

Eastchester Town Clerk
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TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
FEBRUARY 23, 2023

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
ANTHONY GIACOBBE, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

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

Dina M. Morgan, Reporter
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The applications we are going to be talking about are: The Beech Street subdivision, 23-02; 22-40, 80 Webster Road; 22-42, 883 California Road; and 22-38, 54 Stratford Road.

So I imagine most of you are here to listen to what's going on with the Beech Street subdivision. Thank you for coming. It's a lot of information that we've all seen. We've have information that's presented to the board. We ail haven't had a chance to start looking through it yet. I'm sure you guys probably have seen it. It's going to be here a few times. So this is the first meeting we're going to start understanding what it is.

The first thing we're going to have is a presentation from the consultant, and he's going to present the application to us. We're all going to listen to that. Then we have consultants -- the way it works is, they have their consultants, they have a traffic consultant, they have a civil. We have -- the board has their own consultants. They're

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THE CHAIRMAN: Good evening, everyone. We're going to try and get started. A huge apology for the delay on our part. It's his fault.

MR. NEMECEK: My fault. I'm the black hat today.

THE CHAIRMAN: If everyone would rise for the Pledge of Allegiance, please.

(Pledge of Allegiance.)

THE CHAIRMAN: I'm going to do the roll call now. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Jim Bonanno is present. Mr. Anthony Giacobbe.

MR. GIACOBBE: Present.

THE CHAIRMAN: Mark Cunningham will not be here, and Louis Campana also told us he won't be able to attend this evening.

Let's see. The first thing is, we have one application from a previous meeting that's been adjourned, and it is Application 21-17, 15 Tuckahoe Avenue subdivision. That's adjourned to the March 23, 2023 meeting. We won't be doing that tonight.

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our experts. So we have a traffic expert and an engineering expert. They're going to tell us their opinions right now on the application.

The board is going to get an opportunity to question everyone, ask our questions, first line of what's going on, what's doing, what our concerns are. We'll speak with our consultants.

After that, we're going to open a public hearing, and you folks will have a chance to come up and address the board, tell us your concerns. I've know there's a lot -- I've seen a lot of correspondence. Everything you send to Margaret, comes to us. We see it. So it doesn't get put away. We look at each other and say, wow, let's discuss this. So there is nothing that comes to Margaret that we don't hear about and consider.

Tonight, probably we're not going to be able to answer all of your questions right now. The way we are going to do it is, Margaret is a great note keeper, and we all

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1 take notes, everything that's asked and all
2 the questions that we have if we can't get an
3 answer, we're going to get back to it. We'll
4 keep track of a hundred questions if we have
5 to, but we'll get you answers, and they'll be
6 the best answers we can give. We have our
7 consultant that we usually defer to their
8 expertise on the issues. I'm not a traffic
9 consultant, I'm not the type of engineer, so
10 we usually defer to them. So that's the
11 format.

12 Then after that, the public hearing
13 is going to remain open for awhile, and the
14 applicants can come back. You can come back
15 and continue to ask more questions if you
16 don't have satisfactory answers, do it again.
17 The idea is, we're going to keep doing that
18 until we, as a board, feel we understand the
19 impact of the project.

20 Upon that, if we feel that we know
21 what's going on, what we do then is, we refer
22 it to the Zoning Board, and they look at the
23 zoning --

24 MS. UHLE: Variances.

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1 THE CHAIRMAN: Variances. Thank you.
2 The zoning variances. So they opine on that.
3 We don't touch that. Then it comes back to
4 us, and we continue until we know what's
5 going on at the site. So it's a process.
6 It's not all tonight.

7 So that being said -- that being
8 said, I guess we're going to start. Yes.

9 One other thing. When we open the
10 public hearing -- we understand everyone has
11 comments, and we do want to hear them -- I
12 just ask, concerning brevity, if they're the
13 same comments that the person before you
14 said, unless you're putting in -- try to
15 limit them to new and unique comments, just
16 so we can get out of here because there are
17 also applicants after you. We decided --
18 Margaret made, I think it was a good
19 decision, to have this application first so
20 you guys don't have to sit through the other
21 application. But the other consultants -- I
22 guess that's you guys -- are going to have to
23 wait until we get through this one.

24 MR. NEMECEK: If I could just add,

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1 that there is one additional potential layer
2 of review with the Architectural Review
3 Board, should we get far enough that we're
4 actually talking about the aesthetics of any
5 development.

6 MS. UHLE: Well, only to correct you,
7 that's not part of the subdivision approval,
8 that's when they come back for individual
9 houses.

10 MR. NEMECEK: Yes, that's correct.
11 Thank you.

12 MS. UHLE: I just want to make that
13 clear.

14 MR. NEMECEK: There are layers and
15 layers here, that's the point.

16 THE CHAIRMAN: We're not going to
17 vote on anything tonight. We're not going to
18 make any decisions tonight. We're just going
19 to start hearing what this is all about, same
20 as you are.

21 So then with that being said, for
22 some brevity I'll stop talking and let the
23 applicant present their presentation for the
24 project.

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1 The first application is 23-02, as we
2 know, 203 Beech Street subdivision. You're
3 up.

4 MR. SMITH: Good evening, Mr.
5 Chairman, members of the board. For the
6 public, my name is David Smith. I'm a
7 principal with Planning and Development
8 Advisors. We're land use planning and real
9 estate development consultants. I'm here
10 tonight on behalf of Bashkim -- I'm going to
11 mess up his last name -- Kukaj -- close
12 enough -- for the redevelopment of 203 Beech
13 Street, representing 4 Vllazen, LLC.

14 Joining me tonight is Brian Dempsey
15 from DTS Provident, our traffic engineer, and
16 Mr. Dan Collins, who is with Hudson
17 Engineering, who prepared the plans, the
18 majority of the plans and the storm water
19 management. I'll have both Mr. Dempsey and
20 Mr. Collins provide some of the presentation
21 as we get further along.

22 If I could ask the man behind the
23 curtain -- there we go. Thank you. Our
24 first slide, so project location. The site

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1 is approximately 1.8 acres. It's located
 2 between Highland Avenue here to the north and
 3 Beech Street here to the south. We've
 4 included the site location in black. There
 5 has been some commentary relative to the
 6 different districts with respect to the
 7 school district. We would note, Mr. Chairman
 8 and members of the board, that we've had --
 9 we've been working actively with your
 10 Building and Planning Director on just making
 11 sure that we have the correct addresses for
 12 notification. That took us awhile just
 13 because the county GIS system isn't always as
 14 accurate as we would like. There was a
 15 comment about the school district boundary,
 16 and we've corrected that. I'll get to that
 17 later on in the conversation as we move to
 18 the presentation.

19 So the next slide illustrates the
 20 project site. We've overlaid a proposed
 21 subdivision, eight lot subdivision over that.
 22 Again, Highland Avenue here to the north and
 23 Beech Street to the south. I think one of
 24 the presentation pieces, when we get to it,

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1 is just to illustrate how this is a proposed
 2 eight lot subdivision, single family homes in
 3 a single family neighborhood. The portion of
 4 the property -- you'll see this blue line
 5 right here -- that is the zoning district.
 6 To the right is R-6, to the left is R-5. So
 7 the property is split between two different
 8 zoning districts, which affects some of the
 9 layout.

10 The photographs that I'm going to
 11 present, have been provided as part of the
 12 application package that you've received.
 13 This just illustrates some of the existing
 14 conditions. The photograph here on the left,
 15 that's from Highland Avenue. There's an
 16 existing garage there that will be
 17 demolished. Again, most of the site is
 18 vacant, and it's basically green lawn area.
 19 Some more photographs of the existing site.
 20 This is from Beech Street looking north.

21 So as indicated, it's a 1.1 acre
 22 site. For reference, this is Beech Street.
 23 Highland Avenue is over to the left. North
 24 is to the left. As I mentioned, the property

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1 is split between the R-6 district, which has
 2 a 6,000 square foot minimum lot size
 3 requirement in R-5. The zoning district
 4 boundary is right here. So everything below
 5 is R-5, everything above is R-6. The R-6 has
 6 a 6,000 square foot minimum lot size, the R-5
 7 has a 5,000 square foot minimum lot size.
 8 For access, the lot 1 located right here has
 9 direct access to Beech Street. Lots 7 and 8
 10 over here to the left, have direct access to
 11 Highland Avenue. The balance of the lots, 2
 12 through 6 here, have access to a proposed
 13 cul-de-sac that would connect to Beech
 14 Street. There is a proposed non-building lot
 15 located right here, and that's being proposed
 16 for the use of storm water management.

17 So again, this is the zoning district
 18 boundary. As I mentioned earlier about the
 19 school district boundary, we have corrected
 20 the school district boundary, and that's
 21 located here in the blue line. So lot 1 is
 22 located in the Tuckahoe School District, and
 23 the balance of the lots are located in the
 24 Eastchester School District. As part of the

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1 application submission, we've included a
 2 school impact report. Depending on the
 3 bedroom count, and again, we haven't
 4 determined the exact number of bedrooms per
 5 unit, the house design, but based on a three
 6 to a five bedroom house, you would generate
 7 anywhere from between four to eight public
 8 school age children. Based on the
 9 enrollments of both districts, there would be
 10 less than one percent increase in enrollment
 11 for either district, which, in our opinion,
 12 is an imperceptible increase in school
 13 enrollment.

14 For me, as a land use planner, one of
 15 the things that I wanted to do was look at
 16 how this particular residential community
 17 would -- how it relates to the balance of its
 18 neighborhood and it's surroundings. So part
 19 of what we looked at -- and again, this is
 20 based on the Westchester County GIS -- there
 21 are a number of cul-de-sacs within proximity
 22 to this proposed project. I think there's
 23 probably close to a dozen. I'll just quickly
 24 list them. Barbara Place has 10 lots.

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1 D'Ambrosio Way, six lots. Pine Circle, six
 2 lots. Tara Way, seven lots. Crawford Drive,
 3 10 lots. Dean Place, six lots. Duluth
 4 Place, four lots. Sage Place, six lots.
 5 Brother's Circle, 11 lots. Darcy Lane, 17
 6 lots. Hickory Hill Road, 14 lots. Santa
 7 Monica Drive, five lots. Berkley Circle,
 8 four lots. If I missed somebody's
 9 cul-de-sac, my apologies. This is just to
 10 illustrate, that from a land use planning
 11 standpoint what's being proposed, at least in
 12 my opinion as a land use planner, is
 13 consistent with the town has in the
 14 surrounding neighborhood. Single family
 15 homes adjacent to single family homes off of
 16 a cul-de-sac providing access.

17 As part of the application process,
 18 we had an opportunity to meet with the
 19 Director of Building and Planning to review
 20 the application. There are several -- three
 21 variances, or at least two variances and an
 22 interpretation as part of the proposed
 23 project. The first is a variance for a
 24 minimum offset distance between intersections

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1 located here between Siwanoy Boulevard and
 2 the proposed cul-de-sac. I believe you're
 3 requirement is 150 feet. We're not quite at
 4 that. I forget the exact amount. Dan, do
 5 you remember? 110 feet. Again, if we go
 6 back to look at the land use pattern, there
 7 are other comparable cul-de-sac designs or
 8 layouts which have a separation which is less
 9 than what is required in the code.

10 The second variance is for a curb cut
 11 radius at this location.

12 Then the interpretation component
 13 really relates to lot number 4, which is
 14 here. Illustrating it here. Part of the
 15 discussion that we've had with the Director
 16 of Building and Planning is, you know, how do
 17 you determine the rear lot and how do you
 18 determine kind of the setbacks. So the next
 19 graphic illustrates -- this is the point in
 20 question here -- the definition of rear lot
 21 line in the town code; the lot line generally
 22 opposite the front lot line. If the rear lot
 23 line is less than 10 feet in length or if a
 24 lot comes to a point at the rear, the rear

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1 lot line shall be deemed to be a line
 2 parallel to the front lot line, not less than
 3 10 feet long, line wholly within the lot and
 4 farthest from the front lot line. So in our
 5 review, we considered this to be the front
 6 yard. Just from reading of the code, the lot
 7 comes to a point at the back, so what we've
 8 done is we've taken a distance of 25 feet
 9 from that point and created a rear lot line.
 10 So that's one of the issues I think that is
 11 ongoing in our continuing discussion with the
 12 Director of Building and Planning and with
 13 your board as to how that line gets
 14 interpreted.

15 I would note that, again, looking at
 16 the Westchester County GIS and looking at
 17 other cul-de-sacs in the neighborhood that I
 18 have referenced previously, that there are
 19 other lot configurations that are similar to
 20 the one that we had just referenced, lot
 21 number 4. It would be my concern as a land
 22 use planner, that, you know, there may be
 23 unintended consequences of that
 24 interpretation, so that potentially there may

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1 be other lots that may be previously
 2 approved, that all of a sudden become
 3 non-conforming lots. Again, we've just
 4 provided a quick kind of eyeball survey of
 5 different lots in the immediate vicinity that
 6 may have the same type of condition. So that
 7 was one of the issues that I think that we
 8 need to have ongoing discussion with your
 9 board and with the Director of Building and
 10 Planning.

11 So at this point, what I would like
 12 to do is have Mr. Dempsey come up and just
 13 walk through the traffic methodology that he
 14 used to prepare and analyze the impacts on
 15 traffic. After that, I'll have Mr. Collins
 16 come up and just walk through kind of a
 17 summary of the storm water management
 18 techniques that are being proposed as part of
 19 the project.

20 MR. DEMPSEY: Good evening. Brian
 21 Dempsey, I'm a licensed professional engineer
 22 from the firm DTS Provident Design
 23 Engineering. I'm also a certified
 24 professional traffic operations engineer and

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2 road safety professional, and I'm a member of
3 the County Traffic Safety Board.

4 As Dave mentioned, we've prepared a
5 traffic that has been submitted to the town.
6 To prepare that study, we first had
7 discussions with the town's Planning
8 Director, and then the traffic study was
9 scoped by the town's traffic consultant. So
10 we followed that scope in preparation of the
11 traffic study.

12 We performed traffic counts, we also
13 counted buses, we counted pedestrians, as
14 well as vehicles. We then projected that
15 traffic out three years at a conservative
16 growth rate of two percent per year to 2025,
17 and we determine how much traffic the project
18 would generate. It's estimated, based upon
19 the Institute of Transportation Engineers,
20 which is the methodology required by the town
21 and by the state to use the trip generation,
22 we'd have about three trips coming into the
23 site in the morning peak hour and ten trips
24 leaving. Then in the evening or late
25 afternoon, seven trips coming in, three trips

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2 leaving during the peak PM hour. To be
3 conservative, we had all the trips coming in
4 and out of the one driveway for analysis
5 purposes just to be conservative.

6 We then performed capacity analysis.
7 We showed that good level of service would be
8 maintained. Right now, the intersection of
9 Beech and Siwanoy is at an A, level service
10 A. It would stay a level service A. The
11 intersection of Beech with Highland is
12 currently a level service B, and it would
13 remain at that level of service. That level
14 of service since they're signal unsignalized
15 intersections, would be the left turn
16 movement coming off of Beech onto Highland.
17 So those are the levels of service for there.
18 So again, we maintain good level of service.

19 We were also asked to look at sight
20 distance. Each of the driveways will have
21 proper sight distance and meet the required
22 sight distances. There is some vegetation in
23 the right-of-way that will need to be cleared
24 at the site to provide the proper sight
25 distance. Proper site distances will be met.

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2 We were also asked to look at crash
3 history. There's been minimal crashes over
4 the -- we obtained data from 2019 through
5 2022. There was one incident on Beech. A
6 car backing out of their driveway hit a
7 parked car. There was one incident on
8 Highland in the area at Caldwell where the
9 car did not stop at the stop sign and hit a
10 vehicle exiting out of Caldwell. There were
11 minimal accidents in the area.

12 Also, in terms of parking, there will
13 be sufficient parking. It meets the town
14 code. So there will be at least two parking
15 spaces per each unit so that the town code is
16 met.

17 Our study, as I said, was then
18 reviewed by the town's traffic consultant.
19 He had a couple of minor comments. We
20 clarified that and resubmitted the traffic
21 study. We haven't had a final letter yet,
22 but, in general, he was in agreement with the
23 findings of our traffic study.

24 THE CHAIRMAN: Great. Thank you.
25 We're going to finish with the other

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2 consultant, then we'll ask questions. Thank
3 you.

4 MR. SMITH: Mr. Chairman, the last
5 person that will be speaking is Dan Collins
6 from Hudson Engineering. I put up on the
7 screen, this is the storm water management
8 planning. I'm go to ask Dan to quickly just
9 walk through kind of the basics how storm
10 water management is going to be handled for
11 this particular application.

12 MR. COLLINS: Good evening, members
13 of the board. Dan Collins from Hudson
14 Engineering, design engineers for the
15 project.

16 So when the existing conditions --
17 essentially the entire property, as you can
18 see, basically flows overland in an easterly
19 direction, where it eventually hits Highland
20 and flows into the existing municipal
21 infrastructure. There's a few -- there's a
22 small area to the front of the site where the
23 existing building was demolished, that does
24 flow into Beech Street right now.

25 With that being said, since this

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1 project is obviously disturbing over an acre,
 2 we are required to meet New York State DEC
 3 requirements for storm water design, which
 4 means we have to treat the water quality
 5 volume, the runoff reduction volume, every
 6 storm up to the 110, 25, and the hundred
 7 year, which is 9 inches over 24 hours storm
 8 event. This is a requirement for the state.
 9 Obviously, it would have need to be reviewed
 10 by -- it gets reviewed by the town's
 11 consulting engineer. Before I go forward, we
 12 did go through multiple scenarios with the
 13 town engineer before we got to this point, so
 14 this is where we ended up.

15 It should also be noted that the
 16 impervious area on each lot with the
 17 buildings and the patios has been max'd out.
 18 Not that they would actually be max'd out in
 19 the proposed design, but to be conservative
 20 to show that we can provide the required
 21 storm water mitigation for each lot if they
 22 are built to the extreme to their maximum
 23 extent possible.

24 So with that being said, essentially

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1 the runoff generated from the roadway and
 2 then the rear yard of, I believe it's 195
 3 Beech Street and then 100B Highland, flows
 4 over land, into the proposed cul-de-sac.
 5 This gets captured and conveyed to a new
 6 attenuation gallery. This was sited based on
 7 our discussions with the town. Because this
 8 lot was a non-building lot, it keeps it out
 9 of the way, and it allows space for the other
 10 properties, you know, to use their yards.

11 What this system does, it actually
 12 has been sized to control and reduce the
 13 flows from the site from the tributary area
 14 to be less than that currently flows off the
 15 property now. Those controlled flows are
 16 then conveyed to what we call an up flow
 17 filter. It's a cartridge filter, water
 18 quality unit. That's been sized to treat the
 19 calculated water quality volume from the
 20 site. Then the treated flows and controlled
 21 flows are to be conveyed down to two new
 22 catch basins located on Highland before it
 23 cuts across and discharges to the existing
 24 pipe located on the opposite side of Highland

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1 Avenue. Essentially, we're taking everything
 2 that was going across to Highland over land,
 3 now we're bringing it directly to the piping
 4 in the street.

5 For each individual residence, we did
 6 do percs and deep tests to find out where the
 7 best soils were on site and how deep we had
 8 to go to get to ledge rock and ground water.
 9 Using that information, we were able to
 10 provide infiltration systems, dry wells
 11 located in the front and rear yards of each
 12 lot. All these dry wells for each of the
 13 properties are sized for the hundred year
 14 storm event with no overflows at that point.
 15 Everything is going to be infiltrated into
 16 the ground. This essential takes all the
 17 impervious areas that you could see on the
 18 lots and puts it into the ground and now
 19 takes it away from the over land flow into
 20 the properties on the adjacent properties.

21 With all said and done and everything
 22 is combined, we're actually able to reduce
 23 the flows from the site tributary to Highland
 24 Avenue. There is a small amount that does

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1 still go out to Beech Street. We did provide
 2 a swale to swale it around so that we bypass
 3 the flows from the front yard of 195 Beech.
 4 That will be conveyed around to Beech Street.
 5 Because we're actually reducing that area
 6 that's going out to Beech, we actually reduce
 7 the flows at that point as well.

8 So that basically generally
 9 summarizes everything up with regards to the
 10 storm water.

11 THE CHAIRMAN: Great. Thank you.

12 MR. SMITH: Mr. Chair, that concludes
 13 our presentation. At this point, I think
 14 based on your direction, we're here to
 15 listen. We may or may not have a response
 16 for a comment that comes up. We would
 17 reserve the right to be able to listen and
 18 then respond in writing to all of the
 19 comments that come in, the substantive
 20 comments relative to this application. We
 21 appreciate your time in listening to the
 22 presentation. Thank you.

23 THE CHAIRMAN: Great. We would like
 24 to make comments ourselves from the board,

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1 and then we'll move to the public.

2 MS. UHLE: Did you want to see if Joe
3 or Phil had any comments?

4 THE CHAIRMAN: Yes, I do, but can we
5 ask a few questions first?

6 MS. UHLE: Sure.

7 THE CHAIRMAN: Just in general, I
8 mean, I've looked at the plan and I
9 understand the subdivision and what the lots
10 are, but could you just dwell a little bit on
11 that and show us the subdivision; where the
12 lots are or where the anticipated lots are
13 going to be, just for the viewing public and
14 the people here.

15 MR. SMITH: The overall layout?

16 THE CHAIRMAN: Yes.

17 MR. SMITH: Yes.

18 THE CHAIRMAN: Can you define them?
19 They're labeled there, the different lots;
20 right?

21 MR. NEMECEK: You're referring to lot
22 1, lot 8, you know, whatever. There are
23 eight lots.

24 MR. SMITH: Yes. That's the graphic
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1 you're looking for?

2 THE CHAIRMAN: It is. Can you zoom a
3 little bit? Am I getting old? I cannot see.
4 That's a good size, but maybe you can do an
5 overview of the whole -- yes.

6 MR. SMITH: How's that?

7 THE CHAIRMAN: That's perfect. Thank
8 you.

9 MR. SMITH: Okay. This is proposed
10 lot number 1.

11 MR. NEMECEK: The one on Beech;
12 right?

13 MR. SMITH: The one on Beech,
14 correct. Hold on. Here we go.

15 THE CHAIRMAN: Maybe you can explain
16 what the shading means or something.

17 MR. SMITH: Yes. Thank you. The
18 shading is the -- remind me.

19 MS. UHLE: Effective square. There
20 are two things shown on that. The dash
21 line -- those drawings are a little bit
22 confusing. It might be nice to have a
23 subdivision map that doesn't include anything
24 but the lot lines and the lot numbers.

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1 MR. SMITH: Of course.

2 MS. UHLE: A dashed line that's not
3 hatched is showing the required building
4 setback. That's a little bit hard to pick up
5 on. The hatched squares is what's called the
6 effective square. That's sort of an
7 imaginary square that has to fit within the
8 lot to ensure that the lots kind of keep a
9 regular shape. Those two things together do
10 make the lots look a little confusing.

11 THE CHAIRMAN: Right. Right. Why
12 don't you keep going through the lots.

13 MR. SMITH: So that was lot 1.
14 Unfortunately, the laser pointer doesn't work
15 on the blow up, but I will shift over. So
16 the next lot is proposed lot number 2. Then
17 you have 3. Then the one in the corner,
18 that's lot number 4. That's the one where
19 we're discussing how to interpret the rear
20 lot. You then have lots 5 and 6, which are
21 at the end of the cul-de-sac. Then at the
22 other end, you've got lots 7 and 8, which
23 front on Highland Avenue.

24 MR. NEMECEK: Which is 7 and which is
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1 8?

2 MR. SMITH: 7 is the lot on the lower
3 portion, and lot 8 is above that.

4 MR. NEMECEK: So 7 is behind 6?

5 MR. SMITH: That is correct. Right.
6 8 is behind lot number 5.

7 THE CHAIRMAN: So can you just define
8 what effective square means for most of us,
9 because I barely know?

10 MS. UHLE: That might be me, if
11 that's okay.

12 MR. SMITH: Yes.

13 MS. UHLE: I don't know other
14 communities that really have this. Let's say
15 in an R-5 zone, you're required to have a
16 minimum 50 by 100 square foot lot. You're
17 also required to be able to fit in an
18 imaginary square that's 50 by 100 feet, and a
19 portion of that square has to be within the
20 front yard setback. I think the purpose for
21 is to ensure you have a somewhat regularly
22 shaped lot. For example, if you have a
23 reverse pie shaped lot, you wouldn't be able
24 to fit the effective square. It just is this

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1 hypothetical square that is required to be
2 placed in the lot to ensure that it's
3 somewhat uniform in its size. So applicants
4 always illustrate that on the plans for
5 zoning compliance purposes. It otherwise
6 serves no purpose. So it would be nice to
7 have a plan that doesn't illustrate that,
8 even though most applicants do that.

9 THE CHAIRMAN: It doesn't represent a
10 residence?

11 MS. UHLE: Not at all, no.

12 THE CHAIRMAN: That's what I wanted
13 to get across. Okay, cool. Any other
14 comments?

15 MR. SMITH: Mr. Chairman, just to
16 finish up --

17 THE CHAIRMAN: Sure.

18 MR. SMITH: There is this
19 non-building lot located just to the south of
20 the cul-de-sac. That is proposed as part of
21 the storm water management system. That is
22 the other lot that is considered.

23 MR. NEMECEK: Does that have a
24 reference number or it's just a non-building

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1 lot?

2 MR. SMITH: No. It's a non-building
3 lot. It will be part of a homeowner's
4 association, if you will, or something that
5 would be maintaining that as part of the
6 overall storm management system.

7 MR. GIACOBBE: Is that above ground
8 or below ground, the tank?

9 MR. SMITH: Below ground.

10 MR. GIACOBBE: Below ground.

11 THE CHAIRMAN: Any other questions?

12 MR. GIACOBBE: Just to be clear, lots
13 1 through 7 will -- I'm sorry, 1 through 6
14 will enter and exit on Beech Street, and lots
15 7 and 8 will be off Highland?

16 MR. SMITH: That's correct. Right.
17 So lots 7 and 8 have direct driveway access
18 out to Highland. Lots 2 through 6 will
19 access the cul-de-sac. Then lot 1, all the
20 way fronting on Beech Street, will have
21 direct access out to Beech Street. So you
22 have five lots, lots 2, 3, 4, 5 and 6, which
23 will be accessing the proposed cul-de-sac.

24 THE CHAIRMAN: Any other questions,

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1 guys?

2 MR. NEMECEK: Was there previously a
3 structure on lot 1 that was torn down? Is
4 that what I heard before?

5 MR. SMITH: It was a single family
6 home? It was a single family home. There
7 was a single family home located off of
8 Highland Avenue as well, that was associated
9 with the garage that was in the pictures. It
10 was a two family home.

11 MR. NEMECEK: Turning back to the one
12 on Beech Street, when was that residence or
13 that building removed?

14 MS. UHLE: On Beech Street it was
15 removed in 2/17.

16 MR. NEMECEK: Did that residence or
17 that building bear the street address 203
18 Beech; is that where it comes front?

19 MR. SMITH: Yes.

20 THE CHAIRMAN: Any other questions,
21 guys?

22 MR. NEMECEK: No, I think I'm good.

23 THE CHAIRMAN: I did have a question
24 for the traffic consultant, if you could hand

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1 over the speaker to him for a second. Thank
2 you.

3 So I tried to read your report, and
4 then I realized that we have Mr. Grealy or
5 Dr. Grealy who does it, so I took faith in
6 that. Maybe you could just -- a couple of
7 things you said, I wasn't really -- it just
8 caught my attention, that was a level of
9 service; did you say that?

10 MR. DEMPSEY: Yes.

11 THE CHAIRMAN: What does that mean?

12 MR. DEMPSEY: So it's a traffic
13 engineering term in terms of each
14 intersection is analyzed in terms of
15 capacity, in terms of amount of vehicles,
16 amount of vehicles turning, number of
17 pedestrians, traffic control. So whether
18 it's as a traffic signal or it's a stop sign.
19 Then signalized intersections are given
20 grades, basically A through F. So the levels
21 of service, A would be the best, F would be
22 worse. So it was a level service A, which
23 basically means it has minimal delay. The
24 other intersection was level service B, Beech

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2 and Highland, just with the left turns off of
3 Beech onto Highland.

4 THE CHAIRMAN: Right. So each design
5 of a road, there are different aspects that
6 are given a level of service; turning, line
7 of sight, volume, all of those things
8 describe the level of service?

9 MR. DEMPSEY: Yes. If you're bored
10 one night, all the definitions are in one of
11 the appendixes of the traffic study if you
12 need to fall asleep.

13 THE CHAIRMAN: That's okay. That's
14 for our consultants. Did you make an
15 evaluation of the level of service on the
16 traffic?

17 MR. DEMPSEY: Yes. So a level of
18 service is of the operation of the
19 intersection, how it's operating in terms of
20 those different parameters. Level of service
21 A and B are both very good.

22 THE CHAIRMAN: Did you say that it's
23 currently -- what is it currently?

24 MR. DEMPSEY: It's currently a B.
25 We're only adding a couple of cars to the

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2 intersection, so it's not really affecting
3 the intersection.

4 THE CHAIRMAN: Yes, that's what I'm
5 getting at. There was no change; right?

6 MR. DEMPSEY: Yes.

7 THE CHAIRMAN: Okay. Cool. That's
8 what I thought you said. I'm surprised I
9 picked up on that.

10 The only other thing is, the codes
11 you use, whatever they are, are they updated
12 every so often? What year are the ones that
13 you guys use to do all this science?

14 MR. DEMPSEY: In terms of for the
15 trip generation?

16 THE CHAIRMAN: All the data that you
17 use.

18 MR. DEMPSEY: It's updated -- I'm on
19 the IT trip generation committee. We're on
20 version 11. It's updated every three or
21 four years, basically. Capacity analysis are
22 based upon federal highway standards, and
23 they're updated I guess every 5 to 10 years.

24 THE CHAIRMAN: Are there dates on it?

25 MR. DEMPSEY: What?

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2 THE CHAIRMAN: Are there dates on it?
3 Like what year is the version you guys are
4 using? I know what we use.

5 MR. DEMPSEY: IT trip gen was last
6 updated a year ago. The parking was
7 updated -- it's just about to be re-updated,
8 but it was updated about three years ago.
9 The highway capacity manual I want to say was
10 about 2017. They actually didn't give it a
11 date anymore, they give it a version six
12 basically is what it's called now because it
13 takes so long to get through all the approval
14 processes.

15 THE CHAIRMAN: Just one other curious
16 question. I know everyone says that we're
17 getting a hundred year flood every year, so
18 obviously, everyone is paying attention, and
19 actually the water levels are rising. Is the
20 traffic also increasing with time?

21 MR. DEMPSEY: We increased the
22 traffic by two percent per year to be
23 conservative, which is actually a high number
24 for this area.

25 THE CHAIRMAN: So that's a real
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2 number that's used frequently?

3 MR. DEMPSEY: Yes. So basically we
4 grew existing traffic by six percent up to
5 the year 2025.

6 THE CHAIRMAN: Okay. Cool. Thank
7 you. Okay. Any other questions, guys?

8 MR. NEMECEK: No.

9 THE CHAIRMAN: We'll just go straight
10 to our guys then. Since we're talking about
11 traffic, you're up.

12 MR. GREALY: Good evening. Philip
13 Grealy from Colliers Engineering and Design,
14 town's traffic consultant.

15 We reviewed Mr. Dempsey's report. It
16 was prepared based on accepted standards. To
17 answer your question about the date of the
18 trip generation manual, it was the fall of
19 2021 was the latest published addition, the
20 11th addition.

21 When he talks about the traffic
22 generation, we look at one hour periods when
23 we analyze traffic. So the numbers that he
24 was quoting, that's within the peak one hour
25 period. So in the morning, you may have

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people leaving for work or school over a several hour period, you know, two hours or sometimes more. So when he talks about peak generation, that's the highest one hour period that's analyzed.

In terms of levels of service, levels of service are based on delay. So if you're on a roadway like Route 22 at a signalized intersection, you may have longer delays, and the levels of service will be lower on the scale. As he said, they go from A to F. So in an area like this, you would expect levels of service A's and B's based on the volumes that are on these roadways.

We reviewed their report. Again, it followed standards, identifying the existing traffic volumes. When he talks about the two percent per year that they use, that's increasing that existing to create a background what we call no-build, so you have something to compare to when you add in your site generated traffic. So their procedures followed the standard requirements for a traffic study.

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Our main items that we wanted to see, he mentioned sight distances; we would like to see on the actual plans those site distances so that we know that they satisfy exactly what -- you know, the travel speeds, etcetera.

In terms of -- there should be input, of course, from police and fire. We haven't seen anything yet on that.

There are a couple of little typos in the report, but nothing significant.

In terms of -- they identify, you know, both vehicular traffic and pedestrians in the area. There are no sidewalks there, so people are walking, you know, in the street, as typically in the neighborhood.

In terms of his analysis, you know, you have the individual driveways on Highland for those lots 7 and 8, and then the cul-de-sac traffic. I think in terms of Mr. Smith's presentation, there are other examples of this in the surrounding area where you have these small cul-de-sacs with multiple homes on it. So it's, you know, not

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atypical from that standpoint.

They provided, you know, the accident, the crash history. Nothing significant there. Those are reportable accidents from the Police Department.

At this point, you know, we reviewed what's been submitted. There may be other comments from the public that the applicant will either respond to or, you know, respond to in writing, and then we'll continue to review that. In general, his study was prepared following the standards, and a few clean up items to be taken care of.

THE CHAIRMAN: Okay. Thank you.

MR. GIACOBBE: Thank you.

MR. GREALY: Our comments are in our report dated January 17th, just for reference.

THE CHAIRMAN: Mr. Cermele. Mr. Cermele is our engineering consultant.

MR. CERMELE: Good evening, everyone. Joe Cermele from Kellard Sessions Consulting, engineering consultant for the town.

As was mentioned, we had several

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staff level meetings with the applicant and their engineers. We had seen a couple of iterations of this plan before it got here tonight. We had some communications back and forth on some suggested modifications, revisions, many of which they've addressed before coming here this evening.

They've discussed the three variances that are -- or at least two variances we know are required and the third determination. Just for clarity, I think the one variance was referred to a variance for a curb radius reduction. It's actually a variance for the required right-of-way line that they simply can't provide because they don't control the land that they would need to provide that radius. I just wanted to clarify that for the record.

They did mention due to the size of the project, in addition to review and approval by this board and the town, they're going to need a state storm water permit due to the size of the disturbance for the project. They prepared a storm water

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1 pollution prevention plan, as required by
2 that design regulation. We've reviewed it.
3 In general, I think they've done a good job
4 from a storm water standpoint. We do have
5 some comments and suggestions related to the
6 design. We did witness all the soil testing
7 for the property. They did deep and soil
8 percolation tests at every location where any
9 infiltration system is proposed, to verify
10 presence of ground water or bedrock. They
11 did have adequate depth I think at all
12 locations except for possibly lots 1 and 2.
13 There might need to be a little adjustment in
14 the sytem there to accommodate the ground
15 water levels at that location.

16 Generally, as they mentioned, they
17 have designed the system assuming maximum
18 potential build out of all of the lots. So a
19 conservative approach. All of the storm
20 water runoff that would be generated from any
21 impervious surface on those lots would be
22 collected and discharged to an infiltration
23 system, and they've been sized to accommodate
24 the runoff through the one hundred year storm

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1 event. So, in theory, there wouldn't be any
2 runoff resulting from the impervious surfaces
3 for those storm events. Now that there's
4 surrounding landscape and lawn areas, that
5 would naturally run off to adjacent
6 properties, as it does today, but the bulk of
7 the storm water from these proposed lots will
8 be collected and infiltrated on the lots
9 themselves.

10 The storm water system for the
11 cul-de-sac would be collected and treated and
12 detained in an underground system, that would
13 ultimately discharge to the existing town
14 system on Highland Avenue.

15 Again, just some minor comments with
16 regard to some of the numbers used in the
17 calculations. I don't envision it altering
18 the project all that much, if at all, but
19 just some clarification that we would like to
20 see before we are fully satisfied with the
21 storm water design.

22 With regard to approvals, in
23 addition, again, to town approvals, the
24 application will need to obtain Westchester

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1 County Health Department approval for the
2 subdivision, as well as for the proposed
3 sewer and water main extensions to serve five
4 of the eight lots -- I'm sorry, six of the
5 eight lots. Lots 1 through 6 are proposed to
6 obtain water and sewer services from an
7 extension of the existing main on Beech
8 Street. So they're proposing extensions of
9 the water main and sewer main into the
10 cul-de-sac to serve those six lots. The
11 sewer will be reviewed and approved by the
12 Health Department. The water will be
13 reviewed and approved by both the Health
14 Department and Veolia Water. So they'll have
15 those outside agencies to deal with as well.
16 The water and sewer services for lots 7 and 8
17 on Highland will obtain their services
18 directly from the existing mains on Highland
19 Avenue.

20 As Mr. Grealy already mentioned, we
21 would recommend obviously the Fire Department
22 review this plan. They did provide a fire
23 truck maneuvering plan for the cul-de-sac.
24 Obviously, the Fire Department should see

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1 that and make sure it meets it's standards of
2 their equipment.

3 Going back to the water, while I
4 doubt there would be any issue, the applicant
5 should obtain any pressure and flow data from
6 the Highway Department to make sure there is
7 adequate pressure to serve these units. It
8 would be the six units off of the cul-de-sac.

9 Similarly -- it's not in the memo,
10 but I believe we did discuss it off line --
11 with regard to sanitary sewer for the homes
12 that would be discharging to the main
13 extension on Beech, we would just like to see
14 a capacity analysis of the existing sanitary
15 main, to ensure that the added flow from
16 these homes would not create any adverse
17 effect to that main. Again, I doubt that
18 they will, but we should have that for the
19 record.

20 We had some other minor comments,
21 some, I think, clean up items with the some
22 of the bulk zoning and tables and whatnot.
23 Generally speaking, I think those are the
24 bigger, kind of broad brush comments at this

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1 point. Unless you have any questions for me.

2 THE CHAIRMAN: You answered my
3 question without me even asking it, and that
4 was about the sanitary. So the sanitary is
5 going to two different mains on both sides?

6 MR. CERMELE: Lots 7 and 8 will
7 discharge to the existing sanitary main on
8 Highland Avenue. In order to construct the
9 cul-de-sac and serve those lots on the
10 cul-de-sac, they need to extend the existing
11 mains on Beech Street. So they'll be
12 bringing a new water main and new sewer main
13 into the cul-de-sac. They're proposing a
14 hydrant at the end of the cul-de-sac. Again,
15 the Fire Department will need to weigh in on
16 where exactly they want that. They are
17 proposing two new mains to serve the
18 cul-de-sac, the homes on the cul-de-sac.

19 THE CHAIRMAN: Are the existing mains
20 old? Are they in good condition? I know you
21 said we're going to check capacity. Are they
22 able to --

23 MR. CERMELE: I don't know the age of
24 them. I'm sure they're fairly old. I don't

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1 know of any issues, in speaking with the
2 Highway Department, that are evident right
3 now. I could certainly have another
4 conversation with them. It's not uncommon
5 for projects like this to have the applicant
6 maybe televise the section of the existing
7 main that they're connecting to. Maybe from
8 their point of connection, go to the upstream
9 and downstream manholes and at least televise
10 that section to make sure that it's in good
11 condition.

12 THE CHAIRMAN: That there's no
13 infiltration or anything like that?

14 MR. CERMELE: Right.

15 THE CHAIRMAN: I think you taught us
16 well on other projects.

17 MR. CERMELE: I'm waiting for you to
18 say I&I.

19 THE CHAIRMAN: Okay. That was my
20 only other question.

21 MR. NEMECEK: Joe, I don't know if
22 you're the person to speak to this. We heard
23 one of the variances that's required here
24 is -- concerns the distance between center

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1 lines of offset of intersecting streets and
2 150 feet is required, and we heard that this
3 was only going to be 110, but I think our
4 numbers have said -- I've seen 130 before.

5 MS. UHLE: Yes. So that's something
6 we just need to clarify. The applicant said
7 110.

8 MR. CERMELE: I don't think it was
9 dimensioned on the plan we reviewed. I
10 thought it was approximately 130 feet.
11 Either way, it was less than the 150.

12 MR. NEMECEK: Correct. But the
13 degree of the variance required is certainly
14 something --

15 MS. UHLE: Well, I think it would be
16 the Building Department that determines the
17 degree of the variance. That was actually a
18 question I wanted to ask Dr. Grealy because
19 our Zoning Law requires the 150 foot
20 separation center line to center line, but
21 I'm not sure why. Is there a concern with
22 regard to that?

23 MR. GREALY: So the 150 foot distance
24 is not untypical, and it's based on really a

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1 situation where you have two intersecting
2 streets. The idea behind it is because of
3 the volume being generated, okay. So in a
4 case where you have a short cul-de-sac, that
5 offset distance is typically less critical
6 because you don't have conflicting left
7 turning movements occurring of significance.
8 Whereas, if you have two major, you know,
9 local roads that are offset by less than
10 150 feet and you have people making left
11 turns onto either street, there could be a
12 conflict. So in this case, the
13 approximately -- usually you measure center
14 line to center. So that may be some of the
15 variance in the distance, but it should be
16 demonstrated on the plan. I think in this
17 case, we're talking about a cul-de-sac, you
18 know, with the five lots or actually four
19 lots that are coming off the cul-de-sac, and
20 then you have the side driveway. So it's
21 usually driven by the amount of turning
22 movements, the criticalness of that offset.
23 I think, to give you an idea, you could look
24 at some of the other cul-de-sacs that Mr.

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Smith talked about. So up on Tuckahoe Avenue, I think there's one that may be only like 60 or 70 feet apart, you know, just as something to look at.

THE CHAIRMAN: Okay.

MR. NEMECEK: I do think there's five coming off this cul-de-sac.

MR. GREALY: Yes.

MS. UHLE: Yes.

MR. NEMECEK: So what you're telling us is, that this requirement really is driven by traffic safety?

MR. GREALY: Yes.

MR. NEMECEK: Okay. Sorry to have asked you that question.

THE CHAIRMAN: The variance, who determines that? I know we're going to the Zoning Board to do it, but are they really qualified to make this other than the fact that --

MR. GREALY: Yes. Usually the Highway Superintendent would look at it also. The considerations are usually site distances, the volumes involved, which these

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are low volumes for this cul-de-sac, and, you know, if you had a case where the roadway was not a tangent section of roadway, which is what we pretty much have here, it's a standard, it's not a curved section. So it really ties into those three categories; alignment, sight distances, and number of turning movements or volume that would be generated.

MR. NEMECEK: Got it. Thank you.

THE CHAIRMAN: Thank you.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: Are we done, Mr. Cermele? I think we are; right?

MR. CERMELE: Yes.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: We'll be seeing a lot of you. If we don't have any more questions, I think we'll open the public hearing.

I think at this point, as I said previously, we're going to open the public hearing. So, please, when you come up, just raise your hand, and we'll get to everyone one at a time. When you come up, please just

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state your name and address clearly for the record so we could write it down, and so our stenographer could also get it right. So if you have complicated last name, take a stab at it, because Dina, our stenographer, isn't going to be able to do it, please.

As I said, if you would, just for brevity, you know, if you have comments that are similar to the person before you, just somehow keep your comments a little bit shorter.

So I'm making a motion to open the public hearing on this application, 23-02, 203 Beech Street subdivision.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Who's first? Please.

MR. TUDISCO: You have to come up to the microphone.

MR. NEMECEK: This gentleman has been recognized.

MR. SURIANO: My name is Chris Suriano. I live on Rose Avenue, 98 Rose

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Avenue. Is there any guest parking allowed on this site or is it just residential parking?

THE CHAIRMAN: I would have to ask --

MR. SURIANO: Are they making any allowances for guest parking?

THE CHAIRMAN: Yes, I heard you.

MS. UHLE: Do you want me to answer? It's going to be like any other single family home in the town of Eastchester where you're required to have a minimum of two designated parking spots on the lot.

MR. SURIANO: For residents?

MS. UHLE: The Zoning Law doesn't specify exactly who parks there, you're just required to have two designated parking spaces. So I'm not sure -- they could do an analysis. Some of the driveways may be able to accommodate more vehicles. There's no requirement for that, and it would depend on length of the driveways, etcetera. If that's something that the board wanted to have just an analysis of how many cars would be able to park on each lot, that's something they could

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1 ask for.

2 MR. SURIANO: What about the exit
3 road going out to Beech Street, is there
4 parking along that road allowed?

5 MS. UHLE: I don't think we know the
6 answer to that. That's something that I
7 think the Fire Department and the Police
8 Department would have to look at and the
9 Highway Department. So we'll note that as a
10 question.

11 MR. SURIANO: Another point. Beech
12 Street is a very -- what is the variance
13 involved with the Beech Street exit? Is
14 there a variance for that?

15 THE CHAIRMAN: That's the offset on
16 the intersection that we were talking about.
17 That's the offset on the intersection of two
18 different roads. That's what we were talking
19 about.

20 MS. UHLE: It's really the --

21 MR. TUDISCO: The radius of the
22 curve.

23 MS. UHLE: It's not even the radius
24 of a curve. It's where the two property

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1 lines intersect. Where the side property
2 line intersects with the front property line
3 adjacent to the road, there's supposed to be
4 a 12 foot radius, and that's so that it
5 remains parallel to the roadway as a
6 right-of-way. In one case, it's a 90 degree
7 angle rather than a radius. It's a very
8 minor variance.

9 One thing that I was going to ask the
10 applicant to do at the next meeting, is to
11 really focus in on that because that's kind
12 of a complicated variance to understand
13 without seeing it. It's really --

14 MR. SURIANO: Beech Street is a
15 pretty narrow street. You know, it's a very,
16 you know, not private road, but it's very
17 narrow.

18 MR. NEMECEK: We've read some of the
19 submissions --

20 MR. SURIANO: Also when you come
21 up --

22 MR. TUDISCO: Ma'am, if you want to
23 come up, just put -- whoever wants to speak,
24 you have to come up to the mic because

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1 someone takes a transcript of this, and they
2 take it from the microphone.

3 THE CHAIRMAN: She's your cheering
4 section.

5 MS. UHLE: I think at the next
6 meeting, the applicant can really -- even
7 some more coordination and clarification with
8 regard to the three variances.

9 THE CHAIRMAN: Is that what you're
10 referring to, the radius variance?

11 MS. UHLE: I was just going to say, I
12 think there needs to be some clarification
13 with regard to the three variances, and then
14 at the next meeting, we can really focus in
15 on those three variances.

16 MR. NEMECEK: We understand the
17 concern that's been raised in e-mails from
18 the public that this is a narrow street, and
19 I know we've had one member of the public
20 indicate that his car has been sideswiped
21 before. So that will all be under
22 consideration.

23 MR. SURIANO: Is the sewer in the
24 street adequate to handle the waste?

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1 THE CHAIRMAN: They're going to look
2 into that, our consultants. They're going to
3 report back on that.

4 MR. NEMECEK: Yes. The full testing
5 hasn't been done. That's what Mr. Cermele
6 was indicating, that there are ways of
7 determining the adequacy of the sewer line
8 right now, and then to project what the
9 additional load would be, and whether the
10 system could handle that.

11 MR. SURIANO: They have to determine
12 the capacity of the sewer line in the street
13 to accommodate all these homes. That has to
14 be determined.

15 THE CHAIRMAN: Yes, that's what they
16 do.

17 MR. SURIANO: So, in other words, if
18 it was not enough capacity, it would reduce
19 the number of homes that they could build?
20 How does that work?

21 MR. NEMECEK: First things first,
22 let's figure out the capacity.

23 THE CHAIRMAN: We'll let or engineers
24 figure it out. Any other questions? Good.

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1 You're welcome.

2 MR. SLOVENKO: Richard Slovenko from
3 200 Beech Street, which is the drop curb on
4 the plan. I think I could answer the
5 question Mr. Suriano was asking. Parking, I
6 believe on the site plan it does say proposed
7 no parking signs throughout the whole
8 cul-de-sac, as well as on the road into the
9 cul-de-sac. So the answer to your question
10 would be, no parking is provided. If they
11 can park on the driveway, that's where they
12 would have to go. We all know what that is.

13 We talked a lot about center lines
14 already, which I think is going to be a lot
15 more, but it was stated that it's not on the
16 drawing, I thought it was convenient, but it
17 can be figured. It is exactly 103.3 feet,
18 which is a 31 percent deficiency. The way
19 you figure that out is, from the 10 foot to
20 the 30 foot wide cul-de-sac with access road,
21 and then it's 107 foot lot, they do demarc
22 from the end of their 107 foot lot, which is
23 203 Beech Street, to the center line of
24 Siwanoy, which is 21.3 feet, so it is exactly

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1 103.3 or 31.3 percent deficiency.

2 The reason I bring it up, I
3 understand the conversation that happened at
4 this point, but maybe there's other
5 properties, such as Tuckahoe Ave, that have a
6 much shorter sight line. But in the case
7 here where we have schools, two schools; one,
8 two blocks away; one, four blocks away,
9 there's an enormous amount of traffic, and it
10 doesn't like stop signs. It's a lot of big
11 vehicles, especially buses. The time to
12 react for somebody who didn't see it is
13 nominal or nothing because there's also
14 on-street parking because most of the houses
15 in the area, mine included, have single width
16 driveways. There's not a lot of opportunity
17 to park two cars if they're active driveways.
18 So there's also always aspects with parked
19 vehicle sight lines. It was my car that's
20 been sheared twice.

21 I would like to speak to the comps on
22 the cul-de-sacs. I find it very interesting.
23 As I saw it -- I should have taken a picture,
24 I didn't. As I saw it when he was showing

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1 comps, there was only one cul-de-sac in the
2 Bronxville Manor development or Bronxville
3 Manor area. I mention that because
4 Bronxville Manor area is not typical of all
5 the areas around. It is a different
6 character and there's different qualities to
7 it. So it's not typical for that area.

8 Further, how many of the comps have
9 cul-de-sacs back-to-back? D'Ambrosio coming
10 off of Highland would almost be a short throw
11 even with a bad arm to the other cul-de-sac
12 which would be proposed coming the other way.
13 So actually how many of the comps have
14 cul-de-sacs back-to-back literally almost
15 touching one another? I don't think that's
16 typical.

17 Further, of the cul-de-sacs, how many
18 of them are going into 22 foot wide streets
19 with a deficiency in the center lines that
20 has two schools dumping out of it, feeding in
21 the morning, coming out in the afternoon,
22 etcetera, with legally parked traffic any day
23 of the week? This is not a typical
24 situation.

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1 Also, it was spoken about the
2 standards of the traffic studies. The first
3 question I have is, what is the standard for
4 sampling periods with regard to seasonality?
5 Is it typical to be sampling during a holiday
6 period where there's a major holiday and a
7 lot of frequent vacations around
8 Thanksgiving, which this was done? While it
9 may be done with methodology that's
10 acceptable, it was done in a sampling period
11 which is atypical safety. To make
12 projections of a normalized traffic during a
13 holiday period is clearly flawed. To make
14 assumptions on that traffic study, I think
15 would be an error.

16 That was my office view, if you
17 looked at the video of the 2015 study from
18 200 Beech Street, which was showing motion
19 activated car flow with, for example, in the
20 morning period of the sample day of a given
21 Monday in April, actually tax day, it had
22 five different installs of five cars within a
23 minute -- less than a minute. In one case,
24 it was a large bus. Then there was other

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1 periods where we had seven cars within 40
2 seconds. This is not, you know, a normal
3 neighborhood traffic pattern. Going back to
4 all these schools -- and they also cut
5 through to get away from the nasty corner.
6 It's a -- people hide from the traffic lights
7 on White Plains Road by cutting through the
8 back. So it's another form of traffic comes
9 through. That's why there's traffic all day
10 long, it's not just school periods.

11 The thing that you'll also note is,
12 that many people walk these streets because
13 it is a very, you know, normal community with
14 lots of young children. Those streets are
15 active. I was speaking with neighbors today,
16 they said the trepidation these kids go out
17 on the street and the way they peak past the
18 cars already, and now we're talking about
19 adding a new dynamic to the traffic pattern.
20 It's not so much there are so many more new
21 cars, it's already a problem. If it came
22 before the board today to build this Beech
23 Road the way it is now with the traffic,
24 nobody would agree with it. It's dangerous

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1 at best.
2 When I was doing -- I was mentioning
3 to my neighbor, when I was doing the traffic
4 study, my neighbor, Drew, who's at 195, Mr.
5 Clark, was just moving in. His children,
6 very young children, were riding on training
7 wheels on their bike, and I saw it. I was
8 remotely monitoring the recording session. I
9 called my wife and said, you got to get out
10 there right now, they don't know, this street
11 is crazy, get them off the road. That was
12 back then before any of these issues.

13 These are my points. I'm going to
14 double check my notes because I don't think
15 we could get another chance.

16 I think, in particular, you have to
17 revisit the traffic study, you have to
18 revisit the nature of cul-de-sacs in that
19 development and abutting one another and all
20 the other exceptions this would represent.

21 I'll let someone else speak to the
22 crazy flooding that goes on in this area,
23 which I'm sure the hundred foot storm is like
24 every third day.

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1 THE CHAIRMAN: Great. Thank you.
2 MR. GIACOBBE: Thank you. Thank you.
3 MR. TUDISCO: Ma'am, please come up
4 to the microphone. Please. You have to say
5 it at the microphone, please.

6 THE CHAIRMAN: Gentleman behind.
7 Thank you.

8 MR. NEMECEK: Come right up front.

9 MR. REHR: Jay Rehr, 6 Barbara Place.
10 My concerns are the hundred year storm, which
11 seems to be almost every rain these days.
12 I'm living on Barbara Place since '96. Never
13 had water until two, three years ago when
14 they put up the six -- five, six houses on
15 Highland a little further up from me. The
16 flow of water that comes down between -- I'm
17 6 Barbara Place -- between 6 and 8, it's like
18 waterfalls. Our retaining wall has come down
19 one of the storms about five years ago.
20 We're covering up so much ground with cement.
21 You're talking about putting in some
22 underground wells in the front of the house.
23 It's the down side -- it doesn't flow -- that
24 water does not flow to Highland Avenue, that

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1 water flows down the hill to the reservoir,
2 the old backup reservoir. The volumes of
3 water that come down these days is beyond
4 anyone's thought. So you really have to look
5 at where the water is going. It's not going
6 into the drains that the builder is proposing
7 because it doesn't flow out to Highland
8 Avenue.

9 Even at my corner, the pavement is
10 always eroding away. The town Highway
11 Department will tell you that it's flowing
12 down from Highland Avenue, but it comes out
13 of the street at Barbara Place because
14 they're constantly re-blacktopping it. So
15 you have to consider the water flow.

16 THE CHAIRMAN: Okay. Thank you.

17 MR. GIACOBBE: Thank you.

18 THE CHAIRMAN: Please.

19 MS. BRESCIA: Good evening. Hi.
20 Rose Brescia, 205 Beech. So where I am --
21 where we are is right next to lot 1 opening
22 out onto Beech Street. So I did send a
23 letter. I sent an e-mail to Ms. Uhle, and
24 that kind of summarizes most of my issues. A

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few thing things that were mentioned tonight,
I have a few more questions.

Again, back to the traffic study, I think, as we've heard before, the traffic study was done on the Monday, Tuesday and Wednesday after Thanksgiving when the temperature was in the twenties and thirty and forty degrees. We have school kids, we have school buses, we have walkers, strollers, dog walkers, scooters, that would not have been picked up on those days at the times that this traffic study was done. So I think that really needs to have another look. There's sports at the schools, there's weekend activities, there's landscaper trucks. This is a neighborhood where the houses are 80 to a hundred years old. I don't know how many times I have to have contractors over to fix things. So, you know, we're constantly having contractor trucks in and out, landscaper trucks in and out.

There are no parking restrictions on most of Beech and Siwanoy, so people are

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weaving in and out and in and out, and, as was mentioned, the kids on the scooters and the bikes, they have a really hard time seeing the traffic coming through. So that's really a big concern. Let me rephrase that. There are some parking restrictions. I think the report said that there were none. There is a parking restriction on the corner of Rose and Beech. We can't park around that corner. There's no parking on the dead end side on the south side of beach on the dead end side. There's also a fire hydrant right on the corner of Beech and Siwanoy, so you can't park there either. So there's this constant juggling of where people can park.

It's very unsafe right now. As the gentleman here said, it's very unsafe as it is now, and then we're going to add another road that is a wider street opening onto a narrow street that is Beech. Beech Street is only about 22 feet wide.

I'm concerned about the traffic study. I really think that some of these issues need to be addressed. It really

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should be done between April and July, not in November, and different times. It did not pick up -- the times of the traffic study did not pick up the school dismissal. The school dismissal from the high school starts about 1:30, 1:40, and runs all the way through until about 3:30, and then again, after school activities. There's constant activity there. So I think that needs to be addressed again. Those are the things that I feel that need to be looked at again.

Again, we talked about stop signs. Nobody stops at the stop signs. There's two stop signs there, nobody pays any attention. We've also had -- the school bus that comes down that road had to pull out into the intersection to stop the traffic both ways because people don't stop at the stop sign. They try to go around the school bus. So that's an issue.

My second question is on the utilities. Again, I do have a question about the sanitary sewer. The system in this neighborhood is over a hundred years old,

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right. This neighborhood was built in the Twenties and the Thirties. Can that system hold it? I'm downstream. I don't want to be downstream from a sewer system that fails, okay.

The runoff going to Highland, there was a mention that the water goes into the attenuation gallery, and then there's an overflow into Highland. Are we really thinking of putting more water into Highland? I don't know if that's a good idea either. I mean, we've been here 26 years, I know that has been redone several times. That whole sewer system has been redone several times. I don't know if anyone here is from the bottom end of Highland, but that's a big issue.

Question on that hydrodynamic separator. Who maintains that? Does it silt up? What happens in ten, fifteen years when all that storm water has been coming through and you have this -- the gallery and these cartridges, what happens? Who's responsible for maintaining that to make sure that that

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1 is actually flowing and attenuating? What
2 happens to that water when it starts getting
3 filled up?

4 Again, most of these issues I have
5 sent in my e-mail, so again, I'm not going to
6 talk about -- I'm not going to go over them
7 again. The school district thing is an
8 issue. I sent another note, and it looks
9 like that's been addressed.

10 The other thing I wanted to say is,
11 we're not opposed to houses on this lot.
12 This is a beautiful lot. You can't find this
13 kind of property in Eastchester anymore. But
14 do there have to be eight houses here? That
15 is my question. Why are we creating a
16 situation that could go bad very easily.
17 That variance on the difference with the
18 center line and the offset of the street,
19 that could be a big problem. I know, again,
20 in the traffic reports it said there was only
21 two accidents. I know of three on that
22 corner. One of them we were involved in, one
23 of them I witnessed, and the other one was
24 with my neighborhood. So I don't know where

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1 that information comes from, but there's a
2 lot more going on on that corner than was
3 shown.

4 So my question is, this is -- I'm
5 going to point to your screen here because
6 it's right here -- we're doing all of these
7 machinations to get eight houses, possibly
8 sevens house. Two houses off Beech Street,
9 two houses off Highland, everyone has a nice
10 big yard, everyone is happy. I don't know
11 why we're going through all of this to get
12 all those houses there, when you could just
13 get four houses and have great backyards with
14 a swimming pool, and I would make friends
15 with them. Okay. So that's my -- I'd
16 rather -- I don't want to present myself as
17 not wanting people to have houses, okay. I
18 want there to be -- right now, we have
19 coyotes and deer, so I would rather have
20 human neighbors. Four houses seems like it's
21 the right way to go with this without too
22 much trouble. Okay. Thank you very much.

23 THE CHAIRMAN: Thank you for your
24 comments.

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1 MR. TUDISCO: Mr. Chairman, I just
2 wanted to address one of the comments. For
3 those who are here tonight and for those who
4 are watching at home, in terms of the number
5 of houses, the board receives applications,
6 Building and Planning receives applications
7 from the applicants, and it is the position
8 of the board to evaluate the applications and
9 to take comments from the public and our
10 experts and make those determinations. These
11 applications come in, and the board has to
12 address them as they come in. I wanted to
13 put that out there if people are watching at
14 home and have that same question.

15 MR. NEMECEK: We don't engage in a
16 negotiation with the applicant, but certainly
17 your comments have been made and they're
18 public. They've been heard not only by
19 everyone here but everyone watching at home,
20 and certainly by the applicant. If the
21 applicant wants to consider that, they're
22 welcome to.

23 THE CHAIRMAN: Any more comments?

24 MR. CLARKE: Andrew Clarke, 195 Beech

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1 Street. I have a request for the next
2 meeting to get a better understanding of the
3 first variance that's being asked for.
4 That's the 12 foot variance, which would be
5 directly attached to 195 Beech Street, which
6 is obviously our property. I want to
7 understand more about that. I want to
8 understand what the lines are, where the
9 town's land starts. I also want to
10 understand what the driving factor behind
11 that variance is. Is that related to the
12 fact that they have to get the fire engine
13 around the corner there, is that why they're
14 requesting this particular variance? So if I
15 could get some more background behind that, I
16 think that would be very helpful for the next
17 meeting so that we understand that.

18 Obviously, there's a significant
19 concern around the impact on land value,
20 particularly to myself. Having a slice of
21 the property taken off is of great concern to
22 us. I second some of the concerns around
23 traffic and traffic volume. I have two young
24 kids. They're out all the time either

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walking or on bikes. It is hard enough from a visibility standpoint right now along Beech Street to see oncoming traffic, so there are some significant visibility issues that need to be addressed there.

Again, I'm not against development, I'm just concerned about the right sort of development for the area that is in line with the existing neighborhood. Thank you.

MR. NEMECEK: Thank you.

THE CHAIRMAN: Great. Thank you. Any other further comments, folks?

MR. NEMECEK: As a reminder, this will not be your last opportunity to comment. It might be for tonight, but this is envisioned to be a lengthy application process.

THE CHAIRMAN: I've been scribbling notes, Margaret has been scribbling notes. We take everything you're saying to heart. I feel for you. It seems like there are some issues that have to be addressed.

MR. NEMECEK: By the way, Margaret did forward to us your e-mail, which I've

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read already. Maybe I'll read it more carefully, too. But we, of course, get all of the input that -- anything that you send to Margaret will get to us.

MS. UHLE: The applicant and our consultants get them as well.

MR. NEMECEK: Yes.

THE CHAIRMAN: Right. We work both sides. We have to deal with our consultants, we have to deal with the developers, and we have to understand the concerns of the community, and we do. We're not going to stop until we have it all figured out.

See you next meeting, if you would like, whenever it is. Next meeting they're going to return or we don't really know yet?

MS. UHLE: So I think if there's no additional comments for this evening, you'll just continue the public hearing at the next meeting, which is March 23rd.

THE CHAIRMAN: Right. And this applicant will be there?

MS. UHLE: I'm assuming so. If they're not ready, we can --

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(Speaking from the audience.)

THE CHAIRMAN: Let us finish saying what we're saying, and we'll get to you.

MS. UHLE: Yes. I mean, I guess it depends on how quickly the applicant can put together something. It will be carried on the agenda for March 23rd, so you can anticipate it will be on the agenda for March 23rd. If for some reason there are still outstanding issues and the applicant isn't ready, it will be adjourned to the following meeting, which would be in April. But everyone should anticipate it's on the March agenda. Look at the March agenda. If it's going to be adjourned, it will be listed as adjourned. At that time, the next time it appears, obviously, you'll take more comments from the public.

THE CHAIRMAN: Right. We'll address some of the concerns that were brought up tonight and bring more materials to continue the discussion. So thank you, everyone.

MS. UHLE: Did you want to take the one more comment?

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THE CHAIRMAN: Oh, yes. I'm sorry. Ma'am, did you have one more comment?

MR. TUDISCO: Ma'am, you have to come up to the microphone, please.

MS. SURIANO: Oh. I would like to know --

MR. TUDISCO: State your name and address.

MS. SURIANO: Sylvia Suriano. I would like to know why more people haven't received the letter to come here. Many of my neighbors did not receive a letter. It affects the whole area all the way to the school.

MS. UHLE: We were extremely careful to double check this. I will say, that the applicant did a very thorough job with the first mailing. A couple of your neighbors notified me to say that they did not receive letters. We discovered that the problem was actually with the Westchester County Tax Parcel Viewer that misidentified some of the addresses. So we actually had the applicant do the entire process again. So even though

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it only negatively impacted -- by negatively impact I mean approximately five residents within the 200 foot radius did not receive the letters initially -- the applicant did it a second time. It was triple, quadruple checked by both the applicant and by Carol in my office because we're paranoid about such things.

MS. SURIANO: I think that everyone in Bronxville Manor should get a letter.

MS. UHLE: Well, the law requires that everyone within a 200 foot radius of the property receive a letter. The agenda is also --

MS. SURIANO: Are we going to meet the owner, the person who is doing this -- the builder?

MS. UHLE: The builder is here.

MS. SURIANO: He never addressed.

THE CHAIRMAN: His consultants addressed.

MR. NEMECEK: He's not required to speak to us at this point.

THE CHAIRMAN: Thank you. Great. So
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the public hearing remains open folks. If there's no other comments, the next meeting is, as Margaret said, in a month, and we're going to move on to the rest of the applications.

MR. TUDISCO: Again, for those of you -- before you leave, the public hearing is open. At the next meeting, more comments are welcome. If you know of people that are outside of that 200 foot radius that you think want to weigh in on this, please let your neighbors know so that they can come in and have their comments put on the record as well.

MS. UHLE: Jim, before you move on, you need to first note on the record that it's considered a major subdivision. That is simply because a new street is being proposed. So that's what classifies it as a major subdivision. Then you'll need to make the motion for SEQRA with regard to lead agency status.

THE CHAIRMAN: You're not missing anything, folks. This is just housekeeping.

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This is a major subdivision. That's what it's classified because a new street is being proposed. There's a motion I have to make about a SEQRA determination.

I'm making a motion that the Planning Board serve as the lead agency for the coordinated review of Application 23-02, 203 Beech Street subdivision for a proposed eight lot subdivision. The proposed subdivision is an unlisted action under SEQRA, and is classified as a major subdivision under the Zoning Law of the town of Eastchester. Second.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: March 23rd. Cool. See you guys then.

MR. NEMECEK: We're done with your application for this evening.

MR. SMITH: Mr. Chairman, thank you.

Members of the board, thank you very much.

MR. GIACOBBE: Thank you.

MR. NEMECEK: Thank you.

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THE CHAIRMAN: Have a nice evening. The next application is 22-40, 80 Webster Road.

MR. MASTROGIACOMO: Good evening. I'm Michael Mastrogiamo, engineer for the project. What we're here for tonight is a single family residence located at the vacant lot of 80 Webster Road. It will be easier if I just come down here.

So what we have, there was a two lot subdivision a few years ago that was approved. This house was built. My client now is looking to build a house for himself and his family. What we have, again, is a single family residence with a garage on the first floor, driveway off of the road, walkway, patio, and basement stairs.

We've been talking with Mr. Cermele's office. They've had some comments regarding the storm water, which I've discussed with his staff. We kind of worked some things out. I have to revise the drawings to answer his comments.

This is the style home we're

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1 proposing. We've been to Architectural
2 Review Board. They've been satisfied. This
3 is a modern European style home. A couple of
4 the comments that the ARB wanted was, this
5 window here in the living room, we had it a
6 little shorter, they wanted us to line it up
7 with the transom over the front door. These
8 single windows were 30 inch windows, they
9 asked us to make them a little wider and to
10 dress it up a little.

11 THE CHAIRMAN: That's been reflected
12 there?

13 MS. UHLE: It wasn't in what was
14 submitted to you, but I did contact the
15 applicant and asked them to at least present
16 the revised drawings. They also presented
17 hard copies. I think they submitted them a
18 couple of days ago to us.

19 THE CHAIRMAN: What's the scale of
20 the 30 inch window? What's that what's
21 drawn?

22 MR. MASTROGIACOMO: They're 3 feet
23 windows now, 36 inch windows. They were 30
24 inch windows. The ARB asked them to be 36

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1 inches wide.

2 THE CHAIRMAN: So that's 30 that's
3 depicted there, is that what you said?

4 MR. MASTROGIACOMO: Yes, I believe
5 these are 36. I know these are more than 36
6 here.

7 THE CHAIRMAN: Oh, okay.

8 MR. NEMECEK: So that's the corrected
9 version?

10 MR. MASTROGIACOMO: This is the
11 corrected version.

12 MS. UHLE: The upper windows, are
13 those 36? Those look like they're still 30.

14 MR. MASTROGIACOMO: I'll have to
15 check the file again, I'll be honest with
16 you.

17 MS. UHLE: If you just look at them,
18 they --

19 THE CHAIRMAN: I don't think I could
20 visualize 6 inches.

21 MR. MASTROGIACOMO: We're going to
22 change these to meet the approval of the ARB.
23 I apologize. They'll have to be the 36.

24 MR. NEMECEK: The other thing that's

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1 just jumping out at me aesthetically is, that
2 the spacing on the three top windows looks
3 off. I mean, obviously, the middle window
4 looks like it's right underneath the top of
5 the peak, but the right window looks like
6 it's far closer to the edge than the left
7 window is to the edge on the other side. The
8 symmetry is very off.

9 MR. MASTROGIACOMO: Right. It's off
10 because this piece of the residence projects
11 forward from this plane. So the roof over
12 the garage, this peak kind of dictates. So
13 if you look at this area here, you see
14 they're kind of symmetrical on each side of
15 that peak. Then this window we tried to line
16 up over the living room window.

17 THE CHAIRMAN: It's stucco?

18 MR. MASTROGIACOMO: Yes, this is a
19 California stucco.

20 THE CHAIRMAN: Is there any texture
21 to that?

22 MR. MASTROGIACOMO: Yes. It's going
23 to have a nice texture to it. I have it
24 called out as a texture finish, and it's

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1 called a gray block is the color of it. It's
2 like a medium gray. Then what we have at the
3 bottom is, we have a brick veneer. What I
4 did is a lighter brick, but then accents of
5 darker brick just to give it a little bit of
6 a pop. Around the door, same thing, brick.
7 I have landscaping shown, and we have some
8 brick on either side of the garage door.
9 Then what I like to do is return it about 3
10 feet on either side. You have the return
11 there, and on this side we have the return up
12 to the gutter. Just to carry a little
13 consistency around it.

14 MR. GIACOBBE: The roof is asphalt
15 shingles?

16 MR. MASTROGIACOMO: No, these are not
17 asphalt shingle. These are like a kind of
18 Spanish tile, but they're black. They're a
19 darker color. The gutters will be a darker
20 gray. Not black, but a like a dark gray.
21 The soffits and fascia would be a dark gray
22 to try to make everything pop. The windows
23 would be like a medium gray just a shade
24 darker than the actual stucco, again, to

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1 create that contrast in color.

2 MR. NEMECEK: You don't have any
3 samples of the building materials with you,
4 do you, such as the roof?

5 MR. MASTROGIACOMO: No. I do have
6 one thing.

7 MS. UHLE: Michael, these are a
8 little frustrating because, again, these are
9 not complying with what the Architectural
10 Review Board required. So we're getting a
11 lot of materials that are -- so this is just
12 to illustrate the roof?

13 MR. MASTROGIACOMO: It's to
14 illustrate -- well --

15 MS. UHLE: The material schedule.
16 Okay.

17 MR. MASTROGIACOMO: Each one is
18 labeled 1, 2, and it will conform to the
19 different pieces. So you see I have like 1A
20 is the border, so it's a darker stucco,
21 again, to give a little contrast with the
22 different colors. I have the roofing spec'd
23 out, the AZEK trim to help give you an idea
24 of what materials we're proposing.

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1 THE CHAIRMAN: I imagine whatever the
2 ARB has asked will be complied with --

3 MR. MASTROGIACOMO: A hundred
4 percent.

5 THE CHAIRMAN: -- Whether it's
6 depicted now or not?

7 MR. MASTROGIACOMO: A hundred
8 percent.

9 MS. UHLE: The plans that I have here
10 are the ones that the ARB reviewed. The only
11 thing I think is that in your elevation on --
12 I think you were saying those two windows are
13 centered on that gable roof, but they're not.
14 Again, looking at it -- I didn't look at the
15 floor plans -- but they're off centered even
16 from that gable roof slightly.

17 MR. MASTROGIACOMO: It's slightly
18 off. I said it's roughly --

19 MS. UHLE: Are they going to be
20 centered or is it going to be slightly off?

21 MR. MASTROGIACOMO: I can shift these
22 to be more centered if you guys want.

23 THE CHAIRMAN: They have to be
24 centered on the peak of the gable; right?

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1 MR. MASTROGIACOMO: I could adjust
2 these to be centered.

3 THE CHAIRMAN: I would think they
4 should be centered on the peak of the gable;
5 right?

6 MS. UHLE: Yes. Otherwise, it would
7 look weird in relationship to this.

8 THE CHAIRMAN: I mean, they're off a
9 little bit, and you can see it.

10 MR. MASTROGIACOMO: So I'll hold this
11 one that's in a little bit more, and I'll
12 take that distance and I'll split it here as
13 well.

14 THE CHAIRMAN: Whatever you think
15 looks best.

16 MS. UHLE: So in addition to the
17 three conditions of approval that the
18 Architectural Review Board required, a fourth
19 one will be just ensure that the windows on
20 the second floor of the front elevation are
21 centered over that gable.

22 THE CHAIRMAN: Sold. Okay, cool.
23 Are done with the comments?

24 MR. MASTROGIACOMO: Yes.

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1 THE CHAIRMAN: Okay. Thank you.
2 Let's see if there are any comments from the
3 public.

4 I make a motion to open the public
5 hearing on Application 22-40, 80 Webster
6 Road.

7 MR. NEMECEK: Second.

8 THE CHAIRMAN: All in favor.
9 (AYE)

10 (No comments.)

11 THE CHAIRMAN: Seeing that there's no
12 one coming forward, I make a motion to close
13 the public hearing on the same application,
14 22-40, 80 Webster Road.

15 MR. NEMECEK: Second.

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

18 MS. UHLE: Because this is new
19 construction, you'll have the two standard
20 conditions of approval.

21 THE CHAIRMAN: I'll go through them.

22 MS. UHLE: Actually, can I go through
23 them quickly?

24 THE CHAIRMAN: Yes.

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MS. UHLE: The first condition of approval, which is sort of a three-part, is to ensure that the plans reflect the recommendations of the Architectural Review Board.

Then another one is to ensure that the windows on the second floor of the front elevation are centered over the gable.

Then we have a condition, Michael, this applies to all new single family home construction: Prior to the issuance of the building permit, the proposed storm water management plan shall be subject to the final review and approval of the town's engineering consultant.

Then also, I do want to mention to the board that the applicant did not have the landscape plan available for the Architectural Review Committee, but he did indicate to them that he had retained Anthony Zaino, a landscape architect, to prepare the plan. That was submitted. So the condition is: Prior to the issuance of a CO, the landscape architect shall provide a signed

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and sealed letter to the Building and Planning Department certifying that the landscape plan has been installed in accordance with the approved plans. Any proposed changes to the landscape plan shall be reviewed by the landscape architect and approved by the Building and Planning Department prior to installation, and shall be documented in a letter submitted by the landscape architect.

THE CHAIRMAN: So subject to those conditions --

MR. NEMECEK: Can I just clarify? I don't think there were any variances that you required?

MR. MASTROGIACOMO: No, there were no variances required.

MS. UHLE: Did I use that word?

MR. NEMECEK: No. I didn't hear the word at all, that's why. It's so rare that we get no variances.

THE CHAIRMAN: So then I make a motion to approve this application, 22-40, 80 Webster Road.

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MR. NEMECEK: Subject to all of those --

THE CHAIRMAN: Conditions.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor. (AYE)

THE CHAIRMAN: Thank you. Have a good evening.

MR. MASTROGIACOMO: Thank you very much.

THE CHAIRMAN: The next application is 22-42, 883 California Road.

MR. MILLER: Good evening. I'm Stephanie Mylenski presenting 883 California Road. We're here for a retaining wall that's over 6 feet. It's highlighted in orange on the plan at the rear and side of the property line. It ranges in height from 3 feet 6 to 8 foot 6, and we will be installing a 6 foot high fence on top of the retaining wall to enclose a pool in the backyard. We did receive a variance for the height of the wall plus fence.

Aesthetically, we're breaking up the

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height of the wall by having the bottom as 12 inch concrete block, and then it will step back to 10 inch concrete block.

MR. NEMECEK: By the way, I think with our initial Beech Street subdivision application, somebody mentioned about water flowing down Highland Avenue and wondering what the people on the bottom of Highland Avenue would be thinking. I believe this is the one at least on the south side of the intersection of California Road and Highland; right?

MS. MYLENSKI: As you go up, yes.

MR. NEMECEK: Is this retaining wall being put up principally or solely for privacy purposes?

MS. MYLENSKI: So there's an existing retaining wall there currently that's starting to crumble in areas, so we're replacing that, but it is going to be higher. Right now it steps. Because we put this pool in, we want to have it consistent with the patio.

MR. NEMECEK: The backyard of this

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property, is that a maintenance building for Siwanoy, is that what's sort of in the back?

MS. MYLENSKI: That's on the side yard, the opposite side yard. It's on this side.

THE CHAIRMAN: The retaining wall is highlighted in the --

MR. GIACOBBE: The yellow.

MS. MYLENSKI: I'm sorry, say that again.

THE CHAIRMAN: The retaining wall is the yellow?

MS. UHLE: The orange.

THE CHAIRMAN: It's the whole property?

MS. UHLE: Yes. She said there's already an existing retaining wall that's in disrepair, and it's at a higher elevation than the neighbors.

MR. NEMECEK: And the thought is to put the fencing in over it.

MS. UHLE: Well, because there's a pool.

MR. NEMECEK: Yes, of course.

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THE CHAIRMAN: So the variance is for the -- what was the variance for?

MS. MYLENSKI: The height of the wall plus fence because the fence is on top of the wall. So you're allowed 10 feet, and we got it for 14.5 feet.

MR. NEMECEK: This is not a requirement, but rather a curiosity because I don't see anyone here to speak against this. Has there been any discussion of this repaired retaining plus fence with the neighbor who would be -- or neighbors who would be affected?

MS. MYLENSKI: So I know there was some discuss at the ARB, I wasn't at that meeting, but I believe they're okay with current plan.

MS. UHLE: The neighbors directly behind the site were concerned about -- my understanding -- I did talk with them, they did come to the ARB, they heard the presentation. My understanding was their primary concerns were potential drainage issues, but the applicant has proposed like a

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trench drain along the entire length of the wall there.

Also, concerns about the stability of the fence that was mounted on the wall. So the applicant did provide a report by an engineer indicating how the fence would be securely installed on the wall.

There was another question. I think that the neighbors misunderstood, they thought that the retaining wall extended above the property. If that was the case, they wanted the fence to go behind the wall. When they understood that it's flush, they were happy. I think their biggest concern is they're getting tired of looking at this crumbling wall with the plastic on top, and they really just want to get it built at this point. That's what they expressed to me at the end of the ARB, can you just move it along now.

MR. NEMECEK: Okay. Good.

MS. UHLE: If you're watching, hopefully I got that right.

MR. NEMECEK: Good.

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THE CHAIRMAN: I make a motion to open the public hearing on this application, 22-42, 883 California Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

(No comments.)

THE CHAIRMAN: Make a motion to close the same application, 22-42, 883 California Road.

MR. NEMECEK: Close the public hearing, yes.

THE CHAIRMAN: Public hearing.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: That's it.

MS. MYLENSKI: Thank you.

THE CHAIRMAN: I make a motion to approve Application 22-42, 883 California Road.

MR. GIACOBBE: Second.

THE CHAIRMAN: All in favor.

(AYE)

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THE CHAIRMAN: Great. Thank you.

MR. MYLENSKI: Thank you.

MR. NEMECEK: Did you bring snacks for us?

MR. FINELLI: Good evening, all.

Thank God I'm the last one here. Mike Finelli, I'm the architect presenting for 54 Stratford Road. The owners can't be here. Hopefully, I'll make this short and brief, and I'll answer any questions that you might have.

We're proposing an addition to an existing house. I put the rendering up first so you can get an idea of what it's going to look like. I'm going to tuck that down here. Just quickly walk through what we're proposing. So we are looking to add 515 square feet to an existing single family house. That number -- we had to get variances for the square footage and also for the house itself. It sits inside of the setback as it exists. It's 28 feet off the street rather than 30. It's 7 plus feet, 7 and a half feet into the right -- I'm sorry,

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of the rear yard setback, and I asked for a variance of 1 foot. So 9 feet rather than the 10 foot that's required. We had originally asked for 6 and 6. So I was able to shrink that down. That was a quick rundown of the variances.

We went to the ARB, where we did get approval for our house. I'm sorry, I've got drawings everywhere. They did have a couple of comments that they wanted us to address. Some we addresses, some agreed with, and some the owner just did not want to go for. We basically told them that I would speak with the owners, but it wasn't technically a condition of the approval, just suggestions.

Some of those suggestions were, this area in here, basically the house cantilevers out a foot as it exists. So I created a colonnade under that overhang, which we're going to be stuccoing to match the facade of the house. The ARB asked me if I would be willing to take the same cedar that we're applying at the front portico and bring that across. The owner was not interested in

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to the left side setback. So it already exists in the setback. So anything we did, we're increasing the level of non-conformity, so we asked for variances for that, for the positioning.

The square footage of the house, the house used to have -- actually, I have a drawing of it. The way it existed previously, it had a 6 foot knee wall that the roof came off of. So all of the space that was inside of that first 6 foot knee wall, anything beyond that to 7 foot, that square footage didn't count when you used to count the square footage based on the way it was built. So simply raising the roof on this house, we had to now take that square footage and actually count it. So that was part of the reason we asked for a variance for square footage.

We are proposing a pool in the back of the house. We had a much larger pool proposed and variances for a rear and side yard on the pool. But some finagling, some shrinking of the pool, I managed to get rid

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doing that. They wanted to keep the stucco. They like the look a lot better. So that was something that we did not agree with.

They also asked us to look at -- we have cedar being proposed over the windows to match the trim work at the front entrance.

They asked us if we could look into a synthetic material, rather than putting a traditional cedar on there. They said because of the staining and the upkeep and the maintenance on it, it would be something that the owner would have to follow through with every four or five years and re-stain and do. The owner was not interested in going with a synthetic material. We couldn't find anything that actually looked appropriate to cedar. So they're willing to take on the additional cost and maintenance to do that work.

The one other request that they did ask us to do, which I did, in fact, take them up on, was, they asked us to -- I'll show you the rendering first. I'm sorry, I couldn't get the rendering updated in time. This area

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1 right in here was originally proposed as a
 2 stucco finish to match the rest of the house.
 3 They felt it looked very much like a porch
 4 that existed at one time, that someone
 5 enclosed and put a dormer on. Not the look
 6 we were going for at all. So I had suggested
 7 removing the stucco and turning that into a
 8 trimmed out panel with AZEK board to match
 9 the rest of the design of the house, and I
 10 have that on the actual architectural
 11 drawings that I submitted to you guys. So
 12 you'll see there's 4 inch trim boards that
 13 basically outline, and that looks more like a
 14 raised panel look now. I think it actually
 15 looks a lot better and a lot more in keeping
 16 with what I was going for as far as design.

17 Beyond that, I have materials and
 18 samples if you would like to see, but, in a
 19 nutshell, that's pretty much what the ARB
 20 asked us to do. I'm hoping that the changes
 21 that I made were enough. Like I said, the
 22 owner was pretty adamant about not putting
 23 more cedar across here to finish and stain
 24 and come back and work on. The level that

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1 they're at now was sufficient. I think the
 2 look continues through. It's not needed, in
 3 my opinion. That's where we are tonight.
 4 We're presenting that. I'm open to
 5 suggestions. I have samples. Whatever you
 6 might need, I can show you, or answer
 7 questions.

8 THE CHAIRMAN: Before you show us the
 9 samples, can you put the rendering back up?
 10 That would be good.

11 MR. FINELLI: Of course. Of course.

12 THE CHAIRMAN: That's perfect. Thank
 13 you. So the two inset stucco panels that you
 14 showed on the elevation are in there?

15 MR. FINELLI: Yes. So those insets
 16 aren't actually stucco. There's existing
 17 brick that's painted white that goes across
 18 the bottom front of the house. So the stucco
 19 actually is going to create another level of
 20 detail that pushes forward, and the stucco
 21 will be recessed. The idea is to have just a
 22 simple band that comes across to break the
 23 intersection of the two pieces of stucco so
 24 that it's not one monolithic piece all the

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1 way down, and just add a little bit of
 2 character, shadow lines. Sometimes the
 3 renderings are great, but they don't always
 4 represent exactly what it's going to look
 5 like.

6 I forgot to mention, we did add a
 7 little bit of stone just at the piers. We
 8 have some piers in the back as well. We're
 9 going to clad it with some stone just to add
 10 another level of texture and color to the
 11 front of the house, and it will tie more into
 12 any curbing and things that are going to be
 13 going on along the bottom of the house.

14 One thing that I do want to mention
 15 that I don't think anyone asked us about, we
 16 spoke with the neighbor to the left of the
 17 property, and I did want to point out -- so I
 18 didn't have a spot for the air conditioning
 19 compressors. Originally, the thought was to
 20 put them on the left-hand side, but because
 21 that setback is minimal, we don't have any
 22 space for the compressors there. We were
 23 discussing with the neighbor her intentions,
 24 you know, what she thought about us asking

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1 the board for permission to put compressors
 2 there. She was totally against it. She did
 3 not want them there. We don't have any space
 4 on the left side. We can't put them in the
 5 front. There is nothing on the right because
 6 that's a driveway. So what we're proposing
 7 to do is place them right back in here in the
 8 back corner. So they'll be tucked away,
 9 we'll put a fence around it, and it will be
 10 out of the way on our property and away from
 11 the neighbors. Just something I wanted to
 12 share.

13 THE CHAIRMAN: We weren't going to
 14 ask about it, but thanks for sharing.

15 MS. UHLE: Would you mind just
 16 focusing in on the dormer, you know, the AZEK
 17 panel or whatever you did there. So that
 18 doesn't illustrate what you're proposing now?

19 MR. FINELLI: It does not, right.

20 MS. UHLE: So my only comment on that
 21 is -- and again, I trust the architect and I
 22 trust his clients -- the ARB expressed a
 23 concern -- they basically recommended do it
 24 all HardiePlank or all stucco so that it

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1 didn't look like you enclosed a porch. I
2 think this is an improvement over stucco, but
3 to me it still kind of looks like -- because
4 it's a different material, I'm not sure it
5 really addressed the ARB's concerns, but
6 they're not here to address that either. Do
7 you know what I'm saying? Because it's a
8 different material, it still kind of looks to
9 me like you've enclosed a balcony.

11 MR. FINELLI: They specifically
12 asked -- actually, I think it was Luca who
13 specifically asked for the -- well, he was
14 the one who made the suggestion -- and again,
15 a good one -- because we have AZEK trim
16 everywhere else on the house, it's not going
17 to be like an eighth material that's being
18 added and it will jump out. I think it's
19 subtle enough that the shadow lines will read
20 very similar to what I'm doing here, so it
21 won't read as one, big monolithic block.

22 MS. UHLE: Where it did with the
23 stucco.

24 MR. FINELLI: Yes.

25 MS. UHLE: Okay.

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2 THE CHAIRMAN: Can we see that on the
3 rendering? Is that shown on the rendering?

4 MR. FINELLI: It is not. I wasn't
5 able to get that.

6 THE CHAIRMAN: Can you put that back
7 up?

8 MR. FINELLI: Sure. So that would be
9 this area in here. I'm showing four panels,
10 basically, that are splitting this equally.

11 THE CHAIRMAN: But it's going to be
12 vertical slats?

13 MR. FINELLI: Vertical 4 inch slats,
14 and then there's a 6 inch bases trim that
15 comes across -- actually, I think it's 8
16 inches -- it comes across the bottom, and
17 then there's another 4 inch. The 4 inch is
18 important because the trim on the rest of the
19 house is 4 inch. So it carries that same
20 rhythm all the way around.

21 THE CHAIRMAN: Can you tell us what
22 the material is for the headers over the
23 windows that matches, they're all the same?

24 MR. NEMECEK: It's cedar?

25 MR. FINELLI: It's cedar. It's

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2 stained cedar. Actually, you reminded me,
3 the board did ask -- we proposed a cedar
4 color, they asked to go one shade darker,
5 which we did. I believe it's actually
6 mahogany. So it's going to be more of a
7 mahogany coloring, a little bit darker than
8 what you're seeing there.

9 THE CHAIRMAN: I like it. Just one
10 more question. The one like right in the
11 middle on the top, is that the attic?

12 MR. FINELLI: This guy up here?

13 THE CHAIRMAN: Yes.

14 MR. FINELLI: It is.

15 THE CHAIRMAN: That's why it's small.

16 MR. FINELLI: Yes. I didn't want to
17 draw too much attention to it. I wanted to
18 create scale. I believe the windows on the
19 first floor are 4 and a half feet and 4 foot,
20 and I think that's like a 3 and a half foot
21 window. So when you look up, it just looks
22 like the scale is getting smaller. It just
23 looks better.

24 THE CHAIRMAN: Where's the fan, on
25 the other side?

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2 MR. FINELLI: I'm sorry.

3 THE CHAIRMAN: The attic fan on the
4 other side?

5 MR. FINELLI: Actually, we don't have
6 an attic fan up there.

7 THE CHAIRMAN: Okay. It's a usable
8 attic?

9 MR. FINELLI: Right now, it's
10 actually a walkable attic, yes.

11 THE CHAIRMAN: Got it. Cool. Okay.
12 Sounds interesting. I don't have any more
13 questions.

14 MR. NEMECEK: Nor I.

15 THE CHAIRMAN: Nice job, Mr. Finelli.

16 MR. FINELLI: Thank you.

17 THE CHAIRMAN: Let's do the public
18 hearing. I make a motion to open the public
19 hearing on Application 22-38, 54 Stratford
20 Road.

21 MR. NEMECEK: Second.

22 THE CHAIRMAN: All in favor.

23 (AYE)

24 (No comments.)

25 THE CHAIRMAN: I make a motion to

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close the public on the same application,
22-38, 54 Stratford Road.

MR. NEMECEK: Second.

THE CHAIRMAN: An then I'll remember
this time, I'll make a motion to approve the
application --

MR. NEMECEK: All in favor.

MR. GIACOBBE: All in favor.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: I make a motion to
approve the application, 22-38, 54 Stratford
Road.

MR. GIACOBBE: Second.

THE CHAIRMAN: All in favor.

(AYE)

MR. FINELLI: Thank you very much,
everyone.

THE CHAIRMAN: Make a motion to
adjourn the February 23rd Planning Board
meeting. Next meeting is March 23, 2023.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

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THE CHAIRMAN: Great. Thank you.

MS. UHLE: Thank you, everybody.

(Meeting adjourned.)

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

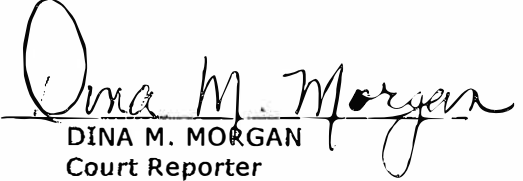
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) SS.
COUNTY OF WESTCHESTER)

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 13th day of March, 2023.


DINA M. MORGAN
Court Reporter

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 2/23/2023

CORRECTION SHEET

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CORRECTION

DINA M. MORGAN, REPORTER