be one big restaurant there.

MR. MASTROGIACOMO: Again, just to reiterate my point, I'm not trying to prevent

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anybody from doing business. We just want to ensure that, you know, the concerns of, you know, the adjacent neighbors and the, you know, residents is taken into account in, you know, whatever approvals are given.

MR. NEMECEK: You say you're in the industry, explain to us what segment of the industry you're in.

MR. MASTROGIACOMO: So I mentioned the last time I was here, I work for a general contractor in New York City. It's the largest interior general contractor in New York City. We do essentially everything from corporate interiors to commercial offices to retail, restaurants. So, you know, I understand the applicant's concern from a cost perspective; however, you know, there's two sides to that coin.

MR. NEMECEK: In your experience, and this is -- we're not bound by anything you say, we obviously understand you do have a dog in this fight, but express to us your opinion as to the relative effectiveness of, you know, the Cadillac as we called it -- what's the name

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1 the --

2 MR. MASTROGIACOMO: The precipitator.

3 MR. NEMECEK: Precipitator, thank you.

4 How does that rate compared to Type 1 with a
5 filter system made by this particular
6 manufacturer, in your opinion?

7 MR. MASTROGIACOMO: So in my opinion,
8 obviously, the precipitator is an air scrubber,
9 you know --

10 MR. NEMECEK: That's the gold
11 standard.

12 MR. MASTROGIACOMO: That's what we
13 typically use as a standard when building
14 restaurants in New York City. There are
15 certain requirements, zoning, and what have
16 you, for that, but that's the standard. I
17 would have to see the specifications the
18 applicant provided for this upgraded filtration
19 system to see from a comparison, you know, how
20 many parts per million. That's typically how
21 they, you know, rate the filtration system,
22 parts per million, you know, from different
23 filtration systems. So that's something that
24 obviously, if possible, I would like to take a

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1 look at.

2 MR. NEMECEK: Is your experience with
3 your employer -- it sounds like you do fairly
4 high end work in New York City -- is it kind of
5 the norm to install the precipitator with the
6 restaurants that you're involved in?

7 MR. MASTROGIACOMO: Correct.

8 MR. NEMECEK: So you probably don't
9 have a lot of experience with these Type 1 --

10 MR. MASTROGIACOMO: Yes, I mean, a
11 fair amount. Obviously, we're dealing with --
12 no offense obviously to the applicant -- larger
13 restaurants, higher budget restaurants.

14 MR. NEMECEK: And much more
15 concentrated living arrangements. You have
16 many more people in one city block than we
17 typically have on a whole street here in
18 Eastchester. So it's a little bit of apples to
19 oranges, but certainly it -- it's helpful to
20 know that there are options. It sounds likes
21 that's the ideal if cost weren't an issue. If
22 everything were equal, we would have everyone
23 install one of those, I think. Kind of a
24 no-brainer. But cost is an issue, and that's

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1 why we're trying to determine what is a
2 reasonable accommodation. We don't necessarily
3 have to adopt a single rule for every
4 establishment, but we certainly want to
5 understand what the options are. Okay.

6 MR. MASTROGIACOMO: Understood.
7 Obviously we appreciate, you know, the concern,
8 you know, the cognizance of, you know, trying
9 to accommodate both parties. We definitely,
10 you know, appreciate that. We obviously
11 understand that perspective. We would be more
12 than happy to, you know, meet with the
13 applicant and review what they're planning on
14 doing. Obviously, it's not required. It's a
15 gesture of good faith. That's our position.

16 THE CHAIRMAN: I think, as we
17 discussed, we're going to right now leave this
18 to the purview of Margaret, the planning
19 department, the building department. She's
20 going to circle back, talk to us, and we're
21 going to come up with something we think meets
22 all the requirements of both parties involved.
23 That's the approach we're going to take right
24 now.

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1 MR. NEMECEK: Our objective -- at
2 least from my perspective -- when we have an
3 outside consultant, we're really looking for
4 someone who has as much neutrality as we could
5 possibly get because their role is really to
6 educate us on this board, and even within the
7 planning department, building and planning
8 department, to make wise decisions for the
9 benefit of the good people of Eastchester.

10 THE CHAIRMAN: Actually, you've helped
11 us with this. What you brought forth is going
12 to be used on all applications. Now we're a
13 little more cognisant of what the requirements
14 are and we'll be a little more educated on how
15 to deal with these problems.

16 MR. MASTROGIACOMO: Glad I can, you
17 know, help in any way I can.

18 THE CHAIRMAN: Great. Thank you.

19 MR. MASTROGIACOMO: Thank you.

20 MR. NEMECEK: Anyone else on this
21 application?

22 THE CHAIRMAN: I think we're at a
23 point where we could move forward with this
24 with a few conditions, so I'm going to close

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2 the public hearing unless there's other
3 comments?

4 (No comments.)

5 THE CHAIRMAN: So I'm going to make a
6 motion to close the public hearing on this
7 application, 18-24.

8 MR. NEMECEK: Second.

9 THE CHAIRMAN: All in favor.

10 (All aye.)

11 MS. UHLE: I think the condition would
12 be if you were to approve it this evening, it
13 would be prior to the issuance of a building
14 permit this issue would be resolved. So
15 obviously the applicant would not be able to
16 get a building permit until this issue is
17 resolved, and we would try to work as
18 expeditiously as possible.

19 THE CHAIRMAN: So then that's the
20 condition, that we'll approve this subject to
21 your review of the emission system, make sure
22 it does --

23 MR. NEMECEK: The options here are to
24 table the application until September or to
25 move forward conditionally; right?

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2 MS. UHLE: Yes.

3 MR. PULASKI: I suggest we move
4 forward because, you know, the time cost money,
5 and I'm sure this person has already got a lot
6 invested even though he doesn't have a place to
7 open up yet.

8 MS. UHLE: I will use a consultant
9 that's going to be more efficient. So we'll
10 find somebody that has experience and knowledge
11 about these.

12 MR. PULASKI: I also think that there
13 is a very good answer to this, it's just that
14 we don't have it in front of us.

15 MR. NEMECEK: I don't necessarily want
16 somebody whose specialty is selling Type 1
17 hoods with filters in them.

18 MS. UHLE: Absolutely. I'm thinking
19 even our engineering consultant comes in quite
20 handy for some of these things. So I'll make
21 sure it's an independent, not a salesperson.
22 Absolutely, independent.

23 THE CHAIRMAN: There is some sort of
24 specification out there that will shed light on
25 all of this.

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2 MR. NEMECEK: And I think we heard
3 there are ways of measuring parts per million.
4 Just a very knowledgeable person, Mr. Chairman.

5 THE CHAIRMAN: So then subject to that
6 condition --

7 MS. UHLE: Prior to the issuance of a
8 building permit, we'll determine what kind of
9 filtration system -- for lack of a better
10 word -- is required.

11 THE CHAIRMAN: Subject to that, I'll
12 approve this application.

13 MR. TUDISCO: You have to make a
14 motion.

15 MR. NEMECEK: I think that makes some
16 sense.

17 MS. UHLE: Just to be clear too, and
18 I'm not saying this is the case at all, but it
19 could be that just a simple modern Type 1 hood
20 is sufficient. It would go from what's already
21 being proposed, to the Cadillac, to somewhere
22 in between, if there's a reasonable in between.

23 MR. NEMECEK: To be clear as well, is
24 this going to be on a site specific, menu
25 specific basis, or just we're talking about a

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2 restaurant and the proximity to the
3 neighborhood?

4 MS. UHLE: I think right now you're
5 talking about the deli and the two pizza
6 places, especially the deli and this particular
7 pizza bar. I think that would probably be a
8 good standard for most applications, but you
9 certainly wouldn't be tied to it.

10 THE CHAIRMAN: I'm sure in the future
11 if we have other applications that are directly
12 adjacent to properties that are nearby and have
13 lots of traffic, we'll pay closer attention to
14 it.

15 MR. NEMECEK: One other thing. I just
16 want to make sure I understand how this
17 mechanism is going to work. It seems like
18 there is a consensus on this board to give
19 conditional approval subject to an outside
20 consultant advising the building and planning
21 department on an appropriately suitable
22 resolution of this. So assuming that there is
23 a -- look, if the consultant says the only
24 thing that's going to work is the Cadillac
25 here, then that becomes the -- as distilled by

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1 you and the building and planning department,
2 that becomes what needs to be done in order to
3 get the application?

4 MS. UHLE: Again, I think we need
5 to -- not necessarily because if the same
6 consultant said, I think a Type 1 hood with
7 just the typical filtration system is perfectly
8 sufficient, then it may be nothing. So, again,
9 I think we all know what the end result needs
10 to be, but I'll get back to you based upon what
11 our consultant said.

12 MR. NEMECEK: Okay.

13 THE CHAIRMAN: I think we'll be in
14 negotiating or we'll be discussing this back
15 and forth.

16 MR. NEMECEK: Okay. Fair enough. So
17 we're going to get feedback -- the members of
18 the board will get feedback?

19 MS. UHLE: Yes.

20 MR. NEMECEK: Okay. I'm comfortable
21 with that.

22 THE CHAIRMAN: We're going to become
23 smarter, if that's possible. So then --

24 MR. NEMECEK: You'll be using more

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1 than five parts per million of your brain
2 cells.

3 THE CHAIRMAN: So then, finally,
4 subject to those conditions that you restated
5 and I agreed to -- subject to those conditions,
6 I make a motion to approve this application,
7 18-24, Pizza Bar.

8 MR. NEMECEK: Second.

9 THE CHAIRMAN: All in favor.

10 (All aye.)

11 THE CHAIRMAN: Good. Thank you,
12 gentlemen.

13 Next application is 18-27, 43 Hathaway
14 Road.

15 MR. MAIORANO: Good evening, board
16 members, Adamo Maiorano from Community Designs
17 and Engineering. On behalf of the applicant,
18 Gregory Holcombe, we are proposing a new single
19 family dwelling at 43 Hathaway Road.

20 The site was improved with an existing
21 single family dwelling, driveway, and other
22 related impervious surfaces that had been and
23 will all be removed from the site. In our
24 proposed design, we did take advantage of the

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1 existing curb cut for the driveway and the
2 driveway location. We are shifting the house a
3 bit to make better advantage of the site, as
4 well as to create the function plan desired by
5 the applicant. We've proposed some site
6 grading and two tier stone retaining walls in
7 the rear of the property.

8 Just for the aesthetics of the house,
9 pretty much the common materials used
10 throughout, white HardiePlank lap siding,
11 there's asphalt charcoal roof, there's a stone
12 veneer water table along the front and the
13 right side where the garage doors are. The
14 accent roofs, there's a standing seam copper
15 roof over the garage as well as the front
16 portion and the dormers, stone veneer also on
17 the chimney on the right-hand side. Andersen
18 400 series windows. All of the trim and
19 soffits will be a white AZEK material,
20 composite shutters.

21 Just a street-scape of what it would
22 look like from the street. It is an oversized
23 lot, so there's quite -- you know -- a decent
24 amount of room in between the neighboring

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1 properties as well as grade changes, so it's
2 hard to kind of show it all on one.

3 MR. NEMECEK: It looks like there's a
4 moat between the house and the --

5 MR. MAIORANO: Yes, because the way
6 the house is far back it's hard to represent it
7 exactly.

8 MR. NEMECEK: The ridge lines that are
9 represented there are pretty faithful?

10 MR. MAIORANO: Very sloped because the
11 house on the right is a lot lower but it's
12 higher up.

13 MR. PULASKI: There's also a lot of
14 contour behind that house that makes the ridge
15 line disappear.

16 MR. MAIORANO: Exactly. The front is
17 going to be fairly low to the ground, and then
18 the back we're excavating to create that walk
19 out to the patio and keeping the garage at
20 first floor level. Then obviously all the
21 drainage. We are increasing the overall
22 impervious area from what was existing, but we
23 are capturing runoff from the house and whatnot
24 in Cultec units in the front, as well as

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 2 creating -- there's a lot of runoff on the
 3 property as well from being, you know, on a
 4 hill from neighboring properties up above, so
 5 we're creating this sort of swale on the right
 6 side of the property, capturing it in a catch
 7 basin there, and then bringing it to another
 8 storage tank, and then into the -- that was
 9 approve by Hector from the town to tie into the
 10 storm drain in the street. They are doing a
 11 bunch of work there in the street, and he wants
 12 that stuff done before they pave and finish off
 13 the street and everything. So they're in
 14 collaboration with Hector to, you know, do that
 15 stuff in time so that it's not ripping up the
 16 street after it's completed.

17 MR. NEMECEK: Any questions?

18 THE CHAIRMAN: Do you have colors and
 19 stuff?

20 MR. MAIORANO: Yes.

21 MR. PULASKI: Why don't we put it up
 22 there and explain it, that way they pick it
 23 up on the --

24 MR. NEMECEK: Say it, our substantial
 25 viewing audience.

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2 MR. PULASKI: -- On Phil's audience.

3 MS. UHLE: Also, Adamo, you have to
 4 speak into the microphone and that's for the
 5 stenographer.

6 MR. MAIORANO: Got it. This is the
 7 AZEK soffits and the trim, that's the color of
 8 the siding, that's the charcoal asphalt
 9 architecture shingle roof, and the AZEK --
 10 sorry -- HardiePlank siding, which is here, but
 11 it's the arctic white.

12 THE CHAIRMAN: Comments, gentlemen?

13 MR. NEMECEK: It looks very good.

14 MR. WEST: Looks nice.

15 THE CHAIRMAN: Nice job. You're
 16 almost there, standby. Public hearing. I make
 17 a motion to open the public hearing on
 18 Application 18-27, 43 Hathaway.

19 MR. NEMECEK: Second.

20 THE CHAIRMAN: All in favor.

21 (All aye.)

22 MR. NEMECEK: It looks like John
 23 Iannacito might have some criticism.

24 THE CHAIRMAN: I make a motion to
 25 close the public hearing on 43 Hathaway Road.

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2 MR. NEMECEK: Second.

3 THE CHAIRMAN: All in favor.

4 (All aye.)

5 THE CHAIRMAN: I think it's a fine
 6 job. Thank you. I'm not going to keep you
 7 here much longer, so I make a motion --

8 MS. UHLE: There are two typical
 9 conditions of approval -- three typical now.

10 MR. NEMECEK: We have our landscape
 11 plan here --

12 MS. UHLE: Storm water management and
 13 coordination with the highway department.

14 THE CHAIRMAN: Subject to those
 15 conditions, I make a motion to approve this
 16 application, 18-27, 43 Hathaway Road.

17 MR. NEMECEK: Second.

18 THE CHAIRMAN: All in favor.

19 (All aye.)

20 MR. MAIORANO: Thank you.

21 MR. PULASKI: Margaret, how come you
 22 didn't remind them of the landscaping
 23 condition?

24 MS. UHLE: Which one?

25 MR. PULASKI: They have to comply with

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 2 the landscape plan.

3 MS. UHLE: I just mentioned it just
 4 now.

5 MR. PULASKI: Did you.

6 MS. UHLE: I just said it.

7 Landscaping, storm water management, and the
 8 highway department.

9 MR. PULASKI: What I did notice -- I
 10 was surprised about is -- is the look of that
 11 house. It's not what you commonly see anymore
 12 being presented to you, and yet, it's very
 13 nice. I guess it's a colonial, old colonial
 14 type of look. I think it's going to look very
 15 good in that setting where it's being built.

16 THE CHAIRMAN: That's basically what
 17 you do, you start with neighboring homes and
 18 then either stand out or blend in. Thank you.

19 MR. NEMECEK: Excellent. Thank you.
 20 Good luck.

21 THE CHAIRMAN: Have a nice summer.
 22 See in September. Next application is 18-28,
 23 11 Arlington Road.

24 MR. HAYNES: Good evening, once again,
 25 Thomas Haynes, architect for the project. I

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1 was told I need to distribute a street-scape.

2 THE CHAIRMAN: Thank you.

3 MR. HAYNES: This is an existing house
4 with a proposed addition. The proposed
5 addition is on the right side in the rear.
6 We're also modifying the front walk and
7 expanding the driveway.

8 This is our revised elevation as
9 approved by the Architectural Review Board. We
10 have stone veneer around the base. We have
11 cement stucco on the upper floor. The brown
12 shingle roof, I could show you a sample of
13 that, also the stucco color. I could show you
14 what the front door looks like and the garage
15 doors look like. These are brown and that's a
16 brown. That's the front door. This is the
17 garage door. The stucco is a beige. The roof
18 shingle is the darker color.

19 MR. NEMECEK: When was this home
20 originally built?

21 MR. HAYNES: I honestly couldn't tell
22 you that.

23 MR. NEMECEK: Ballpark it. Make it up
24 if you have to.

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1 MR. HAYNES: I would say probably in
2 the Sixties.

3 MR. NEMECEK: When the ARB took a look
4 at this, they had certain recommendations,
5 which it's represented have been incorporated
6 into this plan; what were some of those?

7 MR. HAYNES: Yes. A couple of the
8 recommendations were -- this is the original
9 one submitted. What they didn't care for, we
10 had some trim and corner boards, quoins on
11 these, they didn't want those. They wanted
12 that to be uniform stucco, which I think works
13 rather well.

14 MR. NEMECEK: Very hard working ARB.
15 They certainly lighten our load.

16 MR. PULASKI: This is similar to the
17 house we were looking at in Huntley where it
18 started with something fairly small and now
19 it's sizable. A lot of those houses in that
20 area are doing the same thing.

21 MR. HAYNES: I'm sorry.

22 MR. PULASKI: A lot of those houses in
23 that area are doing the same thing or have done
24 the same thing.

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1 MR. HAYNES: It's a trend.

2 THE CHAIRMAN: Let's do the public
3 hearing quickly. I make a motion to open the
4 public hearing on this application, 18-28, 11
5 Arlington Road.

6 MR. NEMECEK: Second.

7 THE CHAIRMAN: I make a motion to
8 close the public hearing on the same --

9 MR. NEMECEK: You have to say, all in
10 favor.

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

13 (No comments.)

14 THE CHAIRMAN: Close the public
15 hearing on 11 Arlington Road.

16 MR. PULASKI: Second.

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

19 MR. WEST: Start talking really slow
20 and keep John here as long as you can.

21 MR. NEMECEK: I think Iannacito is
22 laughing at us.

23 THE CHAIRMAN: Looks good to me.

24 MR. PULASKI: I think it looks good.

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1 THE CHAIRMAN: So I have to ask, we
2 usually see roof lines that are straight
3 across, that roof line there is actually
4 vaulted or -- what exactly is going on there?
5 It's vaulted straight out over the roof? It's
6 like a dormer but it's round? Is that round?

7 MR. WEST: No, it's triangle. The one
8 before that showed it.

9 THE CHAIRMAN: It is triangular.

10 MR. HAYNES: This mimics that angle.

11 THE CHAIRMAN: I just wanted to know
12 how that was done. It certainly is unique. I
13 haven't seen that. That being said, let's move
14 on. I make a motion to approve this
15 application, 18-28, 11 Arlington Road.

16 MR. PULASKI: Second.

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

19 THE CHAIRMAN: Thank you very much.
20 Very nice job. Appreciate all your hard work
21 on both applications. I think we'll see you
22 back here; right?

23 The last one for the season is with
24 Mr. Iannacito.

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MR. NEMECEK: I wouldn't want to be the guy who was just laughing at the Chairman and then have to come up and present an application.

THE CHAIRMAN: The final application for the spring season is 18-29, 96 Fairway Drive.

MR. IANNACITO: Okay. Good evening. My name is John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. O' Leery this evening. We are proposing additions and alterations to the existing single family residence located at 96 Fairway Drive.

The proposed scope of work will include a two story addition at the side of the existing residence, expansion of the existing second floor, and a new entry portico at the front of the existing residence.

On the first floor, this is the proposed addition, which will consist of an expansion of the existing dining room, and then on the second floor reconfiguration of the existing space and expansion which will include three bedrooms and a bathroom.

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This is a drawing of the existing front elevation. Here is the proposed front elevation showing the two story addition at the side, expansion of the second floor, and the new entry portico at the front, two story addition -- it's not working anymore -- two story addition at the side -- it's not working -- over here, and the two story addition at the rear.

Here is a rendering of the house showing the exterior materials.

MR. PULASKI: How close do you think those colors are, since your colors have not always been so consistent?

MR. IANNACITO: That's the siding there.

MR. NEMECEK: We're getting there.

MR. IANNACITO: So on the exterior materials, the wall surfaces will be a vinyl siding in a midnight surf finish, the existing stone veneer will remain, and the new stone veneer will match existing. The roof surfaces will be asphalt in a slate finish. The trim will be vinyl in a white finish. The columns

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will be painted AZEK in a white finish. The gutters and leaders will be white in an aluminum. The railings will be metal to match existing. The front door will be fiberglass in a white finish, and the overhead door will be fiberglass in a white finish.

The application was presented to the Architectural Review Board on June 7th, 2018, and it was approved with two recommendations: The first was to show the air conditioning units on the site plan, and that is back over here, and then the second was to show an additional existing brick chimney which was missing on the original elevations. The house actually has two chimneys, so we added those to the elevations.

MR. NEMECEK: The chimney that's on the side right now, based on the photos here, sort of stands out on its own, and now it's being -- I guess that right side elevation there shows how the chimney is going to be incorporated into the new addition?

MR. IANNACITO: Yes. Well, the new addition is further back than the chimney.

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MR. NEMECEK: I see there's some space there.

MR. IANNACITO: The second floor overhangs to create a little more space for the bedroom and just to make the hallway work on the second floor.

THE CHAIRMAN: So let me just do the public hearing. I make a motion to open the public hearing on 96 Fairway Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

(No comments.)

THE CHAIRMAN: Close the public hearing on the same application, 96 Fairway Drive.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. PULASKI: Where's the flagpole?

MR. IANNACITO: On the front porch on one of the columns.

MS. UHLE: The foundation there, is that just a stucco or concrete?

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1 MR. IANNACITO: At the bottom of the
2 stairs?

3 MS. UHLE: Yes.

4 MR. IANNACITO: Yes. It's existing.
5 That will be parged concrete and painted a
6 gray. I think there's existing photos there.

7 THE CHAIRMAN: Should we wrap this up,
8 gentlemen? Any more comments?

9 MR. WEST: This is a little boring
10 over here.

11 MR. NEMECEK: The area around the
12 chimney on the side, there's fencing, that new
13 addition at a spot where there's a considerable
14 slope down to the driveway, explain that area
15 to me a little bit; is that fully enclosed?

16 MR. IANNACITO: So if you look at the
17 site plan, there's an existing patio right now,
18 there's all patio here --

19 MR. NEMECEK: That's an existing
20 patio that's --

21 (Multiple people speaking.)

22 MR. IANNACITO: They'll have a little
23 outdoor space in front of the addition which
24 overlooks the golf course which is across the

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1 street. So they wanted to maintain that
2 sitting area in front of the addition. That's
3 one of the reasons it was set back towards the
4 back of the house.

5 MR. NEMECEK: I'm looking at this and
6 trying to figure out how you get to it.

7 MR. IANNACITO: There's a step walkway
8 that walks around.

9 MR. NEMECEK: Okay.

10 MR. WEST: The staircase, this large
11 stucco wall --

12 MR. IANNACITO: This piece here?

13 MR. WEST: Yes. Is there anything you
14 could do to dress that up? I mean, it's just a
15 lot of stucco.

16 MR. IANNACITO: Yes, it's a lot of
17 stucco. I don't think it's in the budget to
18 put a stone veneer on there.

19 MS. UHLE: Actually, if you look at
20 the plan view, they have quite a bit of area to
21 plant in there. I think part of the problem in
22 the rendering it just shows like little
23 boxwoods or something. If they put something
24 that -- how high is that approximately? If

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1 they put something that grew to 4 to 5 feet
2 tall within that plant area there --

3 MR. IANNACITO: It's probably 15 feet.

4 MS. UHLE: If they would plant that
5 with something --

6 MR. NEMECEK: That seems like the
7 obvious solution.

8 MR. IANNACITO: They could put taller
9 plants there. I don't know if there are any
10 taller plants there right now. Let me look at
11 the photographs. If you look at the
12 photographs and you look at the neighboring
13 properties, a lot of them are very similar to
14 this where they're higher up.

15 MR. WEST: Eastchester is not a flat
16 town.

17 MS. UHLE: Some of them have different
18 materials, though. I think the issue is with
19 the plain kind of concrete. Putting taller
20 landscaping would definitely make a difference.
21 Again, I'm trying to look at the photographs to
22 see what's there now.

23 MR. IANNACITO: Right now --

24 MS. UHLE: There's not much there.

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1 MR. IANNACITO: It does have a
2 retaining wall along the sidewalk here, and it
3 does actually come up a little bit more. They
4 could probably definitely get some taller
5 plants in there.

6 THE CHAIRMAN: Is there something you
7 could do with the stucco, the finish, to sort
8 of make it -- it seems sort of flat here;
9 texture it?

10 MS. UHLE: You could see more texture
11 in the photograph, actually, even though it's
12 tiny.

13 MR. IANNACITO: The stucco?

14 THE CHAIRMAN: Yes. Is there some
15 sort of waves and stuff that you could do?

16 MR. IANNACITO: It's existing stucco
17 right now. We weren't planning to do anything
18 to it except paint it. If there's some more
19 money in the budget, I guess we could do
20 something.

21 MS. UHLE: I don't know if you wanted
22 a condition but even a recommendation that they
23 put taller plants in. There's a big planting
24 bed there, they could do something --

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MR. PULASKI: The photo looks like it has a little bit of shadow to it, so it looks different. This doesn't have any shadow to it.

MR. NEMECEK: I'm with Margaret's recommendation.

MR. IANNACITO: We could put bigger trees there.

THE CHAIRMAN: That's fine, bigger trees.

MR. NEMECEK: Or appropriate planting that will grow into that space and take away some of the monolithic look of the stucco.

MR. IANNACITO: All of these houses on that Fairway Drive have tall facades on the front.

MS. UHLE: But I think the case here when you look at it, like everything you designed looks so nice, but I think your eyes focus right in on that stucco foundation. If you soften that up with some landscaping, it would make the house look so much nicer. And again, that's a recommendation but that's what I would do.

MR. IANNACITO: I'll definitely bring

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it up to them.

THE CHAIRMAN: So subject to the recommendation regarding the landscaping in front of the existing stucco wall, I'll make a motion it approve the application --

MR. PULASKI: Second.

THE CHAIRMAN: Let me say what it is. -- 96 Fairway Drive.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you, Mr. Iannacito.

MR. IANNACITO: Have a great summer.

MR. NEMECEK: But don't put in any invasive plants.

MR. IANNACITO: We'll put some of those plants in.

THE CHAIRMAN: I think your presentations have made all the architects up their game a little bit.

MR. IANNACITO: I know. We're going to have to start doing models now.

THE CHAIRMAN: Thank you. I make a

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motion to close the town of Eastchester Planning Board meeting of June 28th, 2018.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. NEMECEK: Have a good summer, everyone.

THE CHAIRMAN: Yes, have a nice summer.

MS. UHLE: Thank you, everybody.

(MEETING ADJOURNED.)

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C E R T I F I C A T I O N

STATE OF NEW YORK)

) Ss.

COUNTY OF WESTCHESTER)

I, DINA M. MORGAN, Court Reporter and Notary Public within and for the County of Westchester, State of New York, do hereby certify:

That the above transcript was taken from a videotape of the actual hearing. I was not present for such hearing. The videotape was taken and transcribed by me to the best of my ability.

And, I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of September, 2018.

Dina M. Morgan

DINA M. MORGAN
Court Reporter

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CORRECTION SHEET

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CORRECTION

DINA M. MORGAN, REPORTER