

Eastchester Town Clerk
May 12 23 PM 3:24

TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
APRIL 27, 2023
Building and Planning Department

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
LOUIS CAMPANA, MEMBER
ANTHONY GIACOBBE, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

LUKAS HERBERT, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
NOELLE WOLFSON, CONSULTING LAND USE ATTORNEY

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

DINA M. MORGAN, REPORTER

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use counsel for the town.

THE CHAIRMAN: Has always been consulting for the town?

MS. WOLFSON: Yes.

THE CHAIRMAN: Good. So then we're going to just take care of housekeeping, and that is minutes. Phil, did you have any comments?

MR. NEMECEK: I had submitted the revisions to the minutes of the February 23, 2023 Planning Board meeting I guess probably just after our last meeting, but I have not yet had the opportunity to finish reviewing the March 23rd.

THE CHAIRMAN: So we will just approve the minutes of the first, and we'll hold on the second until you've had a chance to review.

MR. NEMECEK: Yes.

THE CHAIRMAN: So now I make a motion to approve the minutes from the February 23, 2023 Planning Board meeting, subject to Mr. Nemecek's comments.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

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THE CHAIRMAN: Good evening. This is the town of Eastchester Planning Board meeting of April 27, 2023. If everyone would rise for the Pledge of Allegiance, please.

(Pledge of Allegiance.)

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

MR. NEMECEK: Present.

THE CHAIRMAN: Mr. Anthony Giacobbe.

MR. GIACOBBE: Present.

THE CHAIRMAN: Jim Bonanno is here. Mr. Cunningham is not present.

Mr. Louis Campana.

MR. CAMPANA: Present.

THE CHAIRMAN: Just so everyone knows, our new Planner in the town is Lukas Herbert. Welcome. With you -- is that applause? A little more.

(Applause.)

THE CHAIRMAN: With you is -- just so everyone knows who Noelle is.

MR. HERBERT: Noelle Wolfson, our legal counsel --

MS. WOLFSON: We're consulting land

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(AYE)

THE CHAIRMAN: Let's see. So on the agenda tonight, we have one, two -- we have four applications. One application that's been adjourned to May is the Tuckahoe Avenue subdivision, but the ones we are going to discuss is Ray Place, which is a previous application, Beech Street, which we are going to obviously talk about, and then two new applications. One is The Pottery Barn at 670 White Plains Road, and the second is Sephora, same location.

So first application is Ray Place, application 22-47, 5 Ray Place. If I'm correct, this is an open public hearing. Got it.

MR. MARTINEZ: Hello, board members. Lukas, welcome on board. You've got a great planner here. I've known him since I got started in planning many, many years ago working at the county. The amount of stuff that he's brought towards bringing bikes throughout the county and just, you know, being there for such a long time, big shoes to fill,

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<p style="text-align: right;">5</p> <p>1 EASTCHESTER PLANNING BOARD - 4/27/23</p> <p>2 but great planner. Great choice.</p> <p>3 So we're here to present obviously on</p> <p>4 5 Ray Place. We have come back. At the last</p> <p>5 session, you kept the public hearing open. I</p> <p>6 think that there was one remaining point. You</p> <p>7 asked questions about the transformer being</p> <p>8 placed on the property. So I'm just going to</p> <p>9 quickly go through the details, just a run</p> <p>10 through.</p> <p>11 It's an 18 apartment unit with 9, 1</p> <p>12 bedroom units; 9, 2 bedroom units; 31 parking</p> <p>13 spaces. It's an all electric building. The</p> <p>14 original approvals were for a 21 unit building</p> <p>15 with a variance for two spaces, but the new</p> <p>16 unit count, because it's less, only requires 31</p> <p>17 and a half spaces.</p> <p>18 We did come in with some project</p> <p>19 changes. They have changed over time because</p> <p>20 we have gone to the ARB and through discussions</p> <p>21 with this board. So we have requested a change</p> <p>22 of the mansard roof material from metal shingle</p> <p>23 to a natural slate material. We previously</p> <p>24 requested the elimination and reduction of</p> <p>25 decorative railings on the windows. You've</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">7</p> <p>1 EASTCHESTER PLANNING BOARD - 4/27/23</p> <p>2 So with that, just a real quick</p> <p>3 showing of the overall site plan. You could</p> <p>4 see here -- kind of difficult to see I think</p> <p>5 for the board, but I have a couple of closer</p> <p>6 views. So this is -- what we're proposing</p> <p>7 right now is a transformer. We have to go to</p> <p>8 Con Ed, so Con Ed is going to tell us, yes,</p> <p>9 this will work or it won't work, but</p> <p>10 essentially, a 225 volt transformer. It's</p> <p>11 about that size. So it's essentially 4 feet,</p> <p>12 you know, 4 inches high, 41 inches, you know,</p> <p>13 in depth, 34 in length. It's not very big.</p> <p>14 It's sort of a box. What we're proposing to do</p> <p>15 is, we're going to move the path, which was</p> <p>16 originally sort of this path that kind of</p> <p>17 jumped around a little bit. It's now going to</p> <p>18 that little corner in the lower left-hand</p> <p>19 corner of what was previously proposed, we're</p> <p>20 going to put the transformer, provide 3 feet of</p> <p>21 separation between the transformer, and then in</p> <p>22 front of the transformer on the Ray Place side,</p> <p>23 we're going to screen it with plantings so that</p> <p>24 it's not visible. It will be visible,</p> <p>25 obviously, to people who are walking that path,</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>
<p style="text-align: right;">6</p> <p>1 EASTCHESTER PLANNING BOARD - 4/27/23</p> <p>2 decided that you do not want to see that, so we</p> <p>3 have eliminated that. We're no longer seeking</p> <p>4 that change. We've added square louvered vents</p> <p>5 for the apartment HVAC units, which will be</p> <p>6 color matched to the adjoining material.</p> <p>7 Subsequent removal of the roof mounted HVAC</p> <p>8 equipment with that. That was a condition that</p> <p>9 you did agree with. We're eliminating the</p> <p>10 stair bulkhead and reducing the elevator</p> <p>11 bulkhead from 14 feet 6 inches down to 5 feet 6</p> <p>12 inches, lowering the height of the building</p> <p>13 overall, which is something I think this board</p> <p>14 agreed on. There's the addition of some garage</p> <p>15 exhaust vents, which was not an issue. The</p> <p>16 change of cornice material from Fypon to EIFS.</p> <p>17 We have also updated the request from the</p> <p>18 previous time, which we had proposed to put the</p> <p>19 transformer on the ground. I'm going to show</p> <p>20 you that in a second. Then there's the removal</p> <p>21 of a decorative wall around the egress path and</p> <p>22 north side of the site, as well as the addition</p> <p>23 of an emergency generator in conformance with</p> <p>24 the building code. These were also issues that</p> <p>25 were not ones of concern in the last meeting.</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>	<p style="text-align: right;">8</p> <p>1 EASTCHESTER PLANNING BOARD - 4/27/23</p> <p>2 but we don't anticipate many people will ever</p> <p>3 really have to walk that path, unless they're,</p> <p>4 you know, walking home to get in. So it's not</p> <p>5 going to be a heavily used path, and again,</p> <p>6 it's going to be screened from the street. So</p> <p>7 we think it's -- you know, it meets the concern</p> <p>8 of the board, which is they didn't want to see</p> <p>9 it -- you know, you did not want to see a</p> <p>10 transformer on the pole. So that's been</p> <p>11 eliminated. We did look into whether it was</p> <p>12 possible to put it inside the building.</p> <p>13 Unfortunately, the current design would not</p> <p>14 accommodate an internal transformer. So we did</p> <p>15 have to put it on the site. I do want to</p> <p>16 clarify that before the question comes up. We</p> <p>17 tried to look at alternatives. This is really</p> <p>18 the only place on the property where a</p> <p>19 transformer would fit. We couldn't put it in</p> <p>20 the back of the property, there wasn't enough</p> <p>21 room, and we couldn't put it really inside the</p> <p>22 building. So we're left with that on the</p> <p>23 corner.</p> <p>24 THE CHAIRMAN: I don't know why we</p> <p>25 didn't ask you that.</p> <p style="text-align: right;">DINA M. MORGAN, REPORTER</p>

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MR. MARTINEZ: With that, you know, we have all the previous presentation slides. I don't think you want to go through those again. But if you do, I could pull up anything that you need.

THE CHAIRMAN: I just want to remember where the pole is, the one that we're coming off of.

MR. MARTINEZ: Yes. Okay. That's where the poles would be. Essentially, the pole will sit at the corner of the property line in the right-of-way.

THE CHAIRMAN: It's at the very corner?

MR. MARTINEZ: Yes. So the property line -- the rear of CVS, you know, backs into our property, to the front of our property. I can take you to where that is here. This sort of shows it. The site plan probably gives a better demonstration. I'm not sure if you could see my -- you can't. So you see the lower left-hand corner, you could see the black property line box. So it will be, you know, in that grassy area in that general area. Again,

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it was submitted in the plans that you do have, but it's hard to show on screen.

THE CHAIRMAN: I'm good. I think that's a nice improvement. Thank you. Guys, we're good?

(No comments.)

THE CHAIRMAN: This is an open public hearing, so if anyone has a comment on this application, now is the time to do it. If not, I'm going to make a --

MR. TUDISCO: There's a hand back there, Mr. Chairman.

THE CHAIRMAN: So sorry. Yes, come up.

MS. GABRIELE: I'm not very good at diagrams. Do you have a picture of the building, and then show me where the transformer is going to go. Is it to the left of the driveway? I'm sorry. Pat Gabriele, 24 Ray Place.

MR. MARTINEZ: I'm going to go up to the screen and point. Here.

MS. GABRIELE: Okay.

THE CHAIRMAN: It's got shrubs around

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it. You won't even know it's there. Does it make noise?

MR. MARTINEZ: Hmm?

THE CHAIRMAN: Does it make noise?

MR. MARTINEZ: The transformer?

THE CHAIRMAN: Yes. Like a hum or anything.

MR. MARTINEZ: I don't know, I didn't ask. If it does, a very low hum. It would be an extremely low hum, not a noise that would be noticeable.

THE CHAIRMAN: And it's shaded with shrubs, so we're good. Okay.

So then, any other comments? Please.

MR. SWEENEY: Frank Sweeney, 22 Lakeview Avenue. I want to thank the developer for hiding the transformer. You did a nice job in terms of doing that. I would just like to know whether the building is going to be 5G or cable ready rather than attempting to bring all cable in from the telephone pole. It's just a question that I have. If you take a look at Brook Street, there's one apartment house that has about six or eight apartments. Guess what?

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We have six or eight lines dripping off the telephone pole for each one of those telephone cable boxes that they have in the house. I was just wondering if you thought about the possibility whether it would be 5G or cable ready. That's all.

The third question is -- I prefer not to have individual connectors, whether it be 5G or cable. I would like to have a single cable coming into the complex, and run interior rather than exterior lines to that. But I think the way you have the pole set up now, it looks pretty clean. The idea is whether you can get one line in for the cable, one line in for the fiber, it would be a great success.

So those were my thoughts.

MR. SARACENO: John Saraceno, Augustus Development. Both Verizon and whoever Cablevision is now will run wires underground into a cable room in the building, and then it will be distributed from the building into the apartment. So it will be internal.

THE CHAIRMAN: You're not going to see anything, it's all underground?

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MR. SARACENO: Pardon.

THE CHAIRMAN: You're not going to see anything, it's all underground?

MR. SARACENO: Yes. Correct.

THE CHAIRMAN: Great. Thank you. You're good?

There's a lot of interest in this tonight. Please come up.

MR. GALANEK: Good evening. Charlie Galanek, 21 Potter. We heard about the transformer for Con Edison. My understand is, they're going to have an additional generator on the property. If that's true, where is it going to be located and how's it going to -- what type of energy is going to operate that? Thank you.

THE CHAIRMAN: Sure. Do you have that on plan? I think you showed it at the last meeting; right?

MR. MARTINEZ: Yes, I did. I have it here. I'll show you again. You know what, I'm going to show you on the plan.

So the generator is going to be located in the corner in the rear of the

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property to the -- I guess to the left if you're looking from Ray Place. It's the one corner of the property that is completely surrounded by and will permanently be surrounded by commercial areas. So it's in the rear of the property. It's as far as you could possibly be from the residential on Ray Place, but in consideration of the fact that there might be residential development in the future at the next adjacent property, which is currently parking or was previously parking for DeCicco's, or, you know, the store that was there before DeCicco's, that could be redeveloped in the future for residential. We didn't want to put anything on that side. So it is located essentially in the farthest corner of the property as far away from residential as possible. We're required to put the generator, so it's not like --

THE CHAIRMAN: Could you just go back to the diagram you showed of the location of the transformer.

MR. MARTINEZ: The transformer?

THE CHAIRMAN: Yes.

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MR. MARTINEZ: It's the same diagram. The transformer is right here in the front.

THE CHAIRMAN: I got nothing up here.

MR. NEMECEK: So it's in the northeast corner of the property; is that right? As you're looking at the building, it's to the left and in the far back corner?

MR. MARTINEZ: Correct. So Ray Place is on the western portion of the property. The northwest corner has the transformer. The northeast corner, which is towards White Plains Road and Brook --

MR. NEMECEK: Towards the CVS; right?

MR. MARTINEZ: Right. That is where the generator is located.

MR. TUDISCO: I think he also asked what type of power is it going to be or what type of generator.

MR. MARTINEZ: It's gas.

THE CHAIRMAN: Right. So the biggest concern is, obviously, how often it's cycled on and off to test it.

MR. MARTINEZ: You have to test it once a week.

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THE CHAIRMAN: So it goes on once a week?

MR. MARTINEZ: It doesn't go to full power, I think. I'm not as familiar with this question.

MR. SARACENO: The generator company will exercise it once a week at a time we pick, and it's on and off. We could pick 12 in the afternoon and it will just go on as scheduled.

THE CHAIRMAN: How long does it stay on for?

MR. SARACENO: I don't think it's very long at all. You wouldn't even notice it. They're pretty much in every building now. All the buildings have them, and you don't even notice it.

THE CHAIRMAN: Okay. Thank you. Further public? Mr. Galanek.

MR. GALANEK: Thank you, again. Just to follow up so I understand this, it is natural gas that is going to be running this generator?

THE CHAIRMAN: I would think so, yes.

MR. GALANEK: Okay. How is that

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1 natural gas going to get to the generator and
2 from where is it coming? What location is it
3 coming from; Brook Street? Is it coming from
4 Ray street -- Ray across on the other side of
5 the street? I'm assuming it's going to be
6 underground. These are questions that I would
7 like to try to get answered. Thank you.

8 THE CHAIRMAN: Sure. Any other
9 questions before you go back?

10 MR. GALANEK: I'm good.

11 THE CHAIRMAN: Okay. Cool.

12 MR. MARTINEZ: Let me see if I could
13 pull up the drawings, the utilities plan, and I
14 could show you exactly.

15 THE CHAIRMAN: It's not happening.
16 Oh, you need a cable.

17 MR. TUDISCO: The cable is not in.

18 MR. MARTINEZ: The cable is hooked up.
19 He's got to switch it over. I'll unhook it and
20 re-hook it.

21 THE CHAIRMAN: You had it before,
22 didn't you? It was working a moment ago.
23 There it is. It's Gary, it's not you.

24 MR. NEMECEK: Gary is just messing

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1 with us right now.

2 MR. MARTINEZ: He wants to see me
3 squirm.

4 So this is not the final utilities
5 plan, but it does show -- this is the
6 generator -- it's going to come in from Brook
7 Street. It's going to be natural gas. I'm
8 assuming it's going to have to come in from
9 Brook Street to Ray Place. It could also be
10 diesel. So both of those work. Unfortunately,
11 I don't have the answer of where it comes from
12 right now.

13 THE CHAIRMAN: Where is the gas meter
14 room?

15 MR. MARTINEZ: Hmm?

16 THE CHAIRMAN: Where is the gas meter
17 room in the cellar?

18 MR. MARTINEZ: The gas meter?

19 THE CHAIRMAN: There's got to be one,
20 right, that's where it comes in?

21 MR. MARTINEZ: I apologize, I don't
22 have that answer.

23 MR. CAMPANA: From what I recall
24 during the presentations awhile back before you

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1 came back for some of these changes, one of
2 your development plans had, I believe -- well,
3 the utility plan had trenching coming up Ray
4 Place from Brook Street, if I'm not mistaking.

5 MR. MARTINEZ: Yes.

6 MR. CAMPANA: Yes. So that's where
7 the natural gas, water --

8 MR. MARTINEZ: Yes. We have
9 trenching -- we have brand new trenching that's
10 coming up for, you know, sewer, we have
11 trenching that's coming up for water. So I
12 think that, you know, we would look to put the
13 gas line in compliance from wherever it's going
14 to come from.

15 The gas moratorium does allow for the
16 use of gas for generators, emergency
17 generators, but I don't know if we've actually
18 decided whether or not we need to go with a
19 diesel generator or a gas generator. I think
20 we just kind of go with whatever made sense.

21 MR. CAMPANA: Right. The building is
22 being serviced by gas, anyway; correct? So
23 there's going to be a line in that trench
24 regardless.

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1 MR. MARTINEZ: No, there's no service.
2 It's an all electric building. The only

3 service for gas would be for the generator. I
4 think that that's why we haven't really made a
5 decision about whether we need to use a diesel
6 generator or gas. We may just use diesel. It
7 would be to be determined. We know where it's
8 going to go, but we haven't gotten to that
9 final stage. It may end up being functionally
10 cheaper because the cost of running a gas line
11 that far may be more than we want to do.

12 THE CHAIRMAN: Okay. Thank you.

13 MR. CAMPANA: Thank you.

14 THE CHAIRMAN: Going once --

15 MR. FASCIGLIONE: Good evening.

16 Michael Fasciglione, 43 Woodruff Avenue. I
17 have more of a general question. Back when the
18 original approval for this project was put
19 through your committee, I recall there was a
20 laundry list of specific items that had to be
21 adhered to pre-construction, during
22 construction and prior to C of O. My question
23 is, basically when will those requirements be
24 met? Will they be made public? Will they be

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1 done here at the Planning Board time? How will
2 they be brought forward? That's basically my
3 question.

4 THE CHAIRMAN: Your memory is way
5 better than mine, but imagine when the previous
6 planner was here, she was very meticulous and
7 made a list of all that, which she has passed
8 on to our new planner. So I can almost
9 guarantee that if she made it, it's been given
10 to him, and it's in his stead at this time.

11 MR. FASCIGLIONE: It was quite
12 detailed, as I recall. I believe there were 11
13 items. I'm sorry I didn't bring the list with
14 me.

15 THE CHAIRMAN: I don't recall, but I'm
16 pretty sure if it's there --

17 MR. FASCIGLIONE: Those requirements
18 will be met on a timely basis as required?

19 THE CHAIRMAN: I know my answer isn't
20 specific, but I can be rest assured if it's
21 there, if it's in the file, Mr. Lukas will find
22 it, and he'll make sure.

23 MR. FASCIGLIONE: Thank you.

24 MR. NEMECEK: Just so I understand,
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1 because this applicant came back to us with an
2 approved project that had not yet been built,
3 that they were seeking changes, proposed
4 changes to the as approved application, but --
5 and we're making decisions on those proposed
6 changes, but everything else that was approved
7 remains in place.

8 MR. TUDISCO: You mean in terms of the
9 conditions?

10 MR. NEMECEK: In terms of the
11 conditions. So that should address your
12 problem. Everybody that was previously
13 approved that is not the subject of a proposed
14 change, will remain in place as a condition of
15 approval of this revised application.

16 MR. CAMPANA: It's my understanding
17 that the conditions of approval have to be met
18 prior to issuance of the building permit for
19 the most part. There could be some
20 conditions -- I don't recall all of them --
21 that would be necessary prior to issuance of
22 Certificate of Occupancy.

23 MR. TUDISCO: It would be the building
24 permit and the C of O depending on the nature
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1 of the conditions themselves.

2 MR. CAMPANA: Right.

3 MR. MARTINEZ: You know, I'm not sure
4 exactly how the process works here just yet,
5 but in most circumstances when you submit a
6 final set of plans, any conditions are going to
7 be listed on those plans. The new plans and
8 the new Resolution that you pass -- hopefully
9 you pass tonight -- is going to include
10 conditions that have to be written on those
11 plans.

12 Once those plans go out, you know, it
13 goes through the process. The planner, you
14 know, looks at it at that stage, you know, the
15 Building Inspector -- you got a great Building
16 Inspector here as well -- is going to make sure
17 that those conditions are met and followed, and
18 the submission of those plans are done
19 throughout the construction process. So sort
20 of every step of the phase is documented and
21 can be followed up on.

22 THE CHAIRMAN: Anyone else? Okay, Mr.
23 Galanek, this is your last shot. Come on up.

24 MR. GALANEK: I should have an

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1 extension since it's on the same question of
2 what was asked before.

3 We have the conversation tonight about
4 the auxiliary generator. I asked what type of
5 gas, you know, natural gas or gasoline. Oh no,
6 natural gas. Then when I had pointed out again
7 when I came up, I had asked, how are they going
8 to get the pipe there, where is it coming from.
9 We have drawings that are shown, that don't it.
10 I mean, we're showing other things, where the
11 transformer is going to go, but we're at a
12 meeting tonight and the board is supposed to
13 look at these things and approve them, and
14 you're not actually seeing where it's going.
15 You're getting a pointing of the finger here or
16 over there on the map, but it's not drawn out
17 to you. Then when I questioned about gas
18 lines, I don't know if you caught this, I'm
19 assuming we all caught it, it could be diesel.
20 Diesel was not in the words. But when you
21 challenge something over here with this firm,
22 things change, and, boy, did it change quickly
23 tonight. It went from gas or diesel. Okay,
24 we're going to put diesel, where's the tank
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2 going to go? Where is it on the Planning Board
3 maps and the diagrams that are presented to the
4 board? It's not there.

5 I request respectfully before the
6 board approves this project, to have all the
7 stuff out again for another public hearing so
8 that we all see it, including yourselves.
9 Thank you again for your time.

10 THE CHAIRMAN: Thank you.

11 MR. MARTINEZ: I appreciate the
12 comment. I would respectfully submit that if
13 you're an individual who's lived in your home
14 for, you know, the last 30 or 40 years, and you
15 decided because of weather or events or for
16 whatever reason you want to get your home a
17 generator, you go, you know, you find a
18 contractor, you get your plans drawn up, and
19 you go to the Building Department. Maybe your
20 house doesn't have gas. You have to get a gas
21 line run from the street, just like anybody
22 else, right, or you need to get an additional
23 gas line to run from your existing service to
24 your property. It's a very similar process
25 here.

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2 The site plan process is to make sure
3 that the generator, which can make some noise,
4 is located in the right location, but the
5 building codes and safety codes are going to
6 dictate where that line should run. So
7 ultimately, we do have to make a decision about
8 whether it's going to be a diesel line -- a
9 diesel generator or a gas generator, and that's
10 sort of a financial decision. It's also a
11 decision if the Building Department says, we
12 prefer to have one over the other. But at the
13 end of the day, we know where that generator is
14 going to go. We may not know specifically
15 where the line is going to go, but all this has
16 to be determined through the building permit
17 process, and we're prepared to do.

18 There's no I think -- there's never
19 been an expectation that we're going to walk
20 out tomorrow, and if we get an approval, we're
21 just going to go start digging in the dirt.
22 There's a lot of steps, a lot of evaluation of
23 the project that needs to move forward. This
24 doesn't seem like the kind of thing that needs
25 to be held up. It's not going to go underneath

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2 the sidewalk, it's not going to go anywhere
3 it's not allowed to be. It has to either, you
4 know, run under grass or run where it's allowed
5 to be based off of Con Ed and based off of
6 Building Department requirements.

7 So, that's correct, we don't know
8 today because I didn't bring the site engineer
9 with me because I didn't think this question
10 would come up. At the end of the day, the
11 reason we didn't bring the engineer is because
12 these kinds of questions aren't necessarily --
13 at least in our mind -- ones that can't be
14 handled through the Building Department
15 process. It's been a very long go in reviewing
16 this process.

17 When we originally came through this
18 project, we didn't need a generator. Now that
19 we're going through it again, we do need a
20 generator. So we're putting it in. We're
21 trying to find the right place for it. There's
22 really only one good location to put it. The
23 question about whether it's going to be diesel
24 or gas is one that does ultimately need to be
25 made by the Building Department, and we're

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2 going to follow whatever code we're required
3 to.

4 THE CHAIRMAN: So the concern is a
5 valid one, that if it's gas, I'm -- I'd say, I
6 know there's a gas line, I'm sure if go up to
7 the Planning Department, they'll so Mr. Galanek
8 where the line for the gas is, and that sort of
9 resolves that. So one way it's going to get
10 there.

11 The concern about the diesel, though,
12 is an interesting point. They put a tank for a
13 diesel? If they decide, based on economics, to
14 put a diesel, how is the fuel brought to the
15 generator?

16 MR. MARTINEZ: It's all in the
17 enclosure.

18 THE CHAIRMAN: Is it filled
19 individually, or there a tank going next to the
20 generator that's a diesel tank? Because that's
21 a site plan issue.

22 MR. VOGEL: Good evening, everyone.
23 My name is Ed Vogel, Warshauer Mellusi
24 Warshauer, Architects.

25 When there's a diesel generator, there
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1 is a belly underneath the generator that holds
2 the diesel. So there's a tradeoff between
3 diesel and natural gas, and that diesel has a
4 tank that will then be drained or consumed
5 during operation. It needs to get refilled.
6 So it's sized for a certain period of time, and
7 then they will have to bring in. As with other
8 fuels, they will then have a truck, the truck
9 is going to transport and pump it back into the
10 tank.

11 THE CHAIRMAN: So it's a belly tank?

12 MR. VOGEL: It's a tanks. It sits
13 underneath the generator itself. The footprint
14 doesn't change.

15 THE CHAIRMAN: Right. That's a good
16 answer. So it really doesn't change anything,
17 other than it's being fueled by fuel beneath,
18 and the truck has to pull it in, versus a
19 continual service from the street.

20 What if there is a change and you guys
21 decide to change, does that get noted on the
22 site plan approval that just the tank model
23 changes? That's more a question for you. Does
24 that really matter?

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1 MR. HERBERT: It depends on the scale
2 of the change. With the generator, that's
3 usually typically handled with the building
4 permit process. Plan gets approved by your
5 board. Obviously time elapses between the
6 approval here and when they actually put a
7 shovel in the ground and start building. A
8 change like that would just be accommodated
9 through the building permit process.

10 THE CHAIRMAN: We don't really need to
11 see it.

12 MR. HERBERT: Right. There are
13 certain triggers that would bring the matter
14 back before this board, and that would not be
15 one of those triggers.

16 THE CHAIRMAN: Okay. It's not
17 changing the appearance of the generator, it's
18 the same generator.

19 MR. NEMECEK: I think you mentioned
20 that you'll do whatever the Building Department
21 wants you to do.

22 MR. MARTINEZ: Requires.

23 MR. NEMECEK: Requires you to do. But
24 are you basically going to the Building

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1 Department and asking, what do you want? Or
2 are you going there with a proposal that we
3 want to put in gas or we want to put in the
4 diesel, can you approve that? Which is it?

5 MR. MARTINEZ: We'll go in with a
6 proposal, and then we'll listen to the Building
7 Department if they say, no, we prefer it this
8 way. Again, if the building permit process
9 dictated that they wanted us to move the
10 generator, then I imagine we might end up back
11 in front of this board looking at a site plan
12 change. As long as it stays there, we're going
13 to go in and propose -- if we speak to Con Ed
14 and Con Ed thinks it makes sense for us to use
15 a gas, then we'll do that. If Con Ed says,
16 we're just not going to run the extra gas line
17 because of the moratorium, despite the fact
18 they allow it for generators or maybe the laws
19 change, then we just come in with a diesel
20 generator. The laws are somewhat flexible
21 today, but that doesn't mean that Con Ed
22 couldn't say tomorrow, no more gas generators.

23 MR. NEMECEK: I think you mentioned
24 that when this project was first presented,

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1 there was no such requirement for this type of
2 generator. When did that requirement come into
3 play?

4 THE CHAIRMAN: I think it was always
5 there.

6 MR. MARTINEZ: I know the first
7 approval came, there was no generator. I know
8 somewhere during the process, the generator was
9 required, but that wasn't the trigger that
10 brought us here.

11 Ed, maybe you could talk a little bit
12 about that?

13 MR. VOGEL: The trigger for the
14 generator is tied into the elevator, of all
15 things, because the elevator ends up now being
16 an elected evacuation route for people with
17 disabilities. So that wasn't part of what the
18 charge was through the building code and that
19 came about.

20 THE CHAIRMAN: So during the
21 development of the project, it became a
22 necessity, and therefore, the generator was
23 needed.

24 MR. CAMPANA: Life safety.

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1 THE CHAIRMAN: I'm okay with the
2 generator, but at some point does the Planning
3 Department know what you're putting in?

4 MR. MARTINEZ: It's an internal
5 process, but I would assume that the planner is
6 going to be involved in the Building Department
7 process.

8 MR. HERBERT: You could make that a
9 condition, you know, that the service to the
10 proposed generator be subject to approval from
11 the Building Inspector.

12 THE CHAIRMAN: Okay. We're good?

13 MR. FIORAVANTE: Bill Fiorvante, 24
14 Ray Place. A month ago, last time we were
15 here, you know, the architect, you know, his
16 plan with putting the telephone -- I mean the
17 power lines above ground before, I mean, you
18 guys approved to have the lines below ground.
19 I understand we talked about cost and, you
20 know, and he's trying to -- they're trying to
21 absorb costs because we know all the costs are
22 going up for constructions, and, you know, so
23 that's why we're here. My point is, if you
24 approve this with those power lines at the

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1 bottom of the hill, they're going to put a
2 sidewalk. Look, I've lived here for many
3 years, these guys have not. They don't know
4 the area. I know the area. People walk up and
5 down the sidewalk, little kids, older people.
6 What if these power lines, these poles come
7 down, they electrocute somebody? Across the
8 street is a building that has a lot of senior
9 people in it on fixed income, some of them are
10 like disabled, what if those lines go -- they
11 park their cars right across the street where
12 they're going to put these power lines, what if
13 these power lines shoot over and accidentally,
14 you know, maim somebody, kill somebody. I
15 guess there would be a lawsuit. I guess the
16 lawyers will have a field day with that
17 lawsuit.

18 These poles should not be on the hill.
19 When 24 Ray Place was built back in the
20 Eighties, there were going to be power lines
21 built above ground. They should not be above
22 ground. The winds, the climate change with
23 these storms, these winds are very powerful.
24 Saturday is going to be another storm. There

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1 was a storm last weekend. They should sit
2 there in a storm and see what's going on at the
3 area.

4 Tony Colavita had a meeting a couple
5 of weeks ago about this letter with the
6 Governor's proposal. I spoke to Tony about
7 this thing, and with the power lines as well.
8 He's aware of it. You guys should not approve
9 the power lines going above ground.

10 THE CHAIRMAN: Does the Supervisor's
11 letter address power lines or just density?

12 MR. FIORAVANTI: Well, they're putting
13 in poles from the bottom of the -- look,
14 there's no poles going into 24 Ray Place.
15 Everything is below ground because it's such a
16 steep hill. They've changed there, you know --
17 they've changed their schematics because before
18 the power lines were going below ground;
19 correct?

20 THE CHAIRMAN: Yes. They presented
21 that at the last meeting or two meetings ago
22 and we discussed this. We gave them this
23 direction that we accepted it. We already
24 accepted it.

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1 MR. FIORAVANTI: Oh.

2 THE CHAIRMAN: We did. You,
3 unfortunately, weren't here to voice your
4 opinion, but we already made the decision that
5 we'll approve it to let the project move.

6 MR. FIORAVANTI: I got you.

7 THE CHAIRMAN: I know it doesn't
8 answer your question, but --

9 MR. FIORAVANTI: I mean, I brought
10 that up last time, so I'm just reiterating
11 about that. I thought when I saw on the, you
12 know, on when it was showing, I thought they
13 were still approving it to go above ground.

14 THE CHAIRMAN: It's above ground up to
15 the pole, then it goes down to the transformer.
16 So getting the line from Brook up to the site
17 is above ground.

18 MR. FIORAVANTI: I understand the
19 transformer part, that I get. That answers my
20 question. Thank you, guys. That's it.

21 THE CHAIRMAN: Oh, you want to comment
22 on the lines?

23 MR. MARTINEZ: No. I mean, the only
24 thing I would say is, you know, I showed it in

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1 the last presentation, and I could show it
2 again here if you want me to or not. 24 Ray
3 Place had a pole that was put in specifically
4 to get power to their property.

5 THE CHAIRMAN: We're good.

6 MR. NEMECEK: We don't need to
7 revisit. Please.

8 THE CHAIRMAN: Additional comments?
(No comments.)

9 THE CHAIRMAN: Okay. Cool. So then
10 I'm going to close the public hearing. So I
11 make a motion to close the public hearing on
12 Application 22-47, 5 Ray Place.

13 MR. NEMECEK: Second.

14 THE CHAIRMAN: If we don't have any
15 more comments, I'm going to make a motion --

16 MR. NEMECEK: All in favor.

17 THE CHAIRMAN: I'm sorry. One more
18 time. I make a motion to close the public
19 hearing on this application.

20 MR. NEMECEK: Second.

21 THE CHAIRMAN: All in favor.
(AYE)

22 THE CHAIRMAN: So now to move this
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1 forward. Subject to the condition about the
2 fuel for the generator and other conditions, I
3 make a motion to approve Application 22-47, 5
4 Ray Place as submitted on plans entitled
5 Planning Board Resubmission 3/9/23, as well as
6 landscape plans submitted for today's meeting,
7 revised on April 10, 2023.

8 Subject to the condition that all
9 previously approved railings be put back on the
10 plans, as discussed at the March 23rd Planning
11 Board meeting.

12 In addition, unless otherwise
13 specifically modified by this Resolution or
14 plans approved hereby, all conditions or any
15 prior approval of any board, department or
16 officer of the town of Eastchester shall remain
17 in full force and effect. That's the motion.

18 MR. NEMECEK: Second.

19 THE CHAIRMAN: All in favor.
(AYE)

20 THE CHAIRMAN: You're good to go.
21 Thank you.

22 MR. MARTINEZ: Thank you.

23 THE CHAIRMAN: You're welcome. Next
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1 application is 23-02, 203 Beech Street.

2 MR. SMITH: My apologies, Mr.

3 Chairman, we had this issue the last time as
4 well.

5 THE CHAIRMAN: Pretty cool screen
6 saver.

7 MR. SMITH: That's the screen saver.
8 That happens to be, just in case you're
9 wondering, that is the Peacock Room at
10 Graceland at Elvis' mansion. That was taken on
11 a family trip.

12 THE CHAIRMAN: Oh, that's one of his
13 pianos. There you go.

14 MR. SMITH: I'm a little perplexed as
15 to why the screen saver is up and the
16 presentation is not. I can do a couple of
17 Elvis tunes for you, if you would like, while
18 we're waiting. I don't think that would be
19 appropriate at this point. Give me a minute.

20 THE CHAIRMAN: Keep trying. We'll
21 talk amongst ourselves.

22 MR. SMITH: Why don't I get going
23 while I still have it up on the screen.

24 Good evening, Mr. Chairman, members of
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1 the board. My apologies, I'm sorry, did you
2 open the public hearing?

3 THE CHAIRMAN: It remained open. It
4 is open.

5 MR. SMITH: Very good. For the
6 record, David Smith, principal with Planning
7 and Development Advisors, here on behalf of 4
8 Vllazen, LLC, and Mr. Bashkim Kukaj, who is the
9 owner and project developer. Joining me, Mr.
10 Brian Dempsey from DTS Provident, our traffic
11 engineer; Mr. Dan Collins from Hudson
12 Engineering.

13 The application that's being discussed
14 tonight is for a subdivision, 203 Beech Street.
15 We have the site location here. Okay, the
16 laser pointer works. So here's Highland Avenue
17 at the north end to the top here, Beech Street
18 here at the bottom. The property outlined in
19 black is approximately 1.18 acres. That is the
20 project site. The blue line here is the zoning
21 designation line. To the left is R-5, to the
22 left is R-6. So we have a couple of lots that
23 area affected by or crossed by both zoning
24 districts, but that's been accommodated as part
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of the site layout. The red line here is the school district boundary. To the north is the Eastchester School District. To the south is the Tuckahoe School District.

This is just an illustration of the proposed project subdivision set within its context. These are proposed single family homes next to single family homes.

We have, during the course of this review, met with your town staff. I think we had provided some background to that at the last public hearing. We met with Planning, Building, Highway, Fire, Police, and they all provided input that has been accommodated as part of the proposed subdivision.

This is the proposed layout. Lot one is located off of Beech Street. It has direct access off of Beech Street. There is a proposed cul-de-sac that meets all the town standards, with lots two, three, four, five and six accessing the proposed cul-de-sac, and then lots seven and eight are located off of Highland Avenue, and they would have direct access off of Highland Avenue. All the lots

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have been laid out to be conforming to zoning. There is a non-buildable lot located here, which will accommodate the on-site storm water management system.

This is a graphic, again, that just shows -- it was requested that we provide an illustration that shows how each lot could be laid out with a proposed home, garage, and a patio and other pertinences.

This was a graphic that we had showed, again, just illustrating the land use pattern in and around the subject site with respect to -- I believe there were several issues about cul-de-sacs, and I think we had indicated there were at least 10 or 11 cul-de-sacs within this general neighborhood. Again, single family homes next to single family homes.

As part of the presentation, we did clarify there are two proposed variances being requested. The first is for the small area approximately 31 square feet here. It's for the right-of-way intersection at the street width. I think there was a question at the last meeting by one of the neighboring property

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owner, and while we're requesting this variance for this small piece here, we're not looking to be taking the neighbor's property. It's just a variance that's being requested. The second variance is the distance between -- the offset distance between the intersection. This is Siwanoy Boulevard here at the top, and the offset distance is approximately 108 feet, and the zoning requirement 150 feet. In our presentation that we've submitted to your board dated April 10th, we reviewed kind of the discussion that was had with your board and with your professional staff about the types of circumstances where having an offset distance that's not necessarily 150 feet doesn't present issues with respect to traffic and circulation.

At this point, I would like to have Mr. Dempsey come up. Mr. Chairman, you had asked for a couple of different graphics. They were included with the submission package. I would just like to have Mr. Dempsey go through and update as to the additional information he's provided as part of the submission package, and then you could quickly walk

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through those different graphics that kind of illustrate the magnitude of the traffic.

THE CHAIRMAN: Yes. Thank you for creating that.

MR. DEMPSEY: Good evening. For the record, Brian Dempsey. I'm a licensed professional engineer from the firm DTS Provident Design Engineering. I'll try to be brief because a lot of this we covered before.

At the last hearing, we were asked to do a couple more things. One was, one of the residents asked for a traffic count at Rose and Beech. We performed that count. That's included in our April 7th response letter. Then we were asked to do the colored charts to show the difference in traffic volumes at the three intersections that were studied to show a relationship of existing traffic versus existing trucks, existing buses, and then future trucks, future buses, and then future traffic from the site.

So what's in dark blue here is the existing traffic counts. The dark blue is the cars that are existing at each of the

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1 intersections. Going from left to right is
 2 Highland and Beech, middle one is Beech Street
 3 and Siwanoy, and the far right is Beech Street
 4 and Rose Avenue. So just looking at Highland
 5 and Beech, you have 353 existing cars going
 6 through the intersection, which would be about
 7 89 percent of the traffic at the intersection.
 8 Then there were eleven buses that were
 9 traveling along Highland at that intersection
 10 or coming off of Beech, seven trucks. We then
 11 included a background growth rate to a design
 12 year of -- so we added six percent to all
 13 existing traffic to get to a future design year
 14 of 2025. Then we added our traffic. So our
 15 traffic here during the peak AM hour was going
 16 to be four vehicles, and there is a potential
 17 for two additional buses. Most likely those
 18 would be the buses that are already on
 19 Highland, but we included two additional buses
 20 just to be safe. That's the last line, the
 21 very thin green line. So we did this at each
 22 of the intersections for both the AM condition
 23 and the PM condition. As shown in both, the
 24 amount of traffic from our project, including

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1 possible additional buses, is not a significant
 2 number, especially in relationship to other the
 3 volumes that are counted at each of the
 4 intersections.
 5
 6 We were also asked about looking at
 7 what else could be done because it was stated
 8 by some residents that some cars do not stop at
 9 the sign at Beech and Siwanoy. We made some
 10 recommendations that have been reviewed by the
 11 town's traffic consultant. There could be stop
 12 ahead signs on both Beech and Siwanoy to
 13 further enhance the stop sign, adding an
 14 additional dead end sign at the extension of
 15 Beech where it was stated that sometimes cars
 16 do drive through there instead of making the
 17 turn, or you could do cat tracks, which is
 18 extending the double yellow line or dash. It's
 19 basically just dashes showing you should be
 20 turning at that intersection. That could be
 21 stuff that could be worked out with the Highway
 22 Department.

23 THE CHAIRMAN: Did you guys do an
 24 additional set of counts at the intersections
 25 on different dates?

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1 MR. DEMPSEY: Yes. Some we went
 2 through last hearing.

3 THE CHAIRMAN: That was the last
 4 hearing you did it; right.

5 MR. DEMPSEY: But we did more in this.
 6 Everything is documented in here.

7 THE CHAIRMAN: In your memo -- in this
 8 April 9th memo?

9 MR. DEMPSEY: Yes. And I can go
 10 through them, I was just trying in terms of
 11 time --

12 THE CHAIRMAN: You're saying those
 13 different counts were on different days than
 14 the initial study, which were done prior to the
 15 last meeting?

16 MR. DEMPSEY: There was a comment that
 17 had counted on a Monday afternoon at the
 18 intersection of Highland Avenue and Beech, so
 19 we counted on Wednesday March 8th, which was a
 20 very sunny day, nice weather, counted the same
 21 time period. That Wednesday count actually
 22 was -- excuse me, my mouth is getting dry -- 47
 23 vehicles less than the Monday count. So the
 24 Monday count was actually much higher than the

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1 Wednesday count.

2 We also, at the request of the town's
 3 traffic consultant, counted various cul-de-sacs
 4 to see how the trip generations -- so the
 5 number of vehicles coming in and out of those
 6 cul-de-sacs -- compared to what we did use at
 7 the traffic study because our traffic study was
 8 based on ITE, which is transportation
 9 engineers, which is the standard that
 10 municipalities, the county and the state all
 11 require. We compared them and showed that the
 12 IT numbers were conservative compared to the
 13 other cul-de-sacs there. They were similar,
 14 but our numbers were -- that we use were
 15 somewhat higher than what the other cul-de-sacs
 16 were generating.

17 We also had talked to the school
 18 district in Tuckahoe with various calls about,
 19 you know, when their peak times were and such,
 20 and when their dismissal times are, which we
 21 included in our letters. We did an additional
 22 count at Beech and Siwanoy from 1:30 to 6 p.m.,
 23 and it showed the peak was similar to what was
 24 in our traffic study, but they had several time

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1 periods which the peak was -- the traffic
2 volume was very close. It was 47 one hour, 48
3 the other. So volumes actually stayed
4 relatively consistent during most of that time.

5 As I said, we analyzed -- counted and
6 analyzed the intersection of Rose and Beech.
7 As we had stated before, the level of service
8 is -- it's a good level of service. It's a
9 level of service A. We did an analysis
10 including our traffic in there. We showed it
11 has no significant impact. It essentially
12 doesn't affect the levels of service at the
13 intersection.

14 We did talk about the distance between
15 cul-de-sacs, and we have it documented in here,
16 such as along Tuckahoe Road. Between Brothers
17 Circle and Caldwell Street, it's only 53 feet
18 between the two cul-de-sacs. On Everett Street
19 between Stebbins Avenue East and Stebbins
20 Avenue West, it's 88 feet. Along Ridge Street
21 between Pine Circle and York Place, it's only
22 30 feet. And then we have others in our letter
23 there.

24 There was a comment about the parking

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1 ban on the south side of the street. What we
2 were asked from the Fire Department was to
3 prohibit parking just opposite our driveway so
4 that the fire engine can make the turn into it.
5 So it's essentially extending their driveway
6 that width would be for the fire engine. So
7 this is one of the site plans. So if you drew
8 two imaginary lines outside of our driveway
9 across, they were asking for no parking in that
10 section so their apparatus could make the turn
11 easier.

12 THE CHAIRMAN: Did you guys do a
13 turning radius for the fire apparatus in the
14 cul-de-sac?

15 MR. DEMPSEY: Yes. Yes. They're all
16 on the site plans that were submitted, and they
17 were reviewed by the Fire Department.

18 THE CHAIRMAN: I'm sorry, I didn't
19 mean to interrupt. Were you done?

20 MR. DEMPSEY: Dave is going to try to
21 find it.

22 THE CHAIRMAN: Okay, cool, because --

23 MR. DEMPSEY: These were done by
24 Hudson Engineering. We did review them. They

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1 have been submitted, and they were reviewed
2 with the Fire Department, and they were in
3 agreement with it. They did ask that in
4 conjunction with this, that there be no parking
5 within the circle part of the cul-de-sac.

6 THE CHAIRMAN: Thank you. Do you have
7 anything else?

8 MR. DEMPSEY: No. Just any questions.

9 THE CHAIRMAN: So could you go back to
10 your bar charts, please. Good. Can you zoom?
11 Obviously to the top part. Maybe pan down a
12 little bit so we look at the top. Yes, good,
13 that's perfect.

14 So my understanding -- it's clear
15 because it's on the legend -- is the tan
16 represents the growth due to growth alone that
17 you might anticipate at these intersections?

18 MR. DEMPSEY: Yes. Basically, it's
19 standard practice to add in a background
20 growth. We did check with the town beforehand
21 whether there's any developments in the area
22 that would affect traffic. There were none
23 based upon our discussions with Margaret at the
24 time. Just to be conservative, we added a two

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1 percent per year compounded growth rate for
2 three years, so that's what that number
3 represents.

4 THE CHAIRMAN: How many -- three years
5 you said?

6 MR. DEMPSEY: What?

7 THE CHAIRMAN: How many years you
8 said?

9 MR. DEMPSEY: Three years.

10 THE CHAIRMAN: A three year growth.
11 Wow, that's a lot. And that's similar on all
12 the bar charts. Okay. Got it.

13 Any questions, guys?

14 (No comments.)

15 THE CHAIRMAN: So just a general
16 question. Car counts, it seems to be a pretty
17 specific item that is what you opine on or that
18 you guys test, is the whole traffic environment
19 back there based on car counts or is it a
20 bigger picture?

21 MR. DEMPSEY: Based on car counts or
22 what? Sorry.

23 THE CHAIRMAN: Or anything else, like
24 speeds and signage and --

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1 MR. DEMPSEY: No. All those different
2 factors get looked at. The analysis includes
3 with the roads and other factors and
4 pedestrians and things of that nature. That's
5 all accounted for in the analysis. We did look
6 at speeds. We looked at speeds in conjunction
7 with sight distances. The speeds on Beech are
8 not that high. We looked at crash history
9 going back to 2019 going back to the state, and
10 the last three years we also got from the town.
11 So all those factors are looked into. We did
12 recommend with the sight lines some trimming on
13 some bushes will be needed, especially at
14 Highland at the site there with the driveways.
15 So those factors are all considered.

16 THE CHAIRMAN: Okay. I'm good. Thank
17 you. We're going to ask our consultant to
18 speak in a minute, but I think first we're
19 going to talk about your -- thank you.

20 MR. SMITH: So I will quickly wrap up
21 the presentation, Mr. Chairman.

22 At the last meeting, we did have this
23 discussion about on-street parking, and I could
24 quickly summarize that based on our review,
25

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1 there are approximately 19 on street -- the
2 availability of 19 on street parking spaces.
3 To be conservative, we looked at how many you
4 could get in the best configuration. So that
5 was having all the on-street parking on the
6 north side of beach. We went through the
7 evaluation of looking at, all right, well, how
8 many would have to be removed in order to get
9 the proposed cul-de-sac in place, and we have
10 to remove five spaces, right. Essentially, as
11 Brian indicated, we need to keep this area
12 open. Based on the input from the Fire
13 Department at the staff meeting we had on
14 March 10th, they said that having -- that we
15 could include six on-street parking spaces as
16 part of the proposed cul-de-sac, with a
17 limitation on parking within the cul-de-sac
18 itself. So that at the end of the day,
19 on-street parking went from 19 to actually 20
20 parking spaces in this configuration.

21 Then, again, somebody had asked about,
22 well, what happens if you have guests and
23 visitors, and we prepared a graphic which
24 illustrates that each lot has its own -- has
25

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1 two parking spaces required by zoning, but
2 given the length of driveways and garages, you
3 could get anywhere from I think it's four to
4 six, even eight in one instance, cars parked
5 off street at each site, each lot. Again, this
6 is the graphic that was prepared and included
7 as part of the application package, which shows
8 the turning radius that the Fire Department had
9 reviewed.

10 I'll just note that I did go on the
11 town's website this afternoon, I was getting
12 the agenda, and I saw that there was some other
13 additional correspondence submitted by
14 residents that had the Eastchester Fire
15 Department out at the site for doing some
16 maneuvers. It's unclear to us -- we were not
17 notified that this was happening. We don't
18 know what the purpose was. So we're at a
19 little bit of a loss because we did have a
20 meeting with the representative of the Fire
21 Department on March 10th to review the
22 specifics of the plan. So we believe that the
23 plan conforms to the requirements of the
24 Eastchester Fire Department with respect to
25

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1 circulation.
2 So in summary, we have provided
3 specific analysis, plans and reports, we
4 supplemented our documentation, we responded to
5 the comments from your professionals. We
6 believe at this point you are in a position, if
7 you so desire, to make a determination of
8 significance under SEQRA, the State
9 Environmental Quality Review Act. We would
10 respectfully request that you would consider
11 that request that a Negative Declaration be
12 issued, and allow us to proceed with the next
13 steps in the process, which would be to go to
14 the Zoning Board of Appeals for the two
15 requested variances. Then if we get the
16 variances, we'll be coming back to your board
17 for final subdivision approval.

18 So I thank you again, Mr. Chairman,
19 members of the board.

20 THE CHAIRMAN: You're welcome.

21 MR. SMITH: I could answer any
22 questions if you have them.

23 THE CHAIRMAN: Actually, I think we're
24 going to hear from our consultants now about
25

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1 site civil -- you don't have any site civil
2 updates for the week -- for the -- you don't
3 have any updates on the site plans or anything
4 else?

5 MR. SMITH: No. No. The site plans,
6 no.

7 THE CHAIRMAN: Okay. Great. We're
8 going to run through our consultants and hear
9 their comments. We'll save the best for last,
10 Mr. Grealy. Mr. Cermele, can you tell us what
11 you're up to.

12 MR. CERMELE: Good evening, everyone.
13 For the record, Joe Cermele with Kellard
14 Sessions Consulting. You have our memo from
15 last week. A lot of our standing comments
16 still apply, referring to not only approvals
17 required by this board and by the town, but
18 also Westchester County Health Department for
19 the subdivision, as well as for the proposed
20 extension to the sanitary sewer and water
21 mains, as well as approval from Veolia Water
22 for extension to the water main. They're
23 actively pursuing them and acknowledge the need
24 for those approvals. Those will come in time.

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1 Certainly before -- I would imagine that would
2 be conditioned as part of the final site plan
3 approval.

4 With regard to sanitary sewer, we had
5 requested, and the applicant provided, an
6 analysis of the potential impact from these
7 additional eight homes to the surrounding sewer
8 system. We reviewed it. We consulted with
9 your highway foreman -- or superintendent
10 rather -- and find that the study provided
11 adequately demonstrates that the capacity of
12 the existing system is adequate for these
13 homes.

14 So in general, the two homes that
15 front Highland Avenue will connect via
16 individual service connections to the existing
17 main on Highland Avenue. There was a two
18 family home, I believe, in that area previously
19 on one of those lots. So in essence, the
20 increase in sanitary flow to that main from
21 this lot is marginal. We went from an existing
22 two family house to two single family homes.
23 The balance, the six homes on the cul-de-sac or
24 the -- I'm sorry, the five homes on the

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1 cul-de-sac and the one home that fronts Beech,
2 they would all discharge to the existing
3 sanitary main on Beech Street. The first lot
4 would have an individual connection -- I'm
5 sorry, Dan, everything goes to the proposed
6 main? So all six lots would go to the proposed
7 main in the cul-de-sac. That main is an
8 extension of the existing sewer on Beech
9 Street. Coincidentally, at that area on Beech
10 Street, there is a high point in the system, so
11 there is a sanitary main to the immediate west
12 of the cul-de-sac that collects sanitary flow
13 and discharges north on Beech Street towards
14 Highland, and then down Highland Avenue. The
15 section of the main that they're connecting to
16 is to the east of the cul-de-sac or on the
17 eastern portion of the site. That main flows
18 southerly on Beech and then down Siwanoy. So
19 there's a divide there. The existing sanitary
20 main does not continue across the site.

21 In speaking with the Highway
22 Department, there are no known issues with the
23 sanitary main on Beech to which the applicant
24 is connecting and proposing the extension.

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1 They did a conservative analysis assuming that
2 the existing pipe would be 50 percent full, and
3 then added their flows projected from the
4 development to that, and it showed a very small
5 percentage of an increase to the flows, more
6 than enough capacity in the pipe. I forget the
7 exact numbers, but somewhere in the order of an
8 available capacity of, say, I think it was
9 close to 600 gallons a minute, and the
10 projected flow from the development is only
11 eight or nine. So certainly more than enough
12 capacity in the line to accommodate the
13 proposed sanitary generation from the project.

14 With regard to storm water -- before I
15 leave the sanitary point, one of the -- I guess
16 a policy, and what the town tries to do with
17 projects like this, is reduce inflow and
18 infiltration to the existing system to offset
19 the generated waste from the project. So
20 similar to 5 Ray Place when we first reviewed
21 that, there are measures and means in place to
22 make improvements to the sanitary system in
23 that sewer shed to offset the projected
24 increase.

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With this project, we also spoke with the Highway Department and questioned whether or not there were any known issues in either the sanitary line on Highland Avenue or the existing system behind on Beech Street. He doesn't know of anything specific. We will continue to investigate, and we'll work with the Highway Department. As we did on 5 Ray, I'm sure we can condition something or create a condition in the Resolution that we would look to or continue to look for any potential I&I opportunities to eliminate, and that could be as simple as a leaking manhole or a failed section of pipe that needs some repair. We'll work with the Highway Department and the applicant to typically televise a couple of sections of the existing main, see what its condition is, and determine whether or not there's a benefit to any repairs, if they're even needed.

With regard to storm water, the applicant obviously has to comply with Town Code, but because of the size of the project, the level of disturbance, they also need to get

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coverage under the state's general permit for storm water. So there's an elevated level of requirement and mitigation that's required. They provided a storm water pollution prevention plan, which we reviewed a couple of times. At this point, we're satisfied with the design itself with the level of mitigation it provides.

In general, the existing site was divided into three areas of -- three drainage areas. There's one that -- there's a smaller drainage area that parallels Beech Street, that existing storm water runoff today flows towards Beech Street and into the existing system. There's a main central portion that flows generally west to east to the properties that adjoin the parcel down below to the east. Then a third area that is -- I don't have a plan or something to put up -- roughly proposed lots seven and eight that flow towards Highland Avenue. Those three areas are analyzed under existing conditions, and we determine peak rates of runoff for the various storms. In this case, the 1, 10 and 100 year storm event.

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Those are then used as targets that are not to be exceeded when you run the same analysis under the proposed conditions. What the applicant did was, basically the cul-de-sac, all the runoff from the cul-de-sac gets collected, it is pre-treated in a separator unit, it then discharges into an underground detention system, where that water is held back, it's a controlled release so that that peak rate of runoff, as it flows towards, in this case, Highland Avenue, does not exceed what happens today. Before it does that, it actually goes to another treatment unit. So it's getting water quality benefits that don't happen today, removing pollutants from the storm water runoff, and it's also reducing the peak rate from what happens today. Then all of the individual lots, the homes and the driveways, all of the impervious services are collected, and they're discharge into individual infiltration systems on each lot. Those are sized so that there is no discharge from those systems through the hundred year storm.

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So the drainage area, for instance, that goes towards Beech Street is reduced significantly because all the water from the cul-de-sac is now collected and directed towards Highland. Although, with that system in place, it reduces the rate of runoff towards Highland, so there's no impact at Highland.

The storm water flow that currently flows from west to east through the site to the residential properties to the east, that drainage -- those rates of runoff, rather, are significantly reduced because now a lot of that water is either collected in the cul-de-sac and discharged elsewhere, or contained in the individual infiltration systems on each of the lots. So you'll still get runoff from the surrounding lawn areas on each of those lots, but all the roof runoff, those land areas that are now going to be occupied by buildings or driveways are being collected and put into the ground. Conservatively, because they don't know what the design of the house is going to be for each lot, we requested, and they provided, an analysis based on the maximum

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allowable impervious coverage for the lot. So based on the zoning and based on what zoning allows, they use that percentage as their design. We may find that when they come in for individual site plan, that the house footprint actually reduces a little bit, it's all that much better. It's just a conservative approach.

With regard to storm water, we're satisfied that there's going to be an adequate mitigation for the project and a reduction in flows as compared to today. The subdivision, the owners will be part of an HOA, and they will be jointly responsible for the long term maintenance of the common portions of the storm water system. Certainly, the detention system in that non-buildable lot, the treatment units pre and post, those water quality structures, and the discharge pipe that runs from those systems through lots five, six, seven and eight, if you recall the layout, there's a main line that discharges through those properties to Highland, and there's a couple of drain inlets along Highland, the HOA would be

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responsible for all that. Then each individual homeowner would be responsible for their own infiltration systems on their lot. There will be a legal agreement with the HOA that the town will have on record, you know, obviously making HOA responsible, and there will be provisions in there that, for whatever reason should the HOA not provide the level that is needed, the town can step in, and then there's measures to recoup the costs. It's a standard agreement, but it will become part of the process.

I don't know if you have specific questions. Everybody is glassed over right now.

THE CHAIRMAN: Well, a couple. The first was about, as you said, the inspection or the video of the existing -- how old are the sewage drains, the mains?

MR. CERMELE: I have maps from I believe it's 1943. There's I think it's six boards that are hanging in the Highway Department's office are the only known record of the sewer maps in town. I have pictures of them. We have that. But it is an old system.

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It's certainly aged. Which is why we would probably work with the Highway Department, and we've already spoken about it, but there will probably be maybe one or two streets that we'll want to televise and just check the general condition of it. If we find that there is a repair that should be made that will help offset their projected flows, then we could work with them to get them done.

THE CHAIRMAN: As you said, that's typical procedure that we've done on projects, Ray Place in particular?

MR. CERMELE: Not all projects, but when projects rise to a level of development such as this, it's certainly something that we look at. It's a county policy as well.

THE CHAIRMAN: Oh, is it?

MR. CERMELE: Yes.

THE CHAIRMAN: So that's a recommendation that -- I mean, we don't have deal with that today, but as we continue with development, it stays in our foresight.

MR. HERBERT: Right.

THE CHAIRMAN: Is it three to one?

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MR. CERMELE: Three to one for --

MR. HERBERT: It's the county policy.

THE CHAIRMAN: That's good to know.

MR. CERMELE: That came back with the town's original referral of the application to the county. When they sent their letter back, that was one of the recommendations that the town considers, which you already do any way.

THE CHAIRMAN: So it's applicant's responsibility to fulfill that guideline?

MR. CERMELE: Right.

THE CHAIRMAN: Okay. Great. As far as water, I think you've explained it very well. I understand it. But I think you also said not only have we -- maybe you didn't say it, but I'm asking if it's true -- not only have we offset the amount of storm water being discharged into the storm waters, we actually maybe reduced it a bit or at least held it on the property for awhile?

MR. CERMELE: At a minimum, it meets existing conditions. If we were to look at the three design points that they refer to as Beech Street, Highland Avenue, and the eastern

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1 property line, Beech Street pre and post, the
2 post developed conditions were lessened. The
3 flows going to Beech aren't great to begin
4 with, but at the end of the day, they are
5 lessened.

6 Highland Avenue, because in current
7 conditions I'd say maybe 40 percent of the site
8 today goes towards Highland, by redirecting and
9 collecting the runoff from the cul-de-sac and
10 sending that to Highland as well, there's that
11 much water volume heading to the Highland, but
12 with the system in place and the detention
13 provided, by holding back that collected runoff
14 for an extended period of time, the peak flows
15 to Highland are actually reduced as well.

16 Then the most significant reduction is
17 along the eastern property line because all of
18 that runoff from the cul-de-sac, the area of
19 the cul-de-sac is being directed to Highland,
20 where that same land area today flows to the
21 east towards those properties, right, we're
22 taking that volume out of that portion of the
23 equation and sending it somewhere else. The
24 runoff from the buildings, which today are lawn
25

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1 areas that run off towards the east, that is
2 being collected and infiltrated. So there's a
3 significant reduction to the east.

4 THE CHAIRMAN: I think that's pretty
5 clear. Those were my only questions. Thank
6 you for explaining it.

7 MR. CAMPANA: Just for the purpose of
8 the public and their understanding of the way
9 you calculate the increased volume into the
10 sanitary system on a three to one basis, can
11 you explain that in simple terms?

12 MR. CERMELE: How to calculate the --

13 MR. CAMPANA: Not how to calculate,
14 why you calculate three to one as opposed to
15 just one to one.

16 MR. CERMELE: So there are a couple of
17 layers of, I guess, conservative -- it's
18 conservative. The flows from the buildings
19 themselves, from the houses are dictated by the
20 DEC and their standards for sizing sanitary
21 sewer systems. That flow rate we then apply a
22 peaking factor of four. If you calculate a
23 thousand gallons a day coming from a house, we
24 size and design things for 4,000 gallons a day.

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1 Using that 4,000 gallons a day, county policy
2 that the town wants to follow, we want to
3 offset that by a factor of three preferably.
4 That's a goal. It's not codified, it's not a
5 mandate. It's a policy and it's a guideline.
6 In this instance that we're talking about, if
7 we said 4,000 gallons a day is coming off your
8 site, we would like to see you try and find
9 inflow and infiltration in an amount of 12,000
10 gallons a day that we could eliminate from the
11 system. So we'll work -- as I said, we'll work
12 and -- it's not an exact science, but we'll
13 televise some lines, we'll inspect some
14 manholes, and if we see that there are repairs
15 that need to be made and there are significant
16 leaks or whatever it might be that could -- the
17 goal is to remove ground water infiltration
18 into the sanitary system to free up capacity
19 for what it's meant for, right, sanitary waste.

20 MR. CAMPANA: Okay.

21 THE CHAIRMAN: Okay. I'm good, if
22 there are no more questions. Mr. Grealy.

23 MR. GREALY: Good evening. Philip
24 Grealy, Colliers Engineering and Design. We
25

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1 had reviewed the submission from April 7th from
2 PDE, and we provided to the board our summary
3 comments April 19th. Before I get into those,
4 just a couple of items that the Chair had
5 asked.

6 So since the last meeting, the
7 applicant had done another traffic count at the
8 intersection of Beech and Rose on March 28th.
9 So that was the date of the most recent count
10 that was done. Also, in terms of evaluating
11 conditions, you know, as Mr. Dempsey stated,
12 it's not just the traffic counts, it's the
13 makeup of the traffic counts in terms of the
14 vehicle types. The intersection analysis
15 procedures take into account the turning
16 movements, the vehicle types, pedestrians, the
17 type of traffic control, the speed of the road,
18 as well as the lane widths, and also how those
19 volumes are distributed over an hour period.
20 So when traffic counts are collected, they're
21 collected in 15 minute increments. The reason
22 is, in the analysis, you want to take into
23 account the peaks, but if there's any surges
24 that occur, let's say within an hour, if it's
25

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1 not evenly distributed. In this area, they're
2 relatively consistent in the peak hours. So
3 all of those factors go into the analysis that
4 he was referring to.

5 So relative to our April 19th review,
6 the information provided answered all of our
7 questions relative to trip generation. It
8 turns out that their analysis was somewhat
9 conservative with the trips that they used, you
10 know, for the project.

11 In terms of the traffic count data,
12 they've covered all the time periods at Siwanoy
13 and Beech. They provided from 1:30 to 6, you
14 know, what the variations of traffic volumes
15 are there. Also, they did a summary relative
16 to crash data. They provided the analysis of
17 traffic at Beech and Rose, which was an
18 additional intersection that was requested at
19 the last hearing. They've also provided some
20 recommendations in terms of signing, striping,
21 and these are things that, you know, would have
22 to be determined in discussion with the board,
23 as well as with the Highway and, you know,
24 Police Department. So if there are things that

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1 the board would like to have added, you know,
2 those could be done by the applicant.

3 There are were certain sight distance
4 improvements. We had some recommendations in
5 our letter. Some additional, you know,
6 pruning, and making sure sight distances are
7 provided, as well as some additional signing
8 recommendations.

9 At this point, they've answered the
10 various questions. I think rather than repeat
11 the different categories -- Mr. Dempsey had
12 covered those -- I think our report indicates
13 they've addressed the items. There are some
14 existing conditions in terms of that signing,
15 striping, and other measures may be helpful to
16 address. That's pretty much, you know, where
17 we are at this point.

18 THE CHAIRMAN: Okay.

19 MR. NEMECEK: If I could ask -- we
20 heard Mr. Cermele describe how, you know, the
21 water retention might actually have a positive
22 affect relative to the current condition. Is
23 there any measures that could be taken that
24 would result in this application being granted

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1 and the traffic conditions simultaneously
2 getting better as opposed to worse?

3 MR. GREALY: In this particular case,
4 some of the signing and striping to define the
5 intersection better, making sure that advance
6 signing is in place. So, for example, when you
7 have a stopped controlled intersection, over
8 time sometimes you'll see, you know, tree
9 branches blocking it, so one thing that's
10 typically done is to put advance signing
11 indicating there's a stop sign ahead, so that
12 if by chance over time something gets blocked,
13 there's more advance notice. Striping,
14 reinforcing stop signs by installing painted
15 stop bars. In some cases, other striping to --
16 in some areas you stripe down to narrow lanes.
17 In this particular case, the road widths here
18 are relatively already -- you know, if you had
19 a road width that was over 30 feet in terms of
20 just, you know, no parking, just 30 feet with
21 two way traffic, a lot of times you try to
22 stripe the edges to bring the lanes down. We
23 already have that in place here.

24 Things in terms of making it better

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1 that can be done in neighborhoods we categorize
2 as more traffic calming. So once you've taken
3 care of, quote, the issues of sight distance,
4 proper signing, proper striping, the next step
5 would be if there were excessive speeds, you
6 start looking at traffic calming measures. In
7 this particular area, for example, there are
8 some areas of the town and in other towns where
9 you have long straightaways where speeds are a
10 problem, so you're either constantly enforcing
11 the speeds with the Police Department, or you
12 put in measures such as speed signs, speed
13 tables, things like that. Those are all
14 considerations, but you need input from the
15 Highway Department, the Fire Department,
16 etcetera.

17 So I think there are things that could
18 be implemented to offset any increases from
19 this project. As has been pointed out in this
20 neighborhood, in the surrounding neighborhoods
21 there are no sidewalks, so you have pedestrians
22 moving. In general, you know, that's a case
23 here of keeping the speeds down. When you have
24 pedestrians, you want to keep the speeds down.

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1 So I think those are the areas that you could,
2 you know, put some conditions in with the
3 applicant to participate, and it would require
4 input from Highway also.

5 MR. NEMECEK: Let me -- let me -- I
6 have a follow-up question. Maybe I didn't
7 quite understand the response you gave. Is
8 there any scenario under which this application
9 gets built and the traffic conditions actually
10 are better afterwards than they were
11 beforehand, or is it just the case of, well,
12 you're adding more traffic flow, whatever that
13 is, and you also now have a new cul-de-sac that
14 is 108 feet away from --

15 MR. GREALY: Siwanoy.

16 MR. NEMECEK: Yes, from Siwanoy. That
17 by granting this application, by having this
18 development built, you are going to end up with
19 a less favorable traffic situation, and the
20 best that we can do is mitigate how much worse
21 that is, or is there a situation or is there a
22 possibility where you can actually end up with
23 a better traffic flow, a better situation than
24 exists presently?

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1 MR. GREALY: So in terms of the amount
2 of increase and the measures that they've
3 identified, I think they are addressing their
4 increase in terms of, you know, looking at
5 issues relative to signing, striping, making
6 sure sight distances, so those are important
7 factors.

8 Other things -- I mean, we're not at a
9 stage where, you know, you don't need traffic
10 signals here, which would be if a project was
11 creating something like that, that would be a
12 mitigation to make it better. I think what
13 things could be done in this particular case,
14 again, it's more with signing, striping, maybe
15 some traffic calming. If there was, you know,
16 a real concern about speeds, you could bring
17 those speeds down. Other than that, there's
18 really nothing that --

19 MR. NEMECEK: I know -- and perhaps
20 we're belaboring this point or I'm belaboring
21 the point -- it seems to me that by adding more
22 cars and by adding another street, albeit a
23 cul-de-sac, that you are making a situation
24 that is either not so bad or really bad,

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1 depending on who you're listening to, whatever
2 the current situation is, it sounds like you're
3 inevitably making it worse, and the best that
4 you can do is make it less worse; is that a
5 fair statement?

6 MR. GREALY: So you're adding traffic,
7 so you're adding traffic on the roadway.
8 That's no question. In terms of quantitatively
9 saying it's that much worse, the analysis
10 demonstrates, you know, the delay mechanism.
11 It does not show a significant delay increase
12 in terms of traffic flow at any of the
13 intersections, which is a standard method of
14 for evaluating is there an impact.

15 From a practical standpoint, you're
16 adding more cars, there are pedestrians, so we
17 want to make sure they're safe so you make sure
18 you have proper sight distances, that traffic
19 leaving the development is controlled, that,
20 you know -- there are some parking spaces being
21 removed on Beech, but there are going to be
22 some spaces added in the new cul-de-sac. I
23 think those are the categories that you would
24 kind of look at relative to that. If there are

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1 no new spaces added, then you're affecting
2 parking in the area.

3 MR. NEMECEK: Okay. Thank you.

4 THE CHAIRMAN: The speeds have never
5 been part of a study, right, it's always been
6 about car counts because you anticipate that
7 the speeds are enforced; right?

8 MR. GREALY: So the traffic counts
9 were done just to identify turning movements.
10 There were no speed measurements that I'm aware
11 of. Maybe along Highland, but I don't believe
12 there are any speed data -- specific speed data
13 collected.

14 MR. TUDISCO: Mr. Chairman, I think
15 one of the issues -- and, Dr. Grealy, you could
16 correct me if I'm wrong here -- in this
17 particular area in terms of speed, there are
18 streets in Bronxville Manor in which there are
19 long straightaways and there are speed issues.
20 Ridge comes to the top of my head. I think the
21 unique issue about this particular development
22 is that you have a number of narrow turns with
23 a lot of traffic. It's not as much a speed
24 issue as the corners and the narrow nature of

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1 the streets there. I think that's more of the
2 issue in that area, if you want to address
3 that. We see it in terms of enforcement with
4 the traffic tickets in town in terms of stop
5 signs, in terms of speeds on Ridge in traffic
6 court, but I think the peculiar nature of this
7 particular development, those are issues that
8 members of the public have addressed. It's
9 just peculiar to the configuration of this lot
10 and the streets around it.

11 MR. GREALY: So if you look at Beech
12 between Siwanoy and Highland Avenue, you have
13 Rose and you have the other intersecting side
14 streets, so you have intersections there. The
15 curve at Rose, for example, that intersection
16 is kind of a three legged intersection on a
17 curve. Again, the sight lines were number 1
18 that were looked at, and we recommended some
19 items relative to that.

20 The volumes on each approach at that
21 intersection are not that far off, they're
22 fairly close. Just as if you look at Siwanoy
23 has two way stop control at Beech, at Rose
24 that's a candidate that could be looked at for

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1 an all way stop. You don't use all way stops
2 for traffic calming, per se, but for traffic
3 control that's something that could be looked
4 at. Again, you know, because your volumes are
5 of the same of magnitude, you don't want to be
6 putting stop signs in where you have a much
7 higher main road and a very low side road going
8 to an all way stop.

9 Other signing, you know, with the
10 curve, you sign the curve. There's signing in
11 the area that directs traffic, say, to the
12 schools, to Tuckahoe Schools, maybe those signs
13 could be increased in size so that people that
14 are coming from outside the area. Here you
15 have, you know, the neighborhood traffic, and
16 then you have any outside traffic. So I think
17 the neighborhood traffic, you know, typically
18 understands the local roads there and the
19 character of them.

20 THE CHAIRMAN: So the signage to
21 Tuckahoe, if that were made bigger, it might
22 take some cars off the street and put them
23 elsewhere?

24 MR. GREALY: Possibly, yes.

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1 THE CHAIRMAN: Got it. Is there a
2 way, just in general, that traffic conditions
3 in any particular part of any city is
4 characterized, you know, A level of service, B
5 level, C, based on many factors that we're
6 considering here, not just car counts? Is
7 there a standard?

8 MR. GREALY: So the standards -- and
9 in this report you'll see the levels of
10 service, those are for intersection. So the
11 intersections here, based on the volumes and
12 all the factors, are categorized as levels of
13 service A and B, which means the delays and the
14 operations are of the right order of magnitude
15 that you would expect here.

16 Now, in terms of between
17 intersections, okay, we have a case here where
18 the curves, and everything else that was
19 referenced, you just want to make sure you have
20 proper signing. There's no real level of
21 service provided, you know, on those sections
22 of road.

23 THE CHAIRMAN: But there's best
24 practices, I imagine?

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1 MR. GREALY: Correct. And that's
2 proper signing, striping, sight lines, and, you
3 know, those are the methods that you would work
4 with on those.

5 THE CHAIRMAN: Okay.

6 MR. GREALY: If speed was an issue,
7 you start dealing with things such as speed
8 tables, speed humps. We don't really use speed
9 bumps anymore. Again, those are all factors
10 that come into play with highway maintenance,
11 with snow plowing. School buses can handle
12 those, so that's not an issue. Again, that's
13 if speed was a real, real major issue.

14 THE CHAIRMAN: Okay. Thank you.

15 MR. HERBERT: I just want to add one
16 quick observation. Things like level of
17 service -- correct me if I'm wrong -- like a
18 level of service at an intersection is a metric
19 that's used -- it's biased towards the
20 vehicles. A level of service A versus a level
21 of service F is how much time a driver sits in
22 a car waiting at the intersection. Those
23 measurements don't take into account impacts to
24 non-motorized lawful uses of the road like

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1 pedestrians, cyclists, those users of the road.
 2 Most of the public comments that we've received
 3 have related to that, the impacts of the
 4 vehicles on the non-motorized users of the
 5 road. So is there a measurement -- I guess to
 6 piggyback on the Chairman's question, is there
 7 a measurement that we could use or something
 8 like that relative to those factors, you know,
 9 improving the situation for the non-motorized
 10 users of the road?

11 MR. GREALY: Well, there is no I'll
 12 call it level of service for pedestrians, other
 13 than at the intersection, because that's part
 14 of what's included in the calculation. But
 15 again, things like signing to make people aware
 16 that there's pedestrians there, where there's a
 17 curve, to sign the curve, and that all
 18 relates -- if there was a main bicycle route
 19 that bicycles use, you would sign that. Again,
 20 there are no sidewalks in any of these
 21 neighborhoods, so it's similar to what
 22 transpires at any of the areas here. But, yes,
 23 there is no specific, you know, analysis of
 24 that, per se. That's where the traffic calming

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1 measures come in to play, and there's all sorts
 2 of methods that could be used for that.

3 MR. HERBERT: The posted speed limit
 4 is 25 on that road?

5 MR. GREALY: Yes. So in terms of the
 6 speed, the speeds are controlled by some of the
 7 curves and just the width of the road. One of
 8 the problems is when you have much wider roads,
 9 it encourages speed. This neighborhood is
 10 almost self-calming, to a certain extent,
 11 because of the width of the roads. It's not
 12 unusual for areas like this to be like that.

13 THE CHAIRMAN: Is there a way to
 14 control the type of traffic on the streets,
 15 such as commercial traffic, big trucks, fire
 16 trucks, all of that, that could be done to keep
 17 big vehicles off the roads?

18 MR. GREALY: The fire vehicles, you
 19 know, are given access on all roads. In terms
 20 of commercial traffic, yes. However, local
 21 deliveries still have to be made. So if there
 22 was an issue of, you know, cut through truck
 23 traffic, you can take care of that by signing.
 24 But again, the types of trucks that were

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1 observed, you know, they're local deliveries.

2 THE CHAIRMAN: They're the same trucks
 3 that are on every street.

4 MR. GREALY: Yes.

5 MR. TUDISCO: There are portions of
 6 town that truck deliveries are not -- trucks
 7 are not permitted. California Road, for
 8 instance, it's a no through trucking street
 9 because vehicles were using that to circumvent
 10 the Hutch. It runs parallel. So the law reads
 11 that you can't drive a truck on California
 12 Road, unless you are making a delivery on
 13 California Road. It does not include any of
 14 the offshoot streets from there because there
 15 are alternate ways of accessing those streets,
 16 that you don't have to take California Road,
 17 and that's pretty well enforced. I don't know
 18 if this is the same type of situation, you
 19 don't have a cut through problem, but there are
 20 ways, you know, to address certain situations
 21 like that.

22 THE CHAIRMAN: So when you put up a
 23 sign, no commercial vehicles, it means --

24 MR. TUDISCO: No through trucking.

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1 THE CHAIRMAN: It will be enforced;
 2 right?

3 MR. TUDISCO: Yes.

4 THE CHAIRMAN: It's not just a sign.
 5 All right. I think you've brought up some good
 6 points. Thank you for answering. I think we
 7 also have to evaluate what you've given us.
 8 Thank you.

9 Any more questions, guys.

10 MR. CAMPANA: I have one question
 11 regarding the subdivision. For the benefit of
 12 the public and their knowledge of this process
 13 prior to even coming in front of the public
 14 here, was there any consideration during the
 15 design phase of access to the subdivision from
 16 Highland Avenue, and if so, what were some of
 17 the reasons as to why you could not accommodate
 18 that?

19 MR. COLLINS: Good evening, members of
 20 the board, Dan Collins, Hudson Engineering. We
 21 were involved with that process back, I guess,
 22 2014, 2015. It feels like a long time ago.
 23 Originally when we did look at this property
 24 for a subdivision, 203 Beech was not purchased

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1 yet. There was a house there. Unfortunately,
 2 in order to get the roadway up, it would be,
 3 first of all, beyond the minimum required
 4 300 feet for the length of a dead end street
 5 with a cul-de-sac. In order to make it code
 6 compliant in order to pull it forward, we would
 7 have ended up having to take some of the
 8 property -- actually, if I could bring this up.
 9 I don't know. Some of this corner of this
 10 property would need to come up in order to get
 11 the right-of-way for the cul-de-sac. So
 12 obviously, this homeowner would actually have
 13 to be involved with the subdivision in order
 14 for us to do that. Obviously, that's not
 15 something that if they don't want it, they're
 16 not going to go for it.

17 So between that, and then Margaret
 18 basically informed us at the time that the
 19 board or the town would never approve an
 20 extended cul-de-sac that was beyond the minimum
 21 required of 300 feet because that would set a
 22 precedent. So that was one of the reasons why
 23 we did look at that originally. This kind of
 24 went away for awhile. Then once they purchased

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1 the property at 203, we said, hey, look, we
 2 could come in on that side, we could get the
 3 300 feet, we can have the co-compliant
 4 cul-de-sac, and then we can have it have a more
 5 adequate set of plans. It was told to us by
 6 the town that that was a no go.

7 MR. CAMPANA: Were there any issues
 8 with the change in elevation from Highland
 9 Avenue to the actual cul-de-sac where it's
 10 located currently?

11 MR. COLLINS: There was as well. I
 12 don't recall at the time what the maximum slope
 13 is, but we would have to -- you will be cutting
 14 in here a lot. So I think what we did have
 15 was, we had one lot kind of elongated here. We
 16 had a storm water system that was potentially
 17 here, but it was a little bit higher up because
 18 of the elevations that we needed to get out to
 19 the street. To be honest, the design wasn't as
 20 smooth as it is now. A lot of the houses, as
 21 well, were -- a lot of the lots were very
 22 narrow, which wasn't a very desirable aspect
 23 either.

24 MR. CAMPANA: In that scheme, were
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1 there variances required?

2 MR. COLLINS: Yes. We would have
 3 needed a variance for the length of the
 4 roadway. I think there would have been less
 5 lots. We wouldn't have had these two obviously
 6 here at the time. I think there was a lot
 7 width issue for the right-of-way because it
 8 kind of tapers a little bit. You can't really
 9 see it on here. We needed to still provide the
 10 50 foot right-of-way, and then provide some
 11 room for a lot on the other side, and it was --
 12 I know it was within inches, but regardless, we
 13 had to get a variance for that.

14 MR. CAMPANA: Okay. Thank you.

15 THE CHAIRMAN: Okay, guys, any more
 16 comments?

17 (No comments.)

18 THE CHAIRMAN: Then this is still an
 19 open public hearing, so now is the time where
 20 we are taking comments from the public.

21 If you could come up, please. Just
 22 give us your name, address, and then comments.

23 MR. CARNEY: Bill Carney, 101
 24 Middleton Place. I haven't been able to make

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1 the previous hearings, but I did watch them
 2 online.

3 I know the builder's representative
 4 mentioned that, you know, the cul-de-sac would
 5 be consistent with what we've seen in town. I
 6 think he said there are 11 or 12 cul-de-sacs
 7 within the town of Eastchester. Obviously you
 8 guys know better than anybody, Eastchester is a
 9 big town. If you look at the really existing
 10 area, you know, Bronxville Manor, there's only
 11 one cul-de-sac in all of Bronxville Manor,
 12 which is Pine Circle, and it obviously exits
 13 onto a Main Street, which is Ridge. If you do
 14 look at the existing area, I think there are
 15 four or five cul-de-sacs off of Highland. So
 16 if you're going to look, you know, to be
 17 consistent with the neighborhood, really it's
 18 more consistent with coming off of Highland. I
 19 appreciate Mr. -- Mark talking about, you know,
 20 looking into the entrance to Highland because I
 21 really think that's where it should be.

22 Beech is a narrow street that can
 23 barely handle the traffic that's there now. I
 24 think we can all agree that doubling the amount
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1 of houses there is not going to improve the
2 traffic situation, and it's definitely not a,
3 you know, through -- it's not like, you know,
4 cutting down Crawford or cutting down Highland.
5 The traffic issue is not a, you know, cut
6 through issue, it's really just a density
7 issue.

8 On top of that, you know, seven of the
9 eight houses there are going to be in
10 Eastchester Schools. I think only one of them
11 is going to be Tuckahoe Schools. Currently, no
12 buses for Eastchester come through Bronxville
13 Manor. I believe all of the houses in
14 Bronxville Manor are Tuckahoe Schools. So by
15 putting this cul-de-sac in there, you're going
16 to have an Eastchester bus, in addition to the
17 Tuckahoe buses now coming through there every
18 morning and every afternoon. Again, you know,
19 Beech is a very, very narrow street, so you're
20 going to have buses coming down there, it's
21 only going to add to the congestion.

22 You know, even the traffic study, if
23 you saw that, there was significant traffic off
24 of Highland Avenue. I would assume that you're
25

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1 going to want to put an entrance to a
2 cul-de-sac where there already is existing
3 traffic. The increase, if you look at it on
4 percentage basis, the increase in traffic if
5 you had the entrance on Highland, would be
6 minimal. If you look at it again on a
7 percentage basis with the increase in traffic
8 off of Beech, it would be pretty significant.

9 You know, we talked about striping and
10 speed signs to help with the traffic issue. If
11 the entrance is Highland, you don't need to do
12 any of this. There isn't going to be a traffic
13 issue because there's already significant
14 traffic on Highland already. As a resident of
15 Bronxville Manor, the last thing I want to do
16 is create a traffic issue where now we have to
17 put in striping and speed signs and everything
18 else. It's not an area that really is built
19 for that.

20 You know, I understand the developer
21 has the right to develop the land, it's his
22 property, I understand that, you know, he has
23 the right to develop it, but I really think it
24 needs to be responsible development. You know,
25

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1 inventory in Bronxville Manor is very low.
2 It's a desirable area. Houses go on, they sell
3 really quickly. Despite the fact that the
4 houses will be Eastchester, you know, you're
5 going to be able to market these houses as
6 Bronxville Manor. I think that's one of the
7 reasons why, if you have the entrance on Beech,
8 you're going to be able to market the houses as
9 Bronxville Manor. If the entrance is on
10 Highland, they're not going to be able to be
11 marketed as Bronxville Manor. So I really feel
12 that, you know, we shouldn't take into account
13 how you're going to market the houses. It
14 really should be what's best for the area. I'm
15 asking the board really to investigate more so
16 looking to have that entrance on Highland. If
17 there are variances, you know, investigate if
18 we're able to approve those variances, and kind
19 of weigh the pros and cons of the benefit of
20 having the entrance on Beech versus Highland.

21 THE CHAIRMAN: Thank you.

22 MR. GIACOBBE: Thank you.

23 MR. CAMPANA: Thank you.

24 MR. NEMECEK: Thank you.

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1 MR. EGAN: Good evening, gentlemen.
2 My name is Frank Egan, I live at 210 Beech
3 Street. I'm the dead end. I guess, based on
4 listening to all this, the east most side of
5 Beech Street.

6 First, let me just say, I couldn't
7 agree more with the prior speaker. Everything
8 he said is absolutely correct. After listening
9 to the project the last month and everything
10 that was said again tonight, all of a sudden I
11 realized that this is the same arguments and
12 issues dealing with congestion and density that
13 happened back in 1985 when the property that my
14 house is located on was first developed. There
15 was 1.75 acres that was sold by the Siwanoy
16 Golf Course to a developer, a man I wound up
17 working with because I bought one of his
18 houses. He had originally proposed, I believe,
19 six houses; three that a were supposed to come
20 in on Barbara Place to either extend what was a
21 dead end or a smaller cul-de-sac, and three
22 that were going to be built on a cul-de-sac on
23 the east end of Beech Street.

24 According to the developer, the

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Planning Board rejected it, and the Zoning Board changed the zoning on the lot to half acre zoning. So the 1.75 acres got turned into three homes; two whose driveways are on Barbara Place, and one, mine, that's the dead end of Beech Street. That was because of the impact of congestion and density on the neighborhood.

So what was a bad idea then and was changed by the wisdom of the boards, why would that be a good idea now? I just don't see that.

For everything that's been said by my neighbors, please reconsider. I understand that the developer has a right to develop his property, as I learned from the gentleman who built my house, but you have to think of the community and do what's best for quality of life. Thank you very much.

THE CHAIRMAN: Thank you.

MR. GIACOBBE: Thank you.

MR. NEMECEK: Thank you.

MR. CAMPANA: Thank you.

MR. DEBITETTO: Good evening. John Debitetto, 19 Stebbins Avenue, President of the

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Bronxville Manor Association. I just want to thank you guy for always doing this because I've been here like two months, and I don't want to be here anymore. I don't know how you guys stay all these hours. Can I put up some pictures?

MR. TUDISCO: Sure. There are clips on there.

MR. DEBITETTO: Thank you. I'm a professional firefighter for 29 years for the town of Eastchester. I'm a captain, currently a tour commander. I live in the real world. The engineers are good, everything is good, but when things go wrong with everything that you build, I get the call at midnight. You know, storms, drains, things that don't work. I did every storm here. Ida almost killed me.

When they go to the Fire Department, you go to Captain Pintavale and to fire prevention, and, you know, they do -- you know, everything is math with the truck radius, this and that. In a perfect world -- I'm in suppression, I don't deal in a perfect world. There's always a car where it's not supposed to

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be, there's always a FedEx truck coming out, there's always an Amazon vehicle. Your kids go to Waverly, right. We had so much trouble at Waverly because you're not supposed to park there. Every day, we got to get through, we got to get through. So that over here is a minivan. You can't -- it's tight. It's 21, 22 feet. It's not going to work. It's not going to work. You can't get the swing. The apparatus are getting larger and larger. This is the real world. These pictures, I can't put it in any other simpler way. We can talk. We can have a 5 minute answer turn into a 20 minute answer. You guys are very educated. I'm very happy you have degrees and everything, but some things work, some things don't work.

I don't feel comfortable trying to get an apparatus on that street. These are my neighbors. If I can't get to someone, someone dies, I don't sleep at night. I take this very seriously.

Like I said, even with the water, you could do all your drains, the rates. The storms are getting worse and worse. The

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hundred year storm is now every six years, all right. It's the velocity of the water. The water is coming down faster. Everyone is going to have to do redo their calculations and put more drainage.

Just food for thought. It's not working on Beech. If you're going to do it, it has to be sensible development. It's got to be less houses going off of Highland. Thank you.

Do you want these?

MR. HERBERT: Yes, if you want to leave them with us, we can put them in the file.

MR. SMITH: Mr. Chairman, just a clarification. The gentleman that was just up here, I'm sorry, you work for the Fire Department? You're a member of the Fire Department?

MR. DEBITETTO: Yes, 29 years I work with the Fire Department.

MR. SMITH: I guess my question is for clarification. Is this an official position of the Fire Department or is this your own personal position?

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1 MR. DEBITETTO: No, this is towny
2 points. When you live in Eastchester, you
3 accumulate towny points. I'm a resident,
4 and -- I'm a lifelong, you know, resident since
5 1973. I care about my community. I appreciate
6 that. That was a training --

7 MR. TUDISCO: If you could just
8 address the board.

9 THE CHAIRMAN: Maybe --

10 MR. DEBITETTO: That was a real world
11 training evolution. The trucks went to Beech
12 Street, like they do all the time because we're
13 always -- we get 4,700 calls a year.

14 THE CHAIRMAN: Were you asked to go
15 and do that little stay and take those pictures
16 in regards to this application or you were just
17 on the street and you figured while we were
18 there, we'll take --

19 MR. DEBITETTO: No, that was my
20 training. That was my idea to go there because
21 I am very concerned.

22 THE CHAIRMAN: I hear you, but I guess
23 as far as -- we understand that -- as far as
24 comments from the Fire Department, you guys do

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1 that through another --

2 MR. HERBERT: That was not -- the Fire
3 Chief did not --

4 MR. DEBITETTO: Whenever you guys do
5 plans, you guys send everything to fire
6 prevention. There's your protocols and you get
7 everything on paper, but it doesn't come --
8 here's a piece of paper.

9 MR. TUDISCO: I understand what you're
10 saying. I think the question is, did you
11 coordinate that with Fire Prevention so
12 everybody had an opportunity to go out to the
13 site, Fire Prevention, someone who's on the
14 street like you are with that perspective, so
15 everybody can --

16 MR. DEBITETTO: No.

17 MR. TUDISCO: That was the question
18 that was raised by the board.

19 MR. DEBITETTO: No, I didn't. That
20 was just my preliminary. If you want to meet,
21 we could all meet and I could call Fire
22 Prevention.

23 THE CHAIRMAN: In further discussions,
24 we will use your pictures to bring up to the

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1 Fire Department.

2 MR. DEBITETTO: I'll give you my
3 schedule, the days I'm working.

4 THE CHAIRMAN: We'll bring you on
5 board then. Okay. Thank you.

6 MR. GIACOBBE: Thank you.

7 MS. MANCUSO: Good evening. Magdalena
8 Mancuso, 192 Beech Street. I'm on the corner
9 of Beech and Rose. I have to say, the Fire
10 Department has been at my house many times. I
11 have two boys. It is really, really tight.
12 When they're there and the ambulance, nothing
13 else really gets through.

14 A couple of questions. One, is the
15 property going to be private? I know the other
16 cul-de-sacs are private. We cannot go in. Not
17 that we need to go in, but just a question.

18 THE CHAIRMAN: Can you finish your
19 questions and then --

20 MS. MANCUSO: I'm sorry.

21 THE CHAIRMAN: Can you direct your
22 questions to us, I'll write them down, and then
23 we'll go back to the applicant to answer them.
24 So first one, private.

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1 MS. MANCUSO: Is the property private.

2 Also, just a comment. If you notice -- if
3 you're aware of the houses on the corner of
4 Beech and Rose, for example, mine and the few
5 other ones, we all have these massive rocks
6 surrounding our property, and that's purely for
7 the traffic because I can't tell you how many
8 times people try to cross our lawns in cars.
9 So that's just a little snippet of how the
10 traffic is on our street. It's literally not
11 great.

12 I work three to four days out of week
13 from that corner office. Between the delivery
14 trucks, Amazon maybe probably 10 times in an
15 hour just delivering, there's just so much
16 traffic. I don't agree with the analysis that
17 was done because it just seems a lot more than
18 what was calculated. I mean, I'm ready to
19 start documented when I'm working to see how
20 many cars drive by, but it just seems a little
21 tedious.

22 I worry about the kids. There's a lot
23 of children all around. I think in general in
24 that corner lot area that I live on, there's

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about 15 children that live. We've asked for bump speeds in the past, and that has been declined. So this has been an issue -- traffic has been an issue for many, many years. So this is just not going to make anything better.

All right. Thank you.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: Just someone respond to the question about is it private or is it -- I don't know how they characterize these.

MR. SMITH: The proposed cul-de-sac is designed to town standards, and will be offered for dedication to the town of Eastchester. That's why we're allowing for the parking on the leg of the cul-de-sac coming in. That would be available for public parking. It's a public street.

THE CHAIRMAN: So you build it, and then you dedicate it to the town?

MR. TUDISCO: Typically, that's how it's down with a cul-de-sac.

THE CHAIRMAN: Right. So what are the ones that do say private, that's just a sign that's sort of meaningless?

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MR. TUDISCO: That's usually more if that more of like a communal driveway kind of situation. But if there's going to be a homeowner's association and there's going to be street parking, typically the developer will build the street or construct the street, and then deed it or dedicate it to the town, and then it becomes a public street.

THE CHAIRMAN: Oh. So the private ones, they're responsible for maintenance of the street?

MR. TUDISCO: Correct.

THE CHAIRMAN: Anyone else?

MS. BRESCIA: Good evening. Thank you. Thank you for being here and listening to everything that people have to say because I think it's very important. It's great to have numbers on a page and do analysis, but when you actually live it and see it, it's not just numbers on a page.

So my two areas of concern, and I've talked about this before so I'm not going to belabor it, but again, it's infrastructure and traffic, that 30 percent deficiency on that

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variance that is being requested for the intersection. 30 percent is a lot. It's not someone adding a couple of square feet to their kitchen. We've talked about the turning and the different areas where the streets are narrow, the streets are wide, they go into narrow streets. It's a lot. You're going to have the 30 foot wide street opening into a 22 wide street, and then you're going to have a new driveway, and then our driveway. Oh, I'm sorry, did I say, Rose Brescia, 205 Beech Street. So I'm right next door. Within that short amount of time, that short area, then you're going to have Siwanoy. So you don't have a lot of room. 100 feet, 108 feet is not a lot, not a lot of room, especially when we have these narrow streets.

I have a question on the sanitary sewer. So in the report and Mr. Cermele talked about there being existing capacity in the lines for the sanitary sewer. Most of the houses in this neighborhood were built in the Twenties and the Thirties, so I'm assuming that's how old the pipes are. So my question

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is, when is that checked? We talked about looking at the sanitary sewer and seeing the condition of it. Is that checked before approvals go through? That's something that should be done before approvals, not after, oh Jerez, we don't have a good condition on the sewers, let me dig up the whole street and replace the sewers. So I think that's something that needs to happen before we actually move farther ahead with this because the pipes are a hundred years old, and I don't know -- you know -- we have one of the old houses, and there's always something that needs to be fixed. So I can't imagine the pipe in the ground at a hundred years old doesn't need something, that there's some kind of leakage at this point. Adding eight more houses -- I'm sorry, that would be the six houses that would be added to the Beech Street side, so that's six more houses.

There was also -- again, this is a question. At some point, there was a discussion about lots one and two having extra pumps that would take it into that water

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1 management system. I didn't hear that
2 discussed tonight. I don't know if that's
3 something that's still in the process. That
4 because those two lots have less drainage, that
5 that was going to be a backup to the pump
6 pumped into that water management system. But
7 I didn't hear that talked about tonight, so I
8 don't know if that's still in the process.

9 I'm concerned about pumps. Pumps
10 fail. Power goes out. People have generators,
11 you can't get fuel. We all had that experience
12 during the pandemic, we couldn't get fuel.
13 Your battery dies. During Sandy, we lost power
14 for five days. I'm not going back in the
15 basement scooping out the sump pump again. I
16 don't want to do it every time there's a little
17 bit of rain. What's the backup plan for that?
18 What's going to happen if that happens; right?

19 The other issue was the traffic -- oh,
20 wait, I'm sorry, one more thing. The
21 homeowners association that's going to maintain
22 this giant bathtub that's supposed to drain
23 into the rest of the property, which, and
24 correct me if I'm wrong, we have type D soil in

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1 this area, which is the worst, thank you very
2 much, so the thought that this water that is
3 going to be captured and then slowly move out
4 into the rest of the property, I know where
5 that water is going. It's going downhill right
6 into us. That's where it's going. We already
7 have a problem. This is not going to make it
8 any easier. I know, we're managing the water.
9 Well, what happens when something goes wrong?
10 What's the homeowners association -- who's
11 responsible for that? Who's in charge of that?
12 Okay. That I can't see working.

13 Traffic. The accident report is a
14 three year lookback starting at 3/16/2020.
15 Does that sound like a good date to anybody?
16 We had a year and a half of pandemic where
17 there were virtually no vehicles on the road.
18 So my suggestion is to go back another couple
19 of years and see that accident report. Not
20 that I'm hoping that there were accidents back,
21 I hope that there weren't another three to
22 five years back. To me, that analysis is
23 inadequate. It's one of those like sports
24 statistics that has an asteric. We can't

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1 really talk about that year and a half. That
2 doesn't really qualify in the traffic study.

3 The other thing in the traffic study
4 is there's mention of a limited left-hand turn
5 out of the proposed street. I don't know why
6 that's an issue, why that's a thing. Why there
7 would limited left-hand turns. I would think
8 they would be the same either way. Yes, to the
9 right you would go out to the main road, but to
10 the left is where the school is. That's how
11 you would travel to school. We have a lot of
12 traffic that comes up and down Siwanoy and
13 Beech at that corner for students, teachers,
14 staff, whatever it is. They come that way.
15 They make that turn. So I don't know why
16 that's a phrase in there, that there's a
17 limited left-hand turn, why that's just a
18 statement, why that that's an assumption.
19 Again, that's another thing that's difficult
20 because we have the variance requested for that
21 30 percent deficiency, so that makes it even
22 worse.

23 I think we have a good zoning code. I
24 think we should stick with it. I thought the

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1 suggestion about bringing the street in from
2 Highland is a good suggestion. You might not
3 get eight houses then. Maybe you'll get five.
4 Maybe you'll get six. But to put eight houses
5 here with the water issues we have, with the
6 traffic issues we have, I don't think it's
7 quality development. Thank you.

8 MR. TUDISCO: There's one thing I want
9 to address for those watching at home in terms
10 of like a legal issue. When you're talking
11 about sticking with the zoning code, I think
12 that is a misleading statement in the sense
13 that this is not a question of there's the law
14 and if something is -- when it comes to zoning,
15 something can be at variance with the law. It
16 doesn't necessarily mean it's illegal. What
17 happens is, the applicant has the ability to
18 address the Zoning Board for a variance of the
19 law for something.

20 One of the things that's been
21 suggested tonight, for instance, was flipping
22 the development around to the Highland side for
23 the entrance. From what we've heard, that
24 would involve variances of the law as well. So

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whether or not there's a variance and whether or not it's reasonable, is something that the Zoning Board will address, but the fact that a variance is requested in and of itself does not necessarily mean something wrong. It's something that the Zoning Board considers based upon a number of factors.

I just wanted to clarify that for those watching at home.

MS. BRESCIA: Yes, yes, yes, thank you. Understood. I don't have a problem -- I understand your point. I think everyone is entitled to request a variance, but some variances are of more quality than other variances. So I feel that from the other direction maybe we won't have so many issues that we have on this side.

THE CHAIRMAN: Just to piggyback on that, what we do here is, we examine applications that are put before us. We examine all the documents that were sent. We don't make recommendations about doing it another way. We say if what is submitted meets the requirements. If there's another way to do

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it, that's not our purview to do. We have to deny an application or say we can't send you on to the next step along the way. But everything that's presented in front of us makes sense, then it's our obligation to act on that.

MS. BRESCIA: No, not to redesign the project. I understand that.

THE CHAIRMAN: All the things you said, actually -- how do we go about this? There are like eight questions there. I narrowed it down. I think we have answers to all of them, but I'm not even going to attempt to make answers, and I don't want to just brush it off. Can she contact you directly and you sort of say, on this drawing the answer is, as you said, lots one and two and the drains. I think you probably have some misunderstandings of the information that's presented. I'm sure they could be clarified.

MR. HERBERT: Certainly. Yes.

MS. BRESCIA: So I'll follow-up with an e-mail to you.

THE CHAIRMAN: I can make an attempt. I'll probably mess up half of them. I think

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the information is out there. If it's not, we'll let you know. Do you mind?

MS. BRESCIA: Thank you very much. Thank you.

MR. SLOVENKO: I'm Richard Slovenko from 200 Beech Street. I apologize in advance. Tonight, unlike in the past, I'm going to be reading notes to ensure the fullness and the accuracy of my remarks.

As a result of the 203 Beech subdivision application process and the Planning Board interactions, we have the following nine major findings, which I'll refer to as what we know now or what we now know.

Number 1, applicant does not own all the property needed for development. 195 Beech Street's Beech's property will be encumbered but for the purpose of a different landowner and for a different land use, and whose (inaudible) of this potentially buildable subdivision lot will be diminished. It has no building on there. It's about exactly 50 feet that he would have -- you are asking to take a piece of for the radius that would be

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necessary.

Number 2, the development would be very substantially out of character of the neighborhood. I don't think there's any question.

Number 3, the density of the resulting cul-de-sacs would be unprecedented in Eastchester. As was previously illustrated and provided to the board, the one exception is a section of Tuckahoe Avenue that abuts a commercial district and a traffic light. Yet, that section of Tuckahoe Avenue still has significantly more green space than would result after the development of the 203 site. There's a reason he chose a very tight aperture on the cul-de-sacs of Eastchester. Pan out such as on the graphic I provided, you find no instances of this kind of density.

Number 4, much of the high water table, flood prone 1.1 acres of the now permeable ground at the site would be covered with impervious surfaces, such as a road, eight driveways, and eight foundations. The site is on a downhill grade. You've heard a lot about

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1 west to east tonight. The velocity of the
2 current trend rains it attempts to capture,
3 especially when a grade is involved. That is
4 an observational factor we're all currently
5 living with, as shared by our neighbor on
6 Deerfield with a plumber on speed dial. A
7 grade with downpours spells flooding.
8 Yesterday, I heard a story of a loss of a fire
9 command vehicle and nearly the fire department
10 captain's life in a massive flood. Hundred
11 year storm designs are not suited for the
12 coming century, only the last.

13 Number 5, the DTS traffic report is
14 inaccurate and misleading. There is a page one
15 of the 203 Beech Street traffic response memo
16 to PB, Planning Board. There's a quote: More
17 than a sufficient number of traffic counts has
18 been performed. However, proof of substantial
19 traffic study misrepresented was provided to
20 the board yesterday, for example. The morning
21 peak hour has been reported to be measured and
22 documented at 20 percent higher than that in
23 the report. You have video showing it. It's
24 not an extrapolation, and you could see the

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1 quality. The only breakout -- it was asked
2 earlier in the presentation about the chart,
3 the bar chart, stacked bar chart, the only
4 differential being provided is how many trucks,
5 how many cars that was provided for the board
6 in the analysis, as well as how many
7 pedestrians, how many strollers, how many dogs,
8 all of them permeating the roadways virtually
9 at all times and all days. So the morning peak
10 was documented on two videos for you, and
11 provide links to. One day was 79, one day was
12 78. Two successive days, middle of the week,
13 clear as a bell, exactly what the SEQRA
14 guidelines would ask for, and they both were
15 more than 20 percent higher than the highest
16 measurements of the DTS report. It's been
17 noted that you don't do it around a holiday
18 period. It's obvious. It shouldn't have to be
19 pointed out. There's no reason -- and it's
20 never been reproduced on that Beech and Siwanoy
21 intersection at 7 to 9, other than two days
22 right after Thanksgiving.

23 Further, the peak p.m. hour appears to
24 start earlier than the 3 p.m. time which was

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1 used for all the studies made on the
2 Beech/Siwanoy intersection, except in the
3 follow-up March 21st response to resident's
4 comments about school times versus study times.
5 It was spoken to by both representatives, the
6 consultant and the producer, about there was a
7 study done on the 21st at that intersection.
8 It started at 1:30, not anything in the
9 morning, and that came with a high of 47. Yet,
10 today, looking at the traffic at the same
11 intersection, and a video link will be provided
12 for you when I get home or tomorrow, 60 cars
13 were counted. I didn't break out how many
14 trucks were, but there was a fair number of
15 them. 60 vehicles, including a significant
16 number of trucks. I had also provided earlier,
17 1 of 53 cars from Tuesday. So everything being
18 measured is in excess -- significant excess of
19 what DTS has presented to the board and is
20 saying is more than suitable for the purpose of
21 planning.

22 The Chairman has spoken a few times
23 and questioned a few times about the -- what is
24 the foundation or the composition of a traffic

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1 study; is it just the counts. I think the
2 response back was, with a lot of words, yes,
3 it's a break out of the types of vehicles and
4 how many. That's what we're worried about. Of
5 course -- and there was a very astute
6 comment -- I guess it was Mark who made that
7 comment about --

8 MR. CAMPANA: Louis. Mark is not
9 here.

10 MR. SLOVENKO: My bad. Louis had made
11 about, you know, is there any standards
12 guiding, you know, how we look at the adequacy
13 of pedestrian traffic and so forth. In this
14 area in particular, it's a huge question. The
15 fact of the matter is, a simple study of -- the
16 nature of DTS was to -- is not giving any color
17 to the danger of these pedestrians and how well
18 they're populating the roadways. You can scour
19 the reports and get no feel for what's going
20 on. You look at that video for 10 minutes and
21 you're going like this. I provided to the
22 board pictures from just one day, this past
23 Tuesday, Tuesday, the 25th of just some screen
24 captures of the process in the video of, look

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1 at this, here's a kid wedged between a parked
 2 car and accelerating car. Here's another one
 3 where there's a parked car, accelerating car,
 4 and here's a kid jumping trying to get on the
 5 curb. Here's a stroller in the same situation.
 6 Here's a large commercial truck, a dairy truck.
 7 Why does it have to get there? There's a
 8 school. There's only a couple of ways in and
 9 out of this place. Bronxville Manor is kind of
 10 an island, its got to get service. There's
 11 hundreds of kids that hopefully drink their
 12 milk for solid bones, things like that.

13 Continuing on, another traffic study
 14 is found in response to my comment from last
 15 meeting. The comment was in the minutes. I
 16 took it from the minutes of the 3/23 Planning
 17 Board. My comment was, as it is transcribed:
 18 The only intersection that's of consequence
 19 really here is Beech and Siwanoy. That's where
 20 everything is happening. All the traffic
 21 studies should be focused on that. Page 4 of
 22 the 203 Beech Street traffic response memo to
 23 Planning Board, Colliers, 4/19: At the
 24 previous hearing, a resident asked about the

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1 traffic volumes on Rose Avenue and Beech
 2 Street. So they went and mentioned Rose Avenue
 3 and Beech Street. Who cares?

4 MR. TUDISCO: That was actually
 5 raised.

6 MR. SLOVENKO: Maybe that's my bad. I
 7 read through the minutes, and I thought that
 8 was a response to mine. I'm like, wait, that's
 9 not the intersection. Okay, I'll take that as
 10 a pointer.

11 Then DTS measured roads at the 7 to 9
 12 period, but coming back to my comment a moment
 13 ago, the only 7 to 9 period measured over that
 14 critical intersection of Beech and Siwanoy is
 15 Thanksgiving -- two days right after
 16 Thanksgiving.

17 Point number 6, there would be
 18 insufficient distance from the cul-de-sac
 19 center line to the Siwanoy center line. Page 3
 20 of the traffic response memo Collier's
 21 Engineering, 203 Beech Street Sub PDF, item
 22 number 4: The low peak hour traffic volumes
 23 which will be generated at the new
 24 cul-de-sac -- and hear my emphasis -- will not

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1 create any left turn conflicts for the vehicles
 2 on Beech Street turning either into the
 3 cul-de-sac or turning into Siwanoy Boulevard.
 4 From page 4 of that same memo: There would be
 5 no conflicting left turn movements between
 6 Siwanoy Boulevard and the proposed cul-de-sac,
 7 which is a key consideration, his words. That
 8 Siwanoy intersection supports three schools
 9 within four blocks, and is teaming with
 10 pedestrians, dog walkers, baby strollers,
 11 scooters, bicycles, etcetera, all of which were
 12 documented on several videos posted on YouTube
 13 with links which have been provided to the
 14 board. Noting I have discussed and illustrated
 15 before as many as seven cars a minute pass this
 16 proposed site and existing intersection, which
 17 is before the addition of a subdivision and new
 18 intersection. The new cul-de-sac left turn
 19 will have cars merging and entering just before
 20 the Siwanoy intersection stop sign. At the
 21 intersection, there's near constant traffic in
 22 both directions at peak times. These new homes
 23 will be traveling peak times like everyone else
 24 to. Therefore, the preceding assumption is

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1 questionable, quote, there will be no
 2 conflicting left turn movements between Siwanoy
 3 Boulevard and proposed cul-de-sac. And yes, my
 4 yes. His quote, it is a key consideration,
 5 there will be conflicts.

6 Point number 7, Bronxville Manor
 7 residents will have increased traffic on a
 8 central, already chaotic and dangerous road.
 9 There will be no additional outlet's for
 10 existing -- there will be no additional outlets
 11 for the existing amount of traffic plus new
 12 traffic and new traffic patterns, thus, the
 13 risk of injury mishap goes up from an already
 14 high level. High risk of injury or mishap says
 15 who? In Totally Quality Management, TQM, it
 16 says, quote, the person closest to the process,
 17 best understands the process. In Six Sigma
 18 Process Control, SPC, quote, corrective action
 19 should only be the responsibility of the person
 20 closest to the process. Under both quality
 21 systems, I am the one who best understands the
 22 road and the spot. I am the homeowner across
 23 from the site for 10 years, the one who has
 24 observed that road and that spot for the most

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recent 10 years, its use, condition, hazards. No one has more current understanding of that road in that spot than me. To help convey the high risk of injury and mishap, the illustrations for the board were provided in a one day sample termed, quote, harrowing illustrations from simple samples yesterday, 4/25/23.

Point number 8, existing homeowners will likely have multiple new signs placed on their properties. I think we heard a lot of desire for signs that won't help today in a response to how can we make this development help the traffic that's already bad, and he just didn't want to say, there's no way, it's going to be worse. Yeah, you could put a bunch of paint and make the neighborhood look like the Bronx or something, but it's not going to change much. There's reasons it is the way it is.

So part number 1, page 4, Traffic Response Memo, Colliers Engineering, 203 Beech Street Subdivision PDF, quote, we note the applicant should consider and discuss with the

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boards, potential additional signing; ie, stop sign ahead, signing on the Siwanoy Boulevard and the Beech Street east approach from the stop signs. The stop sign -- my words now -- the stop sign ahead is necessary due to the fact that many drivers whizzing through do not obey traffic signals, some of which was documented by DTS themselves, as was quoted in my e-mail yesterday to the board. This is probably why there was a head-on collision at that intersection. I know there was a serious head-on collision with a school bus yesterday in Westchester, which rings bells for me.

Part 2, page 6, 203 Beech Street Traffic Response Memo to Planning Board, quote, no parking permitted on the south side of Beech Street, that area directly across the site roadway for the fire truck training movement into the site. More on emergency access in a moment. So it is now suggested to concede signs that need to be added to the lawns of the houses on the south side of Beech Street are for both stop sign ahead, a Siwanoy east side placement as well, no parking signs, presumed

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at least two, noting that the utility poles are on the north side of Beech. Also, the pedestrians often try to escape oncoming traffic by jumping on Beech south side lawns, as this would be a new pattern to safety of the curb for them.

Number 9, the department's leadership expressed significant concerns about the site's emergency apparatus accessibility. We heard it tonight.

That concludes my remarks. I will forward a copy of the underlying document from which my remarks came for the board's future reference. Thank you for your time and consideration.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: Thank you.

MR. VACCARO: Hello there. My name is Donato Vaccaro. I live at 40 Deerfield Avenue, which is just around the -- I'm not on the street like many of my neighbors are, directly in front of it, but I appreciate a lot of what they have said. Mine is going to be much shorter. I had some notes, but my battery went

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out, so I'm just going to have to go by memory. I really am going to keep it short. I feel strongly that -- most of what they said, I agree with, and I just want to add a couple of things to it.

I walk the neighborhood a lot, like almost every day I'm walking the neighborhood, and I just know that that part of Bronxville Manor is especially tight. It's hard when you're making the turns as a driver or a pedestrian. You have to be really careful when making the turns. It has been said a number of times, that that is a consideration.

This is my main point, with all due respect to the engineers, I just feel like everything they've said about trying to convince us it could work, does not pass the sniff test. I would really heartily encourage anyone on the Zoning Board that is making this determination about its acceptability or not, I really wish you would just go there and spend like a half hour just walking it, looking around, maybe simulating driving situations, and maybe having pedestrians walk around just

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1 to see it, because I've seen it, and it just
 2 doesn't make any sense to me that you could
 3 have a road coming out onto Beech there. It
 4 just makes no sense. I know you can do tests
 5 and you could look at, you know, the two
 6 dimensional drawings, but I really appreciate
 7 John's photo because that actually made it
 8 really clear with the color photograph, like
 9 what happens on that street. But a video
 10 simulating what would happen if there was a car
 11 coming out of that cul-de-sac would be really
 12 helpful.

13 My main point would be to really beg
 14 the people making this decision to take a real
 15 careful look at it in person in front of it.
 16 Thank you.

17 MR. NEMECEK: Thank you.

18 THE CHAIRMAN: Thank you.

19 MR. GIACOBBE: Thank you.

20 MR. CAMPANA: Thank you.

21 THE CHAIRMAN: Any additional
 22 comments? Okay. Thank you.

23 MR. SMITH: Mr. Chairman, seeing that
 24 there's no other public comments, I just want

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1 to reiterate that my client, the applicant, has
 2 gone to considerable expense to prepare
 3 detailed analysis on all of the major impact
 4 issues that you've been discussing tonight.
 5 They've had the opportunity to have them
 6 reviewed by professional staff. We've met with
 7 your town staff, including all of the major
 8 department heads to provide input on this
 9 particular application. We feel that given --
 10 at least in my opinion -- there have been no
 11 new issues raised at tonight's public hearing,
 12 that we would, again, respectfully request the
 13 opportunity to close the public hearing and for
 14 you to consider an environmental determination
 15 with respect to this application. Thank you.

16 THE CHAIRMAN: Thank you. So, in
 17 general, separate from the comments, the next
 18 step is we make a SEQRA determination on this
 19 site; correct?

20 MR. HERBERT: Correct.

21 THE CHAIRMAN: We can't move this on
 22 to the Zoning Board until we make that
 23 determination one way or another.

24 MR. HERBERT: First as procedural

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1 matter you have to designate yourself as lead
 2 agency. That's first.

3 THE COURT: We're going to do that,
 4 don't worry.

5 MR. HERBERT: For the negative
 6 declaration or positive declaration, a
 7 determination of significance, you could do
 8 that today and keep the public hearing open
 9 longer. You could still do that determination
 10 and still keep the public hearing open until
 11 the next meeting, if you want. It doesn't
 12 force to you to make a decision on the
 13 preliminary site plan at this time.

14 THE CHAIRMAN: But in order to move it
 15 to Zoning, we do have a make a determination on
 16 SEQRA; right?

17 MR. HERBERT: Right. But you would
 18 also have to approve the preliminary
 19 subdivision plat, which you don't have to do
 20 tonight. It's three things you would vote on:
 21 The determination of the lead agency, the SEQRA
 22 determination, and then approval of the
 23 preliminary plat.

24 MR. SMITH: Just a quick question. So

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1 you're going to approve the preliminary plat
 2 first before the variances are received? It
 3 was my understanding that you would conclude
 4 the environmental review, send us to the Zoning
 5 Board for the variances, and then we would come
 6 back. Just a point of clarification.

7 MS. WOLFSON: So you can do either.
 8 You can make a determination of significance
 9 under SEQRA, refer it to the Zoning Board, have
 10 the Zoning Board process the application, and
 11 have it come back in complete preliminary
 12 review, or you can make a determination
 13 preliminary subdivision approval so the
 14 subdivision approval is in two processes,
 15 preliminary and then final. You could make the
 16 grant of the variance a condition of the
 17 preliminary to be satisfied before final. So
 18 you have flexibility to do either one; make a
 19 determination on the preliminary subdivision
 20 and as a condition of that move to the Zoning
 21 Board, or keep the application hearing on the
 22 preliminary subdivision open, refer it to the
 23 Planning Board and come back, which I think is
 24 what Mr. Smith was referring to.

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THE CHAIRMAN: Okay. But there's no way it could move to Zoning without us approving one of those or make a determination under SEQRA?

MS. WOLFSON: You must make a determination under SEQRA in order for it to move on. Then you have flexibility with regard to the subdivision determination.

THE CHAIRMAN: So it's about the SEQRA determination?

MS. WOLFSON: Right.

THE CHAIRMAN: Because I'm not sure we're ready to do that just yet. I think we have to consider all of the comments from the public. We can't just ignore them. I know there's no information that's new, but I think on some level we have to address the information that's brought up. This can't go on forever, but I think we have an obligation to at least respond based on the transcript and come up with something that makes us feel comfortable with moving this forward. That's my personal opinion. Or asking for some sort of cooperation from the applicant. Not

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remediate, but improve the situation. I'm not ready to make a SEQRA determination.

MR. TUDISCO: I just have a quick question in terms of leaving the public hearing open or not. You had indicated earlier about contacting the Fire Department about photographs and kind of investigating that further. Is that something that you're considering doing? That might involve a factual further inquiry.

THE CHAIRMAN: Of course. But I thought that was already done. You're right, based on what we saw tonight, it seems like it hasn't been done completely.

MR. TUDISCO: When you had made that comment about we should speak to the fire chief about what we've seen.

THE CHAIRMAN: Based on what the gentleman showed us, we have to circle back and ask him, what is this, about the car and everything. I thought it was addressed, but apparently, it was not.

So, yes, in addition to what I just said about the comments from the public,

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there's other procedural items that need to be addressed also.

MR. NEMECEK: My only concern is, we've heard certain of the experts, the consultants get up and largely tell us that this is a manageable problem, that the issues can be overcome, and that's squarely at odds with what I'm hearing from the neighborhood. While I certainly agree that I'd like more time to consider this, I think it would also make sense to have some sort of plan of action.

What are we looking to -- what are the pressure points? What additional information do we need to inform ourselves to make the proper decision here? It may be that, you know, nailing down this issue with the Fire Department might be one concern, but what else? Certainly, it's not fair to anyone to just continue kicking this can down the road. You know, we need to know what's the plan of action.

THE CHAIRMAN: I think it might have been what we discussed earlier. I think the conditions in the neighborhood are poor. Those are existing conditions, right. I think we all

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know that. We're not here to change existing conditions. Unfortunately, we can't. If you want to talk about existing conditions, there's another meeting you should probably attend to bring these up.

We're going to do the best we can -- like I said before, we're going to do the best we can to respond to the application that's in front of us, and that's the information that's provided. As Mr. Nemecek put forth, is there anything we could do to mitigate or sort of reduce the negative effect that additional cars may actually have on the traffic there. That's the most we could do right now, I feel, in addition to coordinate with the Fire and all the other agencies involved. I think that might be an answer to your question, Mr. Nemecek. I can't change the traffic pattern. What I can do is, do something to make things a little better due to the addition of the cars.

Then also, we have to discuss the SEQRA determination, does this change the character of the neighborhood. Right? I mean, that's our concern also, in addition to all the

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technical stuff. I don't think we've done that yet.

MR. TUDISCO: I also think you have to designate yourself as lead agency first.

THE CHAIRMAN: I'm sorry.

MR. TUDISCO: Designate as lead agency first.

THE CHAIRMAN: Yes, I'm going to do that. I just wanted to get my two sense in. I think before we do anything else -- yeah, I'll certainly do this -- that's the way I feel about it. I'm not ready to say that this doesn't change anything. All the technical points about the utilities, all that, I think we have all that information. I think it's about the neighborhood. We could further talk about that eventually.

So is that a direction, Mr. Nemecek? I mean, there is an end point. Sooner or later, we have to make a SEQRA determination, we have to evaluate. I think we're also going to ask the consultants to -- unfortunately, Mr. -- I'm going to say your name all wrong, so I'm not going to say it at all -- we have to

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address all the questions, the nine points that he brought up. I would like to understand the difference because we're all engineers here and there's got to be some logical explanation that I don't understand yet. That's all. That's what I would like.

That being said, the public hearing remains open, right? Then we come back next month and --

MR. HERBERT: Yes, you have to keep the public hearing open until you do the determination of significance for SEQRA. So it has to stay open.

THE CHAIRMAN: So there's a little more fact finding to follow up on. Can this wait or should we just do this now to get it out of the way?

MR. HERBERT: The determination to designate yourselves as lead agency, you should do that today. That's just a procedural thing.

THE CHAIRMAN: Okay. Let's just do that so we don't have to talk about it anymore. Any other questions or comments, guys? Any other ideas?

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MR. GIACOBBE: I had one question. Somebody brought up about the Eastchester school buses. Was anybody in touch with the Eastchester School District on where the children will be picked up or the closest pick up spot to this location.

MR. DEMPSEY: Yes. I had talked about this at one of the hearings before. It's something they evaluate each summer, and they wouldn't know until they actually plot out where all the children are, for what schools. They reevaluate everything each summer, so they don't give advance notice. They'll tinker with the routes.

MR. GIACOBBE: Did they mention where the closest stop is now? Maybe closest would be Beech and Highland?

MR. DEMPSEY: I think it's at Beech and Highland, yes.

MR. GIACOBBE: I mapped it out. It's like .25 miles from a house. So I assume they're going to have to send probably two to three buses in because there are three schools. You know, as much as two to three

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into the neighborhood then.

MR. DEMPSEY: It could be one for the elementary and one for the middle school and high school combined.

MR. GIACOBBE: And Waverly too. I just think that's something to consider.

THE CHAIRMAN: Just my opinion about the school district, and the --

MR. TUDISCO: Excuse me. Please. You can't comment unless you're at the mic.

THE CHAIRMAN: Great. Thank you. My comment about the schools and the buses, although I'd like to know, I don't think the school district is going to give you any direction that you can rely on until the end of August.

MR. TUDISCO: The truth is, they're not going to know. They don't know the ages of the children that are going to move into those houses, they're not going to know their bus routes, what's available. There will be questions about special ed. kids which may be going out of district. In my other life, I'm an education attorney, there are a lot of other

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1 factors that go into that. You're not going to
2 get that kind of an answer. There could be
3 places that you may be more concerned about
4 than others where a bus stop should be located
5 based upon, again, the peculiar configuration
6 and the turns of those, but in terms of how
7 many kids, how many buses, you're just not
8 going to know that now.

9 THE CHAIRMAN: That's kind of what I
10 was thinking too.

11 MR. CAMPANA: Perhaps the school
12 district would decide to create a stop or take
13 into consideration a stop if there were
14 provisions made in the plan to direct those
15 kids to a certain area, perhaps some sort of a
16 pathway.

17 MR. TUDISCO: That is something that
18 can be done -- and based upon the way things
19 work in Tuckahoe District, as well as
20 Eastchester School District, bus stops are
21 somewhat flexible, you know, depending on
22 issues involving safety and other issues. But
23 in terms of, you know, one of the concerns that
24 is being raised is just volume, how many buses,
25

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1 you know, scheduling and all of that, those are
2 all questions that you're not going to be able
3 to resolve at this, other than there's going to
4 be more than there are now.

5 MR. CAMPANA: Right. And basically
6 the increase in traffic off --

7 THE CHAIRMAN: Well, you don't really
8 know that. Is there going to be more than we
9 have now? We don't really know.

10 MR. TUDISCO: Well, I mean, right now,
11 we only have one school district in that area.
12 You're going to have buses coming in from
13 another school district, in addition to what's
14 going in and out of Tuckahoe. Eastchester
15 School buses are going to have to come into
16 Bronxville Manor to access the homes along that
17 road to pick up those children, or come in to
18 get them because their street, even though they
19 live on the other side of the line, there's no
20 access from Highland.

21 MR. CAMPANA: No access. Right.

22 MR. GIACOBBE: That's four homes, I
23 believe, right. So four homes in the
24 Eastchester School District would have to be
25

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1 picked up -- one I think is in the Tuckahoe
2 School District.

3 MR. CAMPANA: Five in the cul-de-sac.

4 MR. GIACOBBE: So four in the
5 Eastchester would have to -- five? So five in
6 the Eastchester School District would have to
7 be picked up in Bronxville Manor.

8 THE CHAIRMAN: But it's all subject to
9 the assumption that there will be children that
10 need to be sent to school.

11 MR. TUDISCO: Children. How many.
12 Their ages.

13 THE CHAIRMAN: Under the assumption.
14 It could be net zero, but we don't know, so we
15 assume the worst that there will be children.
16 That makes sense. Any other comments? Cool.

17 MR. CAMPANA: There's one.

18 All right, guys -- oh, one more
19 comment from the public. Please.

20 MR. EGAN: There is one question I
21 would like to have clarified before the end of
22 the evening.

23 THE CHAIRMAN: That's a big ask.

24 MR. EGAN: Frank Egan, 210 Beech
25

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1 Street again. What I would like to clarify
2 was, did the Fire Department say or do we not
3 know yet, did they have to have no parking in
4 the cul-de-sac so that their equipment could go
5 around? Because a lot of --

6 MR. TUDISCO: No parking in the circle
7 is what I understood it to be.

8 MR. EGAN: That's what I understood,
9 no parking at all in the circle on the street,
10 which means then the only parking available to
11 these folks would be in their driveways, which
12 might accommodate four cars, or out on Beech
13 Street.

14 MR. TUDISCO: The plan was, cars could
15 not park in the circle portion of the
16 cul-de-sac. They could park in their
17 driveways, obviously, and along the straight
18 part of the cul-de-sac street before it gets to
19 the circle.

20 THE CHAIRMAN: Five additional spots
21 along the street.

22 MR. NEMECEK: Six.

23 MR. EGAN: In earlier discussions,
24 that seemed to reduce a great number of the
25

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2 available spaces, creating even more problems
3 with parking. Thank you.

4 THE CHAIRMAN: You're welcome.
5 Thanks, everyone. Sure, Mr. Slovenko. You
6 have to come back. We know who you are, but
7 the public has to --

8 MR. SLOVENKO: Richard Slovenko, 200
9 Beech Street again. I'm first conveying that
10 there's a request to do a mock up of all the
11 cars being parked. There's a high skepticism
12 on the representation on what could park where.

13 What I wanted to speak to is simply
14 there's been a statement repeated a couple of
15 times tonight that there is no new information.
16 We have new traffic studies, which you could
17 look with your own eyes, you don't have to be a
18 traffic engineer, you see there's 60 cars here,
19 there's 4 trucks. It's showing substantially
20 more traffic than what's being represented with
21 the application. So the new information is you
22 have new traffic studies, and it says there's a
23 lot more traffic than what's being told.

24 THE CHAIRMAN: Traffic studies
25 referring to the videos you've taken?

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2 MR. SLOVENKO: Videos showing the cars
3 going to and from the Beech Street/Siwanoy
4 intersection.

5 MR. TUDISCO: So these are videos that
6 you've taken or is this a firm that's
7 conducted --

8 MR. SLOVENKO: No, no. This is a
9 software enabled motion detection. Every time
10 a car or person passes, it grabs, you know, for
11 the time it senses the vehicle or the
12 pedestrians. I took out anything that wasn't
13 in the time period that was being represented
14 with the count, turned up the speed a little
15 bit because I didn't want you guys to be bored,
16 and then gave you a link.

17 THE CHAIRMAN: So I'm going to have to
18 defer to our expert because I have a job during
19 the day, and he is the one that's supposed to
20 be doing it, but we appreciate it. So let him
21 evaluate it rather than me.

22 MR. SLOVENKO: I would appreciate that
23 he did because I think we can all agree those
24 are cars and they're passing.

25 THE CHAIRMAN: I did look at it.

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2 Thank you.

3 MR. SMITH: Mr. Chairman, I just want
4 to clarify, my statement wasn't that there
5 wasn't any new information, I said there were
6 no new issues. We've been talking about the
7 same issues.

8 THE CHAIRMAN: Did I misspeak?

9 MR. SMITH: Then further to clarify,
10 there was a statement made that there was
11 inaccurate and misleading information presented
12 as part of the traffic study. Mr. Dempsey is a
13 licensed professional engineer. He has to
14 follow a protocol, a standard. He met that.
15 That was reviewed by Mr. Grealy, your own
16 traffic consultant. I think it's insulting to
17 get on to his character because he followed
18 what his engineering protocols require, and
19 it's been reviewed by and approved by the
20 town's engineer.

21 THE CHAIRMAN: Point taken. Thank
22 you. No disrespect meant, Mr. Dempsey. Thank
23 you. All right, guys, have a good night.

24 Before we move to the next
25 application -- before we move to the next

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2 application, just so you know, we're going to
3 declare ourselves -- you might want to stick
4 around, Mr. Smith. We're going to take lead
5 agency. We're going to read that through if
6 you want to stay before you run out.

7 MR. TUDISCO: We're going to designate
8 as lead agency.

9 THE CHAIRMAN: We're going to do that
10 right now if you want to listen to it or just
11 watch it on the tape. Cool. So what am I
12 supposed to read? Okay.

13 So this is a Resolution declaring lead
14 agency status for this application, 23-02, 203
15 Beech Street subdivision. Wow, this is really
16 legal.

17 Whereas, the Planning Board of the
18 town of Eastchester is authorized under Section
19 9.C.2 of the Zoning Law of the town of
20 Eastchester to approve plats for subdivisions.

21 And whereas, on or about February 7th,
22 2023, the Planning Board received an
23 application for a proposed eight lot
24 subdivision on a 1.8 acre property with
25 frontage on Beech Street and Highland Avenue,

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located in the R-5 and R-6, one family resident districts.

And whereas, the application was submitted with a full environmental assessment form, EAF, and the Planning Board determined the proposed action as an unlisted action in accordance with Article 8 of the Environmental Conservation Law, and the rules and regulations promulgated thereunder at 6NYCRR Part 617, collectively that refers to SEQRA.

And whereas, the Planning Board meeting on February 23, 2023, the Planning Board passed a Resolution declaring its intent to become a lead agency in connection with SEQRA review and proposed action.

And whereas, the Notice of Intent to be lead agency was circulated to involved agencies on March 13th and March 30th, 2023.

And whereas, no objection to the Planning Board assuming lead agency status has been received within 30 days of the circulation of the Notice of Intent.

Now, therefore be it resolved, that the Planning Board hereby declares itself as

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lead agency for the review of this action under SEQRA.

Do we have to vote one at a time? James Bonnano votes yes. Mr. Cunningham is not here. Mr. Nemecek.

MR. NEMECEK: Yes.

THE CHAIRMAN: Mr. Campana.

MR. CAMPANA: Yes.

THE CHAIRMAN: And Mr. Giacobbe.

MR. GIACOBBE: Yes.

THE CHAIRMAN: Cool. Application approved. We're good?

MR. HERBERT: Yes.

THE CHAIRMAN: We did something tonight; right?

MR. SMITH: I appreciate it. Thank you very much.

MR. HERBERT: You need to make a motion to adjourn the hearing.

THE CHAIRMAN: We're not adjourning.

MS. WOLFSON: To adjourn this hearing to your May meeting.

THE CHAIRMAN: I'm sorry.

MS. WOLFSON: To continue the public

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hearing to your May meeting.

THE CHAIRMAN: It remains open.

MS. WOLFSON: Right. Do you want to make a motion for that purpose?

THE CHAIRMAN: To remain open?

MS. WOLFSON: Correct.

THE CHAIRMAN: So I make a motion to leave the public hearing on this application.

MR. NEMECEK: Grudgingly second it.

THE CHAIRMAN: All in favor.

(AYE)

MR. SMITH: Mr. Chairman, members of the board, thank you.

THE CHAIRMAN: Have a good night.

Thanks, everyone. Is Pottery Barn here?

MR. HERBERT: No. He wasn't able to make it. He's asking to be moved to next month, to May. He apologizes.

THE CHAIRMAN: So the next application -- the next and last application -- is 23-03, Sephora, 670 White Plains Road. We're hoping this could be a lot shorter.

MS. LANDIVAR: Hopefully.

THE CHAIRMAN: Good night, guys.

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MR. GIACOBBE: Good night, guys.

THE CHAIRMAN: Oh, wow, that's like a full scale mockup.

MS. LANDIVAR: I brought them in the car, so they got a little bit destroyed.

THE CHAIRMAN: Can we ask Dina to expedite the transcript so we can all read all the comments?

MR. HERBERT: We can ask. You know what she did last time, she just gave us the part -- like we asked if she can just separate just the Beech Street part, like can you do that first. We don't need the --

THE CHAIRMAN: Yes, sure. So we have something to read so we have time to respond to it.

MR. HERBERT: I'll e-mail her tomorrow. That's a good idea.

MS. LANDIVAR: Hi. Good evening, everybody. My name is Nicole from OLA representing Sephora. So due to the need to value engineer the storefront after receiving bids that were much greater than the budget allowed, we were forced to make some updates to

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the approved materials. We will hold the design aesthetics to the original approved storefront, but we will need to change the materials from black metal Alpolc panels at the facade and black and white stone, to now skim coat stucco base with black and white paint, matching the design and specifications previously called out.

So after presenting to the ARB and hearing all their feedbacks, we decided to add two fir outs, so the two bump out columns of Sephora in the facade, in order to give some depth. We also added a 1/8th reveal, so like a scoring type of thing, shadow gap between the black and white stripes to replicate the grout, as previously portrayed.

So I do want to apologize beforehand, I did want to bring the mockups to show you how the scoring will replicate. Unfortunately, it was done by a third party, so the finish is not what is intended. It's actually intended to be a skim coat. I did want to bring them any ways to show you guys the scoring that is very important for the ARB. Saying that -- which

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one is the one -- sorry.

With that being said, we did provide this 1/8th -- this one was the intended one, the intended design, but the GC did provide us with this one, which it looks a little bit more cleaner. As you see here, this is the one we presented to the ARB. We didn't have the mockup. But after looking at the mockup, we can see that this one will look sharper, and it will also look better from afar.

THE CHAIRMAN: The deeper reveal is what we're talking about?

MS. LANDIVAR: Yes.

THE CHAIRMAN: Is it the same coat, it's just about the reveal that we're talking?

MS. LANDIVAR: So the idea is always to have skim coat. Sorry about the finish, but it's not going to be the same finish. But the paint and the scoring, we actually prefer this one that is 1 inch at the widest part.

THE CHAIRMAN: So although the two boards look different as far as color and maybe even the skim coat, we would have to assume that that component is going to remain the

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same, it's just about the reveal?

MS. LANDIVAR: Yes.

THE CHAIRMAN: So could we just imagine that that one over there has a deeper reveal?

MS. LANDIVAR: Yes. Correct.

THE CHAIRMAN: Thank you.

MS. LANDIVAR: I did bring some photos to actually show you the finish. I can bring it to you if you want or I don't know if you can see it. Can you show the photo, please.

THE CHAIRMAN: I don't think he has the photos.

MR. CAMPANA: On the board.

THE CHAIRMAN: Oh, it's over there. Yes, he does have it. Can you just zoom in on those, Gary.

MS. LANDIVAR: The bottom one is black and white.

THE CHAIRMAN: Could you zoom? Got it. Thank you. Those look different coloration than what that is; right?

MS. LANDIVAR: This is going to be the color of Sephora. This is the actual color.

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Like the black satin and the -- I don't remember the color of the white. I have it over there.

MR. CAMPANA: So when your application was here previously, the first proposal was stone and glass?

MS. LANDIVAR: Yes, it was stone.

MR. CAMPANA: Stone and glass. So now what we're doing is moving from stone and glass to an EIFS application?

MS. LANDIVAR: Yes. That's why we did add the depth and also the scoring, to give it a little bit more shadowing.

THE CHAIRMAN: Absolutely. Hey, Gary, can you move to the storefront picture where it shows the Sephora, which is the actual -- which one are we doing? That's it.

MS. LANDIVAR: Those are actually some examples that we do -- I did want to show you that we do have paint as a standard. So it's common. It's a common thing that Sephora brings. The other one, please. I'm sorry, I brought this.

MR. CAMPANA: So these are projecting

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1 from the face of the building; correct?
 2 They're projecting out from the face of the
 3 building?

4 MS. LANDIVAR: Yes. Yes, yes, yes.
 5 So the two columns are like 4 inches out.

6 MR. CAMPANA: Got it. Okay. Is there
 7 going to be any sort of protection at the
 8 bottom of the pilasters? The only reason why I
 9 ask is because the EIFS material tends to be
 10 not brittle but it dents.

11 MS. LANDIVAR: Actually, yes. I do
 12 have the detail. We do have like a base of
 13 stone.

14 MR. CAMPANA: Got it.

15 MS. LANDIVAR: If you want, I could
 16 show you. I did put it in the plans.

17 MR. CAMPANA: Yes, we have it here.

18 MS. LANDIVAR: On the big package,
 19 actually.

20 MR. CAMPANA: What is the material
 21 that would be protecting the base of this? You
 22 said it's stone?

23 MS. LANDIVAR: I believe it's Corian.
 24 The base is Corian base. I believe it's like 8

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1 inches and then the EIFS comes.

2 THE CHAIRMAN: To what height is it
 3 protected with the Corian, 8 inches?

4 MS. LANDIVAR: Yes.

5 THE CHAIRMAN: And above that it's
 6 EIFS?

7 MS. LANDIVAR: Yes.

8 THE CHAIRMAN: Oh. Is that going to
 9 get damaged? I guess that's your point; right?

10 MR. CAMPANA: That was my point of
 11 asking.

12 MS. LANDIVAR: As mentioned, we have
 13 done this in the past. It's something that's a
 14 standard for Sephora. It's not only the stone.

15 MR. CAMPANA: So was the stone that
 16 you were presenting or the gentleman who was
 17 presenting the last go around, was that a
 18 typical application, the stone, or was that
 19 specific to this location?

20 MS. LANDIVAR: So before -- to be
 21 honest, before the landlord's architect
 22 presented, and the facade was going to be on
 23 the landlord. Some things went on in between,
 24 obviously, and now Sephora is the one doing all

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1 the work, which budget doesn't allow it
 2 anymore.

3 THE CHAIRMAN: Is it those two
 4 pillars?

5 MR. CAMPANA: It's these two
 6 pilasters. You could see, they project about 4
 7 inches into the sidewalk area.

8 THE CHAIRMAN: These?

9 MR. CAMPANA: Yes.

10 THE CHAIRMAN: What is the middle?

11 MR. CAMPANA: The middle is actually
 12 recessed, so there's a covering when you walk
 13 into the vestibule. Before you get to the
 14 vestibule, there's a covering, and then you go
 15 through the doors.

16 THE CHAIRMAN: But you have no access
 17 to those, to damage those.

18 MR. CAMPANA: Right. So here -- my
 19 concern is that the EIFS is such a soft,
 20 dentable material, and this is a heavily
 21 trafficked area with baby strollers and
 22 everything else.

23 THE CHAIRMAN: Can you put corner
 24 boards on it? I guess if they damage it, they

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1 have to fix it; right?

2 MR. CAMPANA: What are the protocols
 3 to maintain this if it were to be damaged?
 4 Does it all have to come off and be redone, or
 5 is there a process to patch those damaged
 6 areas?

7 MS. LANDIVAR: I'm sorry, I don't
 8 really know that question. I'm assuming, yes.
 9 Obviously, Sephora has a very high standard
 10 that they need to maintain, so I wouldn't
 11 believe that they would leave it like that.

12 THE CHAIRMAN: I mean, I'm not going
 13 to get involved with the maintenance of that.
 14 I kind of agree with that, but I'm not going to
 15 design it. If this is a standard you guys do,
 16 I'm okay with it, although there might be
 17 better ways to deal with it. What do we do?
 18 We look at the application in front of us, and
 19 we don't recommend changes. So I'm okay.

20 You guys have any other comments?

21 MR. GIACOBBE: Nothing. It's fine.

22 THE CHAIRMAN: Okay. Even though it
 23 seems ludicrous, I make a motion to open the
 24 public hearing on Application 23-03, Sephora,

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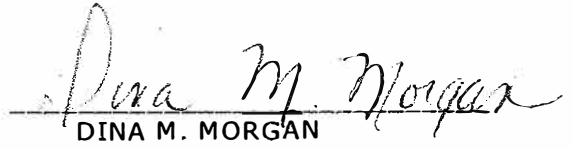
1 EASTCHESTER PLANNING BOARD - 4/27/23
 2 670 White Plains Road.
 3 MR. NEMECEK: Second.
 4 THE CHAIRMAN: All in favor.
 5 (AYE)
 6 THE CHAIRMAN: Same motion to close
 7 this application, 23-03, Sephora, 670 White
 8 Plains Road.
 9 MR. NEMECEK: Close the public
 10 hearing.
 11 THE CHAIRMAN: Yes, that's what I
 12 meant.
 13 MR. NEMECEK: Second.
 14 THE CHAIRMAN: All in favor.
 15 (AYE)
 16 THE CHAIRMAN: We're good with this?
 17 Yes, good.
 18 I make a motion to approve this
 19 application, 23-03, Sephora, 670 White Plains
 20 Road.
 21 MR. NEMECEK: Second.
 22 THE CHAIRMAN: All in favor.
 23 (AYE)
 24 THE CHAIRMAN: You're good to go.
 25 Thank you.

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1 EASTCHESTER PLANNING BOARD - 4/27/23
 2 MS. LANDIVAR: Thank you so much.
 3 THE CHAIRMAN: I make a motion to
 4 adjourn the town of Eastchester Planning Board
 5 meeting of Thursday April 27, 2023 at 10:15.
 6 MR. NEMECEK: Second.
 7 THE CHAIRMAN: All in favor.
 8 (AYE)
 9 (Meeting adjourned.)

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1 EASTCHESTER PLANNING BOARD - 4/27/23
 2 C E R T I F I C A T I O N
 3
 4 STATE OF NEW YORK)
) SS.
 5 COUNTY OF WESTCHESTER)
 6
 7 I, DINA M. MORGAN, Court Reporter and
 8 Notary Public within and for the County of
 9 Westchester, State of New York, do hereby
 10 certify:
 11 That the above transcript was taken from
 12 a video of the actual hearing. I was not
 13 present for such hearing. The video was taken
 14 and transcribed by me to the best of my
 15 ability.
 16 And, I further certify that I am not
 17 related to any of the parties to this action by
 18 blood or marriage, and that I am in no way
 19 interested in the outcome of this matter.
 20 IN WITNESS WHEREOF, I have hereunto set
 21 my hand this 10th day of May, 2023.


 DINA M. MORGAN
 Court Reporter

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1 EASTCHESTER PLANNING BOARD - 4/27/23

2
 3 CORRECTION SHEET

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 6 PAGE CORRECTION
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