



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

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
PHILIP NEMECEK, MEMBER
JOSEPH RUBINO, MEMBER
MICHAEL FORTUNO, MEMBER
LAUREN GOODRIDGE, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

LUKAS HERBERT, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY

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

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again?

THE CHAIRMAN: Did I? I keep doing that. I apologize.

MR. NEMECEK: Fortuno.

THE CHAIRMAN: Fortuno. So I'm going to make a motion -- I think all of us were at the December 7th meeting, so we can approve the minutes, all four of us. Subject to the corrections that Mr. Nemecek put forth, I make a motion to approve the minutes from the December 7th, 2023 Planning Board meeting.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: I'm just going to quickly run through what we're going to talk about tonight. If there is anyone in the audience, I'll let you know what we're working on.

The first application is 360 White Plains Road, the second is 249 Main Street, the next is 15 Tuckahoe Avenue subdivision. Those are all old business. The first two are really just going to be a consideration of lead agency

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THE CHAIRMAN: Good evening. This is the town of Eastchester Planning Board meeting of Thursday, January 25th, 2024. If everyone would rise for the Pledge of Allegiance, please.

(Pledge of Allegiance.)

THE CHAIRMAN: I would just like to, before we start doing roll call, just introduce the newest member of the board, Lauren Goodridge, to my right here. Thank you for volunteering. We're looking forward to working with you or you working with us.

I'm going to do roll call quickly.
Jim Bonnano is here. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Lauren Goodridge.

MS. GOODRIDGE: Present.

THE CHAIRMAN: Joseph Rubino.

MR. RUBINO: Present.

THE CHAIRMAN: Michael Fortino.

MR. FORTUNO: Present.

THE CHAIRMAN: We will approve the minutes of December --

MR. NEMECEK: Did you say Fortino

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resolution. The third, Tuckahoe Avenue, is an open public hearing. New business is 37 Central Drive, the 42 Maple Avenue subdivision, and then the 10 Hewitt Avenue subdivision.

So the first one we're just going to -- on White Plains Road, we're not reviewing anything, we're just making a resolution, correct, Lukas?

MR. HERBERT: Yes.

THE CHAIRMAN: This is just a procedural issue right now. We are going to make a motion to -- well, I'll read it out. This matter came before the Planning Board for preliminary review on September 28th. At this time, the Planning Board is ready to declare its intent to be lead agency pursuant to the New York State Environmental Quality Review Act. The public hearing -- there is no public hearing. It has not been opened yet. That will be later. So I'm just making a motion now. So I make a motion to classify this application, 23-27, 360 White Plains Road, as an unlisted action under the New York State Environmental Quality Review Act, and for the

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2 Eastchester Planning Board to declare its

3 intent to be lead agency in a coordinated

4 review of that action. Staff will provide and

5 circulate the required noticing for this

6 declaration. Second.

7 MR. NEMECEK: Second.

8 THE CHAIRMAN: All in favor.

9 (AYE)

10 THE CHAIRMAN: The next application

11 I'm going to read the same thing over one more

12 time, but that applies to 249 Main Street.

13 We're again going to make a motion to be the

14 lead agency on this application. There's no

15 public hearing. It's not open yet. We will do

16 it in the future. This is just procedural.

17 This matter, 249 Main Street and 27

18 New Street, came before the Planning Board for

19 a preliminary review on October 26th, 2023, and

20 at this time, the Planning Board is ready to

21 declare its intent to be lead agency pursuant

22 to the New York State Environmental Quality

23 Review Act. The public hearing has not been

24 opened yet.

25 So I make a motion to classify

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2 Application 23-30, 249 Main Street and 27 New

3 Street, as an unlisted action under the New

4 York Environmental Quality Review Act, and for

5 the Eastchester Planning Board to declare its

6 intent to be lead agency in the coordinated

7 review of that action. The staff will prepare

8 and circulate the required noticing for this

9 declaration also.

10 MR. NEMECEK: Second.

11 THE CHAIRMAN: All in favor.

12 (AYE)

13 THE CHAIRMAN: Great. Now that that's

14 done, let's get to work. So the first

15 application we can talk about is 21-17, 15

16 Tuckahoe Avenue.

17 MR. MASTROGIACOMO: Good evening,

18 everyone. Happy New Year.

19 When we were last in front of you, we

20 had some more comments from the consulting

21 engineer from Joe's office. I just received a

22 few more. It seems like we've satisfied a

23 bunch of their comments, just a couple of more

24 to tidy up information that we have to work

25 with them in order to get their okay on this.

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2 I wanted to also update the board that

3 I had multiple meetings with Veolia Water, and

4 they actually upgraded the water main on

5 Tuckahoe Avenue. It got upgraded, from what

6 I'm understanding, to a 10 inch main. So the

7 volume is a lot more and the pressure is a lot

8 more than before to service not only everybody

9 there, but also to service these four new

10 homes.

11 THE CHAIRMAN: So that's the

12 development you've come in to tell us where you

13 are about?

14 MR. MASTROGIACOMO: So -- well, with

15 Veolia? With Veolia, they've looked at the

16 drawings, they've okayed preliminary

17 everything. I can't get any sign offs until I

18 get an approval from the Planning Board. And

19 also with the Health Department, I've had

20 preliminary conversations with them, you know,

21 giving them -- letting them know what we're

22 going to be coming in. Again, I can't get any

23 kind of a full review with the county until the

24 Planning Board approves everything, and I can

25 get all the resolutions delivered to the county

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2 with the drawings.

3 THE CHAIRMAN: So my understanding is,

4 there is still a number of issues with the

5 application that our engineer, Joe, is working

6 on with you?

7 MR. MASTROGIACOMO: Yes. There's

8 maybe a little over a handful of comments that

9 we just have to tweak and get some more

10 information over to him.

11 THE CHAIRMAN: Oh, okay. Is there a

12 correspondence related to those issues?

13 MR. MASTROGIACOMO: Yes. I just

14 received those.

15 THE CHAIRMAN: This one?

16 MR. NEMECEK: The letter of today's

17 date, and in particular it looks like --

18 MR. MASTROGIACOMO: It was nice that

19 Joe was able to get this over to us this

20 evening.

21 THE CHAIRMAN: So are the next

22 steps -- I guess this is more -- to go through

23 this, get satisfactory --

24 MR. HERBERT: Right. We're going to

25 have in-house meeting with staff, you know, to

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1 go over these. We're still working through the
2 plans. We're not really ready to move forward
3 with SEQRA in terms of negative declaration
4 yet. There's a couple of issues we still have
5 to work out with regard to this. The applicant
6 has to prepare a storm water prevention -- a
7 SWPPP. We have a couple of issues with the
8 underlying soils that have to be worked out.

9 MR. NEMECEK: On page 6 of 12 I
10 see there's --

11 MR. HERBERT: Yes, there's still a
12 bunch of things. So we'll continue to work on
13 that with staff, between staff and the
14 applicant.

15 THE CHAIRMAN: Okay. Cool. Well,
16 thank you for coming in and giving us an
17 update. We appreciate it. Hopefully by the
18 next meeting, these will be addressed so we can
19 continue.

20 MR. MASTROGIACOMO: That's what we're,
21 you know, hoping for us well, be done with
22 these comments, that way then we can move
23 forward.

24 THE CHAIRMAN: I'm not going to opine
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1 on anything about the water, I'm going to let
2 the engineers do that, on the water conditions
3 there.

4 MR. MASTROGIACOMO: If there is
5 anything you want to ask, I mean, we can, you
6 know --

7 THE CHAIRMAN: Believe it or not,
8 Lukas and I spoke about it earlier. I asked
9 Lukas all my questions about the water. It
10 seems like we're trying to get a handle on
11 what's there.

12 MR. MASTROGIACOMO: Yes.

13 THE CHAIRMAN: Okay. Cool. Then all
14 of the other issues about the application as
15 far as traffic and schools and --

16 MR. HERBERT: We're trying to figure
17 out the storm -- not the storm water -- the --

18 THE CHAIRMAN: This first?

19 MR. HERBERT: That first, yes. The
20 traffic comes after. The traffic issues are
21 not as major as these issues.

22 THE CHAIRMAN: Right, but we can --

23 MR. HERBERT: Right. Yes. Phil
24 Grealy has been looking at the plans. He gave
25

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1 me comments two meetings ago, and I passed them
2 to the board. Right now, we're just more
3 focused on this, and then we'll do the traffic
4 along with that.

5 MR. MASTROGIACOMO: Could you forward
6 those comments from traffic, that way then I
7 could start looking?

8 MR. HERBERT: Pardon.

9 MR. MASTROGIACOMO: Can you send me
10 the comments from traffic?

11 MR. HERBERT: Yes. Yes. I believe I
12 may have already.

13 MR. MASTROGIACOMO: I don't remember
14 seeing them.

15 MR. HERBERT: It's okay. When I get
16 back to my desk, I can send them to you.

17 THE CHAIRMAN: Are we going to have
18 him here to address those next meeting?

19 MR. HERBERT: I'm not sure we'll be
20 able to do this at the next meeting.

21 THE CHAIRMAN: Okay. So we'll stick
22 to this.

23 MR. NEMECEK: When is the next
24 meeting? Is it like four weeks from today?
25

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1 MR. HERBERT: It's February 29th.

2 MR. NEMECEK: Oh, it's five weeks.

3 MR. HERBERT: It's five weeks because
4 of the school.

5 MR. NEMECEK: February 29th? We never
6 have a meeting on February 29th.

7 MR. MASTROGIACOMO: Maybe that's a
8 good luck meeting.

9 THE CHAIRMAN: Okay. Great. Thank
10 you very much.

11 MR. HERBERT: Mr. Chairman, the public
12 hearing is still open.

13 THE CHAIRMAN: Thank you for pointing
14 that out. This is an open public hearing. If
15 there is anyone in the audience that would like
16 to make comments about this application, now is
17 the time.

18 (No comments.)

19 THE CHAIRMAN: Great. Okay. We're
20 leaving it open, and we'll keep going. Thank
21 you.

22 MR. MASTROGIACOMO: Thank you very
23 much.

24 MR. NEMECEK: Thank you.
25

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2 THE CHAIRMAN: The next application is
3 a new application, 23-28, 37 Central Drive.
4 MR. IANNACITO: Good evening. My name
5 is John Iannacito, I'm an architect, I'm
6 representing Mr. & Mrs. Hattar, the owners of
7 the subject property. We are proposing an
8 addition to the existing single family
9 residence located at 37 Central Drive.
10 The proposed scope of work will be the
11 construction of a second story addition over
12 the existing covered front porch, which is
13 highlighted in yellow on the site plan. The
14 existing front porch is currently
15 non-conforming in respect to the front yard
16 setback and the side yard setback.
17 The proposed addition will create an
18 increase to the existing non-conforming
19 conditions, and area variances were granted by
20 the Zoning Board on November 14th of 2023. So
21 the variances were granted back in November of
22 last year.
23 I'll come up to the plan and just walk
24 through it. So here are the elevations. The
25 front elevation shows the proposed addition at

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2 the front with the new gable roof. So it's
3 basically an extension of the existing second
4 floor mass over the front porch and a change of
5 the roof configuration from a shed roof to a
6 gable roof. If you look at the side elevation,
7 here is the existing shed roof. So it's just
8 being pulled forward and changed to a gable
9 roof on the front.
10 Here is a rendering of the front
11 facade showing the addition. All the exterior
12 materials will match existing. The siding will
13 be a vinyl in a white finish to match existing.
14 The windows will be vinyl clad in a white
15 finish to match existing. The shutters will be
16 composite in a light blue to match existing.
17 Trim boards and columns will be AZEK painted
18 white to match existing. The gutters will be
19 aluminum in a white finish to match existing.
20 The application was presented to the
21 Architectural Review Board on January 4th,
22 2024, and it was approved as submitted with no
23 additional comments.
24 Thank you for your time, and I'm happy
25 to answer your questions.

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2 THE CHAIRMAN: It's pretty
3 straightforward; right? It's pretty
4 straightforward?
5 MR. IANNACITO: Yes.
6 THE CHAIRMAN: But somehow you still
7 make it beautiful, John. You still make it
8 beautiful even though it's rather minimal.
9 MR. IANNACITO: Thank you. I mean,
10 we're here because we're changing more than
11 30 percent of the front facade. That's the
12 reason for the review.
13 THE CHAIRMAN: Right. I like it, as
14 always.
15 MR. NEMECEK: John, was any
16 consideration given to putting a type of a
17 railing in front instead of the siding on the
18 very front part?
19 MR. IANNACITO: Yes, we did review
20 that, and the owners wanted to keep it solid
21 the way it is today just for privacy when
22 they're sitting on the porch. So we decided to
23 just keep it, and we'll repair any damage to
24 that existing wall.
25 MR. RUBINO: Looks great.

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2 THE CHAIRMAN: Let's just do the
3 public hearing, John.
4 I make a motion to open the public
5 hearing on this application, 23-28, 37 Central
6 Drive.
7 MR. NEMECEK: Second.
8 THE CHAIRMAN: All in favor.
9 (AYE)
10 (No comments.)
11 THE CHAIRMAN: Motion to close the
12 public hearing on this application, 37 Central
13 Drive.
14 MR. NEMECEK: Second.
15 THE CHAIRMAN: All in favor.
16 (AYE)
17 THE CHAIRMAN: No other comments other
18 than compliments? We're good?
19 You're looking good, John. Good to
20 see you.
21 MR. IANNACITO: Thank you.
22 THE CHAIRMAN: Happy New Year.
23 MR. IANNACITO: Thank you.
24 THE CHAIRMAN: I make a motion to
25 approve Application 23-28, 37 Central Drive.

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2 MR. NEMECEK: Second.
3 THE CHAIRMAN: All in favor.
4 (AYE)
5 THE CHAIRMAN: Just one tonight?
6 MR. IANNACITO: Yes, just one tonight.
7 THE CHAIRMAN: The next application is
8 24-01, 42 Maple Avenue subdivision.
9 MR. SENOR: Good evening, members of
10 the board. My name is Eliot Senor, office of
11 Gabriel Senor at 90 North Central Avenue in
12 Hartsdale.
13 We have here today, a piece of
14 property that is currently in two separate
15 zones. It's in an R-3 zone and an R-5 zone.
16 The property was purchased under separate
17 names. The vacant property was bought in '64.
18 I think we submitted those deeds in the
19 package. The house lot -- or vice versa -- the
20 house lot was bought in '63 or '64, and the
21 vacant lot was acquired by the same person who
22 owns the house lot in early Eighties, '83 or
23 '84, after the owner died of that other lot.
24 So what we have here -- so it's made
25 up of four tax lots. The two properties are
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2 made up of four tax lots. The house lot is tax
3 lot 62 in an R-3 zone. The other three lots,
4 the one lot is in Tuckahoe, the small
5 triangular section here. The other two lots
6 are the R-5 vacant lots. Tried to color code
7 it to make it understandable.
8 Getting back to -- so the vacant lot
9 is in the -- let me do it over here. So the
10 vacant lot is in the R-5 zone. The R-5 zone is
11 a 5,000 square foot lot. We need several
12 variances to divide this property into two. So
13 I guess after since the Eighties in the same
14 ownership, I assume it merged as a single
15 property. That's normally what happens.
16 Anyway, the one lot needs 60 feet of frontage,
17 which we only have 50, and it needs an 8 foot
18 side yard, and we only have 7. The house was
19 built the way it is on that lot by itself
20 because when the house was built, they didn't
21 own the vacant lot. It's sort of a prior
22 existing non-conformity.
23 The other thing is, the house is
24 2350 square feet where 2,000 is the maximum
25 allowed, so it's over the FAR requirement,
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2 which we need a variance on that. Then it's
3 the effective square. So it needs a 60 foot
4 width effective square, but we only have
5 50 feet. So we have a denial letter for
6 basically those four points. So we need to go
7 to the Zoning Board to get variances for those
8 items.
9 The items generally are not
10 substantial. I guess the biggest variance is
11 17 percent, and that's for the FAR requirement
12 from 2,000 to 2,358.
13 Other than that, we did show a
14 possible house with drainage and grading,
15 etcetera, for the review if it proceeds to
16 that.
17 THE CHAIRMAN: Is that in our package
18 or do you have it up there? Is it up there?
19 MR. SENOR: It was part of the
20 submission.
21 THE CHAIRMAN: Okay. Cool.
22 MR. SENOR: So it would be a standard
23 house meeting all the setbacks; 8 foot, 9 foot,
24 a driveway coming in. The house sits up on a
25 hill, so the garage is under the house, and
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2 then there's a walkway and stairs. We show
3 some drainage in the back and in the front to
4 take care of the roof leaders and the excess
5 runoff.
6 THE CHAIRMAN: So the variances you
7 will need to seek will be on the existing;
8 right?
9 MR. SENOR: I didn't hear.
10 THE CHAIRMAN: The variances that
11 you're --
12 MR. SENOR: The variances are on the
13 bulk because I think one needs the 60 foot
14 effective square in frontage.
15 THE CHAIRMAN: Oh, okay. But I mean
16 as far as side lot and such, that is just on
17 the existing?
18 MR. SENOR: Yes.
19 THE CHAIRMAN: Okay. How does that
20 work? Is it true that over time the two lots
21 just merge, and then we have to separate them
22 again?
23 MR. HERBERT: Right. There's a
24 provision in the Town Zoning Law, Section 9W,
25 that says if a house is on a lot and it doesn't
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conform with like the side yard setback and if the property owner owns the adjacent lot, they automatically merge so that the side yard setback is met. So that's the case with this lot.

MR. NEMECEK: These were two separately purchased lots that merged by virtue of this 9W?

MR. HERBERT: Yes. Yes.

MR. SENOR: So originally when the house was built, it was on a separate lot by itself. I think it pre-dated the Zoning Code because I think it was built in the Twenties or thereabout. Notwithstanding -- if when they transferred the -- if when the father died and transferred into the ownership, if they had put it in separate deeds at that point, it would have stayed separately, but notwithstanding the fact that it's a current -- two old lots are in the same owner, it then merges and now we have this problem.

MR. NEMECEK: And Lukas, I'm assuming this whole sliver of Tuckahoe is a big red herring; right?

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THE CHAIRMAN: I didn't want to ask about that.

MR. HERBERT: Fortunately, the little sliver that's in Tuckahoe has almost the same zoning as the R-5 district, and the house is not proposed to be constructed in the Tuckahoe portion of the lots.

MR. SENOR: We've done several subdivisions in two different towns, and usually it's the major portion or wherever the house is going to be built who it goes to for a permit.

MR. NEMECEK: I understand why you're before us.

MR. HERBERT: When we do the lead agency, I'll circulate it to the village of Tuckahoe.

THE CHAIRMAN: Kind of interesting. I didn't know that that's what happens to lots over time. So now we're just here to subdivide this. Got it.

MR. NEMECEK: Just to clarify again for my own knowledge, the reason that the two lots were merged was because the original lot

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with the home on it had a deficiency?

MR. HERBERT: Yes.

MR. NEMECEK: If it didn't have that, it wouldn't have merged?

MR. HERBERT: That's my understanding, yes. For such a simple application, I spent hours trying to figure this one out.

MR. SENOR: That's one of the reasons why I did the color coded tax lot because it's very confusing. Different zones, different towns, different pieces. A lot of moving parts.

THE CHAIRMAN: I trust that you understand it better than I do, so that's all that matters.

MR. NEMECEK: By the way, I'm just looking at the deed here, which is part of the application, and it's dated January 20th, 1964. So we just passed the 60th anniversary of that --

THE CHAIRMAN: Is that deed for the --

MR. SENOR: '64 was the house lot. She acquired it in '84 or '89. In the Eighties.

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MR. NEMECEK: This has all been documented, I'm sure, in the town's records, so there isn't a question about it. There shouldn't be.

THE CHAIRMAN: Right now, all we're doing is talking about the subdivision, not about the houses or anything else. You're asking for us to approve the subdivision. I'm just putting that forth to the audience.

MR. NEMECEK: You're basically asking us to cleave what 9W has put together. I feel powerful doing that.

THE CHAIRMAN: I like the cleave thing. That was very good. Okay. So we're going to open the public hearing. So I make a motion to open the public hearing on Application 24-01, 42 Maple Avenue.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.
(AYE)

(No comments.)

THE CHAIRMAN: Seeing there's no comments, we're going to leave the public hearing open, and we're going to do the same

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1 thing we did on the two previous applications,
2 and that is -- absolutely. Please.

3 MR. TUDISCO: Sir, you have to come up
4 to the microphone.

5 THE CHAIRMAN: You could stay at the
6 podium and announce your name and address,
7 please.

8 MR. COLASACCO: Yes. My name is James
9 Colasacco. I live at 59 Maple Avenue in
10 Tuckahoe. I'm just curious, will they be
11 blasting? I'm not sure if there's rock there
12 or marble.

13 THE CHAIRMAN: You're asking what the
14 site conditions are?

15 MR. COLASACCO: I'm asking when they
16 build a house, will they have to blast rock to
17 build a foundation?

18 MR. NEMECEK: I think in order to
19 build a house, they would have to come back to
20 this board. They would have to begin the whole
21 process, and that would probably be the more
22 appropriate time to ask the question. All
23 we're being ask to do today, as I think I
24 summarized it correctly, is to just re-divide

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1 the properties that were by law merged, which
2 seems rather uncontroversial.

3 THE CHAIRMAN: It is, but there must
4 be some reason you're asking this. Do you know
5 if there's rock there?

6 MR. COLASACCO: I'm just asking
7 because the block has many, many children now,
8 and it's a narrow block, it's one way, and if
9 you go into construction and you have to blast
10 and bring large trucks and earth movers and
11 whatnot, you'll probably have to close the
12 block.

13 THE CHAIRMAN: Right. I think since
14 we don't know what the site conditions are, but
15 if there were rock, I'm sure that everything
16 would be in a manner such that there's no
17 disruption -- there's minimal disruption and
18 everyone would be safe. I mean, that's part of
19 the application when you build a house, to make
20 sure that there's traffic control and
21 everything is fenced off and everything is
22 safe, and if there's blasting -- it's very rare
23 that there's blasting. No one really blasts
24 anymore, everyone chips. I'm just saying.

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1 That's something, as Mr. Nemecek said, will
2 come in the future when the application is
3 before us. Right now, we're just dealing with
4 the subdivision.

5 MR. COLASACCO: Well, I'll come back.

6 THE CHAIRMAN: Yes, absolutely. Thank
7 you. Thank you for coming by.

8 MR. NEMECEK: Thank you for your
9 comments.

10 THE CHAIRMAN: Were we done?

11 MR. FORTUNO: Can I ask one clarifying
12 question on it? Just in reading the notes, you
13 want to re-subdivide the two lots, but then I'm
14 just reading through where it says, newly
15 created 6,250 square foot lot will be comprised
16 by the merger of lots 61 and 60.

17 MR. SENOR: That was the --

18 MR. TUDISCO: Talk into the
19 microphone.

20 MR. SENOR: I think you're referring
21 to the color coded here 61 and 60T are two, 25
22 foot lots, so we need to put them together in
23 order to make a single lot.

24 MR. FORTUNO: Understood. Then once

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1 they're merged together, that would be one
2 separate lot from the existing house?

3 MR. SENOR: Right. Back in the
4 Twenties when this subdivision was created, it
5 divided everything into 25 foot lots, and you
6 bought as many as you want back then.

7 THE CHAIRMAN: Great.

8 MR. NEMECEK: You had to get the
9 dinosaurs off the property first; right?

10 THE CHAIRMAN: So if there are no more
11 comments from the public now, we'll do the
12 unlisted action thing.

13 So I make a motion to classify
14 Application 24-01, 42 Maple Avenue subdivision,
15 as an unlisted action under the New York State
16 Environmental Quality Review Act, and for the
17 Eastchester Planning Board to declare its
18 intent to be lead agency in the coordinated
19 review of that action. Staff will prepare and
20 circulate the required noticing for this
21 declaration.

22 MR. NEMECEK: Second.

23 THE CHAIRMAN: All in favor.
24 (AYE)

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MR. SENOR: Thank you.

THE CHAIRMAN: We're good to go.

The last application is similar to subdivision, 24-02, 10 Hewitt Avenue subdivision.

MR. MAIORANO: Good evening, board, Adamo Maiorano from Community Designs and Engineering. Yes, we're here today for a proposed three lot subdivision at 10 Hewitt Avenue.

The property is situated in an R-10 zoning district. It's a corner lot. It's on the corner of Hewitt Avenue and Hathaway Road. It's a fairly large parcel. It's around just about 50,000 square feet. There is an existing residence -- I'll come up -- there's an existing residence that faces Hewitt Avenue. Behind it there's a pool, a pool house, a detached fairly large garage, a bunch of impervious surfaces.

Our proposed lots will be lots basically in the rear yard of this existing residence that would face Hathaway Road. In an R-10 zoning district, you need a minimum of

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10,000 square feet. Our proposed parcels will be anywhere from like 15 to 18,000 square feet.

Starting with the existing dwelling, in order to make this house conforming to the new zoning limitations of the new proposed lot, we have to do a few things. Basically, we're removing quite a bit of impervious surfaces, there's a half circle driveway that will be removed, there's a one story glass structure in the back, and another small one story little storage sort of thing, so that we could get this existing home that's going to remain to conform to the zoning requirements to the R-10 zoning district given that it's a new property size. Then, obviously, our proposed dwellings will be in conformance of the required zoning in the R-10 zoning district.

Obviously, with these proposed lots, they will have 100 percent of the new impervious surfaces with storm water mitigation, which is what this plan represents. We did have the Town Engineer come out and witness the deep hole tests and percolation tests, and there are suitable soils for this

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sort of subdivision that we are proposing.

Other than that -- as far as also

trees too, there are no real significant trees that have to be removed, other than there's a couple of 10 inch caliper trees just around the existing pool house and some evergreens in the front here along Hathaway Road that have to be removed for that proposed residence.

Then also on this plan, yes, the detached garage, pool and pool house, all that impervious surfaces will be removed.

I think that pretty much sums it up.

THE CHAIRMAN: So the total square foot right now -- I'm sure it's here somewhere -- the whole site.

MR. MAIORANO: The entire site is just about -- well, 49,951 square feet.

THE CHAIRMAN: Right, and the existing we said is about 15?

MR. MAIORANO: No. This will be the larger of the parcels, 18,200 square feet, plus or minus.

THE CHAIRMAN: As you said, the first step is to make that not have any variances?

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MR. MAIORANO: Exactly.

THE CHAIRMAN: Is that part of the subdivision or are you just providing that as --

MR. MAIORANO: Yes, technically, so that we're not going to the Zoning Board. As part of this proposed subdivision, we would have to do these modifications to the house so that we wouldn't have any type of --

THE CHAIRMAN: So those modifications are part of the subdivision?

MR. MAIORANO: Yes. Then also the gross floor area of the house also conforms to the new lot area, which is not on this plan.

MR. NEMECEK: So Adamo, you said you were removing structures and the like, that would ultimately, at least in the first instance, increase the -- decrease the impervious surface; right?

MR. MAIORANO: Yes.

MR. NEMECEK: But --

MR. MAIORANO: Well, yes. What's funny is when you think, okay, we're going to propose two houses, all of the driveways and

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everything, but what's funny is the actual comparison to -- say they were to maximize --

MR. NEMECEK: You're anticipating my question.

MR. MAIORANO: Yes. Say they were to maximize -- which typically on these large parcels sometimes they don't really max out the impervious surface that they're allowed -- say they were to max out the impervious surface, the comparison of new impervious surfaces would be about 1400 square feet. So it's a fairly small amount given the size of the parcel and the size of the, you know, sort of proposed action that's taking place.

Just to go over quickly the numbers. So right now existing there's 16,020 square feet of impervious surfaces. Proposed, as you see here, if these parcels were maxed out, there would be 17,484 square feet. So a very small difference, but obviously, yes, the benefit is there is no storm water mitigation, these homes will be a hundred percent -- you know, have storm water mitigation for all the impervious surfaces as far as, you know, the

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concern of --

THE CHAIRMAN: That's part of the code, right.

MR. MAIORANO: Obviously in today's day and age, the biggest concern is all the new impervious and all that, but it's almost like they were to say do a patio, you know, addition to the house is almost what this is because of how much we're removing.

THE CHAIRMAN: So we will discuss the other two sites once everything is subdivided and the application for those two come back, right, the site plans? That's just for reference right now what you put?

MR. MAIORANO: Oh, yes. Once the subdivision is approved, then the proposed parcels will be potentially a little differently designed, the actual homes.

MR. NEMECEK: The purpose of you putting these theoretical is to demonstrate that they fit into -- you could build homes on there comfortably without variances, etcetera?

MR. MAIORANO: Yes, and there's quite a bit of room, like I said, to be able to put

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storm water retention and all that.

THE CHAIRMAN: Okay. I don't have any other questions.

MR. FORTUNO: Adamo, the existing structure is what exactly? I'm not familiar with that area. A single family house, accessory structure is a garage, a pool house; this is all privately owned?

MR. MAIORANO: Yes. It's all part of one parcel. This is technically a little better site plan to show what the existing lot is, and the yellow demonstrates the amount of impervious surfaces and structures that we're removing. Yes, it's all part of one lot.

MR. NEMECEK: The photo in the upper left, does that also have it? Yes, that one.

MR. MAIORANO: Yes. It's oriented a little bit different, but this is the entire parcel. You could see like next door how there's a house here and house here, it would almost be like you flip that and put those there.

MR. RUBINO: What's behind the last parcel; is that another house?

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MR. MAIORANO: Here?

MR. RUBINO: Yes.

MR. MAIORANO: That's the pool house of that house.

MR. RUBINO: And what's outside of this zone?

MR. MAIORANO: 30 Hathaway is an adjacent home.

MR. RUBINO: It's a house. Okay.

MR. MAIORANO: That's in an R-7.5 district, so it's a smaller zone district. Something to look at in comparison to how close other zones are.

MR. NEMECEK: But the entirety of this lot would remain an R-10?

MR. MAIORANO: Yes, exactly. That's if we were to have to go to Zoning for the size of the lot, then you look at, hey, there's a smaller zoning district right next to it, but that's not the case here.

MR. NEMECEK: Okay.

THE CHAIRMAN: Any other comments, guys?

MR. NEMECEK: Not at the moment. On

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 2 to the public hearing.
 3 THE CHAIRMAN: I'm just going to open
 4 the public hearing on this. So I make a motion
 5 to open the public hearing on Application
 6 24-02, 10 Hewitt Avenue subdivision.
 7 MR. NEMECEK: Second.
 8 THE CHAIRMAN: All in favor.
 9 (AYE)
 10 THE CHAIRMAN: Please come forward.
 11 MS. VASQUEZ: Hello. Karen Vasquez,
 12 32 Hathaway Road. It's my first public
 13 hearing, so I apologize if I'm a little off on
 14 the protocols. I believe that my questions
 15 were already answered. I'm two houses down
 16 from where the proposed work would be.
 17 So my first question is just to
 18 clarify what I think I already understand now,
 19 is that the existing house on Hewitt would
 20 remain, perhaps with some modifications or
 21 taking out the greenhouse, and then you're
 22 looking to put two new houses on Hathaway?
 23 THE CHAIRMAN: That's correct.
 24 MS. VASQUEZ: I had been uncertain if
 25 it was two or three prior to being here. The
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 2 pool house would be gutted is my understanding?
 3 Okay.
 4 Then I guess my other question is just
 5 kind of protocol, would we receive another
 6 notice prior to like building? There would be
 7 another public hearing?
 8 THE CHAIRMAN: Sure. Could you just
 9 put the site plan up that just shows the two
 10 houses and existing. Right. So what we're
 11 doing right now is just subdividing the
 12 property. Right now, it's one big property.
 13 What we're talking about now is just they're
 14 asking permission can we subdivide it such that
 15 we could put three houses. We're not even
 16 talking about the houses right now. Those will
 17 be separate applications that will come in
 18 front of us at another time.
 19 MR. NEMECEK: But let's be clear that
 20 there is a full intention on building two
 21 homes. No more than two, unless they somehow
 22 come before us with something else, which I
 23 would not expect. That will be the next step,
 24 and you will get notification because they
 25 can't just build it without advising the
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 2 neighbors.
 3 MR. HERBERT: Right. There will be at
 4 least two public hearings. The Architectural
 5 Review Board would review it, and then the
 6 Planning Board would review. So you'll get at
 7 least two notices in the mail.
 8 MR. NEMECEK: Right now, there's no
 9 indication that there would be any variances
 10 needed from the Zoning Board of Appeals, but if
 11 there were, it would have to go before that
 12 board as well and you would get another notice.
 13 You should get at least two, as Lukas said,
 14 possibly a third.
 15 THE CHAIRMAN: Where is your
 16 residence? Where is your residence?
 17 MS. VASQUEZ: 32 Hathaway Road. So
 18 I'm two houses down from where the two
 19 additional homes would go.
 20 THE CHAIRMAN: Oh, okay.
 21 MR. NEMECEK: Where the pool house
 22 currently is, there's a house in between your
 23 home and the pool house?
 24 MS. VASQUEZ: Exactly.
 25 MR. NEMECEK: That's 30, the one that
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 2 we looked at before?
 3 MS. VASQUEZ: Right. Exactly.
 4 MR. NEMECEK: Great.
 5 MR. RUBINO: The only other thing
 6 happening now is just minor alterations to the
 7 existing house to allow for that lot line to
 8 exist.
 9 MS. VASQUEZ: Okay. Great.
 10 MR. RUBINO: Minor. It looks like
 11 it's just in the back; right?
 12 MS. VASQUEZ: Okay. Great. Your
 13 presentation was pretty clear, but I just
 14 wanted to make sure. What is the time frame
 15 usually, like from now until when the next
 16 hearing would arrive, like a ballpark?
 17 MR. NEMECEK: It really depends on how
 18 quickly they're going to move forward; right?
 19 MR. HERBERT: Right. Well, I mean, we
 20 can't notice a meeting today because you have
 21 to declare lead agency, and then there's a 30
 22 day clock where we have to notify all these
 23 other involved and interested agencies. So
 24 then when we come back and meet on
 25 February 29th, a decision could potentially be
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made on that date, or it could be moved to the March meeting.

MR. NEMECEK: But that's a decision on the subdivision.

MR. HERBERT: On the subdivision, yes. The subdivision itself might take until March or, you know, whatever. After that, we wait and see for the proposal to build a house. When that occurs, then it goes before the Architectural Review Board, and there's a notice and a public hearing. Then it comes back before the Planning Board, there's another notice, another public hearing. So this gets a very -- we're just in the first phase of a multistep review.

MR. NEMECEK: Rest assured as part of that review, in the event that come homes are going to be built here, they look into, you know, the storm water management. It's a comprehensive review. I don't think building two homes is going to change traffic very much, but in bigger subdivisions, you know, we look into those issues as well. So it's a pretty comprehensive and thorough review that really

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does look out for the interest of people like yourself.

MS. VASQUEZ: Okay. Well, I appreciate your time. Thank you.

THE CHAIRMAN: Thank you for stopping by or coming by.

If there are no additional comments from the public, this public hearing will remain open, and I will make a motion, as I've done on the other three applications -- I make a motion to classify Application 24-02, 10 Hewitt Avenue subdivision, as an unlisted action under the New York State Environmental Quality Review Act, and for the Eastchester Planning Board to declare its intent to be lead agency in the coordinated review of that action. Lukas will prepare and circulate the required noticing for this declaration.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Great. Thank you.

MR. MAIORANO: Thank you for your time.

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THE CHAIRMAN: Thank you.

MR. NEMECEK: Thanks.

THE CHAIRMAN: One thing we didn't do, which we wanted to do, was just opine on the application at 360 White Plains Road when it came up.

MR. NEMECEK: Is now the time to opine on that or --

THE CHAIRMAN: To get it into the record or should we --

MR. NEMECEK: What's the next step with that?

MR. HERBERT: So the next step is to wait 30 days. I'll send out the lead agency circulation tomorrow, and then all the involved and interested agencies have 30 days to object or not object to the Planning Board assuming lead agency. At the February 29th meeting, you can formally adopt a resolution saying that you are the lead agency.

Concurrently, the applicant has gone to the Zoning Board just to kind of test the waters with respect to the variances he's seeking, but the ZBA cannot grant those

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variances until the Planning Board, as lead agency, closes the SEQRA review, which would mean like a negative declaration, a positive declaration, a negative declaration with conditions, one of those three options. So the applicant would have to come back before the Planning Board to make his case so that you could decide what SEQRA designation you want to give it.

MR. NEMECEK: That would appear to me to be the time to have the more fulsome discussion, and that would be before it would be going to the Zoning Board of Appeals, right, formally?

MR. HERBERT: Well, he already went to them once, but --

MR. NEMECEK: Informally.

MR. HERBERT: Right. Right. Right. They know that they can't take any action until the SEQRA process is closed. Ultimately, it will have to come back to this board first before the Zoning Board of Appeals can really vote on those.

MR. NEMECEK: Correct. Would that

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also be on notice to local residents, for example?

MR. HERBERT: Correct, yes. So the applicant did have to -- when he appeared before the ZBA, it was a public hearing, so he did have to notify the property owners within 200 feet. So there was a robust showing at the ZBA meeting from the community.

As far as on the Planning Board side, you have not opened the public hearing yet.

MR. NEMECEK: Correct.

MR. HERBERT: So perhaps at the February meeting when you declare yourself lead agency, perhaps if he's ready, he could do a second presentation to you, and then you can begin your review of the environmental impacts to the extent where you're read to make a decision, and that could take one meeting, two meetings, as many as you need. The variances are basically on hold until you decide if it warrants a negative declaration, a positive declaration, etcetera.

THE CHAIRMAN: Right. So if there are any comments or recommendations we would like

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to make about the variances, that's the time in which we would do it?

MR. HERBERT: Absolutely, yes. You will have plenty of opportunities.

MR. NEMECEK: And I prefer, you know, not to be making comments based on prelliminary presentations, but rather on a more robust discussion and presentation.

MR. HERBERT: He did inform me -- the applicant did inform me that he's going to prepare additional materials for you to review. The reason he met with you initially was just to kind of test the waters, get your initial reaction, but he acknowledged to me when I met with him, that, you know, he has to do a traffic study, there's like site conditions he has to investigate, those types of things. He wants to put a rendering together, you know, all that stuff. That will be forthcoming, and you will get to review it.

MR. NEMECEK: Good.

THE CHAIRMAN: Right, but they are not going to be back for awhile?

MR. HERBERT: He could be back for the

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February meeting. The 30 days is going to expire before the --

MR. NEMECEK: Five weeks worth.

MR. HERBERT: Right, right, five weeks. The school break is what pre-empted your meeting -- the February school break. We didn't want to have the meeting in case people were away.

THE CHAIRMAN: Okay. Cool. So that's all I have. I just wanted to discuss that.

So then I make a motion to close the town of Eastchester Planning Board meeting of Thursday, January 25th, 2024.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

(Meeting adjourned.)

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

STATE OF NEW YORK)
) SS.

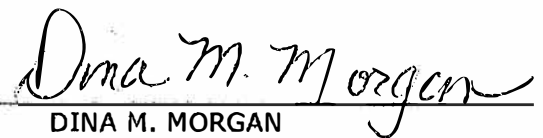
COUNTY OF WESTCHESTER)

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 video of the actual hearing. I was not present for such hearing. The video was taken and transcribed by me to the best of my ability.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of February, 2024.



DINA M. MORGAN
Court Reporter

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CORRECTION SHEET

PAGE

CORRECTION

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