

TOWN OF EASTCHESTER
Building and Planning Department

JUL 19 2023

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TRANSCRIPT OF

TOWN OF EASTCHESTER PLANNING BOARD MEETING

JUNE 22, 2023

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

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
PHILIP NEMECEK, MEMBER
LOUIS CAMPANA, MEMBER
ANTHONY GIACOBBE, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

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

Dina M. Morgan, Reporter
25 Colonial Road
Bronxville, New York 10708
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provided that to Lukas and Rob and the members of this board.

THE CHAIRMAN: So is that the one we could --

MR. NEMECEK: Yes, that's the one we could vote on.

THE CHAIRMAN: Okay. So I make a motion to approve the Eastchester Planning Board meeting minutes of April 27, 2023.

MR. NEMECEK: Subject to those revisions, second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Great. Thank you. I'm just going to run through the applications that we have in front of us today so everyone knows what we're going to do.

First one is Beech Street. Second one is Bout Boxing. Those are existing applications that we're going to continue, and they're continued public hearings.

Then there's new applications. 23-13, Embassy Cleaners; 23-22, Westchester Meat Market; 23-23, Immaculate Conception &

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THE CHAIRMAN: Good evening. This is Town of Eastchester Planning Board meeting of Thursday, June 22, 2023. If everyone would rise for the Pledge of Allegiance, please.

(Pledge of Allegiance.)

THE CHAIRMAN: So we're going to take attendance. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Mr. Anthony Giacobbe.

MR. GIACOBBE: Present.

THE CHAIRMAN: Jim Bonanno is here. Louis Campana.

MR. CAMPANA: Present.

THE CHAIRMAN: Mark Cunningham is not here.

MR. NEMECEK: Not quite a surprise. In case you're watching, Mark.

THE CHAIRMAN: Mr. Nemecek, Board Member Nemecek, did you get to review any of the minutes?

MR. NEMECEK: I did. I provided, just a short time ago, my suggested revisions to the April 27, 2023 transcript of our Eastchester Planning Board hearing of that date, and I

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Assumption; 21-15, 15 Tuckahoe Avenue subdivision; and the last one is Lake Shore Drive. So that's the order.

So the first application is 23-02, 203 Beech Street subdivision. All yours, Mr. Dempsey.

MR. DEMPSEY: Thank you. For the record, Brian Dempsey, I'm a licensed professional engineer from the firm DTS Provident Design Engineering.

Since the last hearing that we had, the Town Planner had asked us to do some additional counts, some additional measurements and such, which we did, and we submitted to the town. I don't know if you could get the presentation up. This is off of Google because we didn't want to take too many pictures with people in the area. This is a situation that was brought up by the Town Planner with cars parked on one side of the road, and if they were parked on both sides of the road. This vehicle, as you can see, has a bit of difficulty getting through, and if there are pedestrians or bicyclists, that further impacts

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that issue there.

So what we were asked to do was perform these different counts. I had a counting company perform the speed measurements and such, so that we have an unbiased opinion. The first set of counts, the tubes got ripped up, so they had to do another set. So what we found is -- they were done in two spots. One by Overlook on the top part of Beech, and then one west of Siwanoy on the bottom part. The speeds on the top part, average speed was 24 miles per hour in both directions. The 85th percentile speed, which is the speed you base speed limits on generally, was actually 28 miles per hour in each direction. On the bottom half closer to Siwanoy, the average speeds in both directions was 21, 22 miles per hour, and the 85th percentile speed was 24 to 25. That means 85 percent of the traffic was going 24 miles per hour or slower. 15 percent would have been going over. The detailed charts in there say how many were going at what speeds and such. Those are the speed measurements that were done.

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The second set of counts that we were asked to look at were pedestrian, bicyclists on the road. So we did those for a few hours on a sunny Saturday, plus on a weekday after school. The weekday, we counted 19 pedestrians, and then there are three bicyclists. Those bicyclists came -- they were in both directions. Three went one way, and then they came back. On a Saturday, there were 13 pedestrians, no bicyclists, but there was one scooter with two kids riding on the scooter. Another time on one of the earlier counts on a Saturday, we did see a family of three riding bicycles. Again, they went both directions when we were there. So those are the pedestrian, bicycle counts.

The next thing we were to look at is what improvements, modifications could possibly be done here. I'll enlarge this. Some of these were recommended by the Town Planner or the Town's Traffic Consultant, and they asked us to look into it based on some of our meetings. The Highway Superintendent was also involved in some of these meetings.

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What we're recommending based upon those discussions was, at Ridge Street to provide larger signage directing people on Highland to the Tuckahoe Schools to use Ridge Street. There is a small sign there that's not that visible. The recommendation was to increase the sign to get more people to use Ridge Street because it's wider and it's a more direct route to the schools.

Second one was, add speed radar signs along Beech Street. So we show them here both on the upper part, one per direction. Those are speeds that measure what your speeds are. It will show the speed you're going so the driver is aware of what they're going at. Other people can also see what speed they're going at. The newer ones now can record so the town could collect that data of what the speeds are measured at consistently on that road.

The next one is, at the intersection of Beech and Rose -- there's a couple of recommendations there. One, is to clear some of the vegetation because when you're coming out of Rose looking to your right, there is

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vegetation that blocks your sight distance for vehicles coming up from Siwanoy.

The second one was a suggestion to add stop signs at the intersection. We can either have two stop signs -- maintain the one on Rose and have one on Beech coming basically southbound to eastbound, so from Highland towards Siwanoy, and then possibly a third one in the opposite direction. The issue with the third one is because of the driveway locations and such, if we put a stop sign in, there's state law that there is no parking within 30 feet of the stop sign. So you would lose one parking space up there.

The other recommendation that was discussed at the meeting that we had is to prohibit parking on the south side of Beech Street from Rose to Siwanoy, and we'll get into that in a minute.

All these are recommended with or without the project. They're basically based on existing conditions. The project really doesn't have much impact on any of those, but those are all recommended.

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1 Hudson Engineering, the site engineers
2 on the project, did a parking analysis along
3 this stretch of Beech Street looking at
4 different scenarios.

5 One, is have all parking on the north
6 side based upon existing conditions. With
7 that, you get 19 parking spaces.

8 The second scenario is -- I'll go
9 back -- if the vehicles are staggered on each
10 side, because they can't be parked right across
11 from each other or nobody is getting through,
12 if you stagger them, you get less parking
13 spaces because of where you have to leave the
14 gaps in between.

15 The third part of this was to look at
16 the on-site parking. You can get, actually, a
17 total of 56 parking spaces on site. Not that
18 56 are going to be used, but just because each
19 driveway can handle a minimum of four cars,
20 some could handle six, you could add two cars
21 in each garage, and they'll be six parking
22 spaces along the east side of the cul-de-sac.
23 They'll be no parking within the cul-de-sac
24 itself. So what happens then is, with that,

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1 and just counting the on-street parking, not
2 counting any of the driveway parking, they
3 actually take the existing number of 19 parking
4 spaces, you would lose five because of the
5 driveways that are added and the area you need
6 for that, and you can -- we lose the five, but
7 we'll add 6 spaces on street that could be used
8 by anybody on the cul-de-sac. So any of the
9 residents in the area can use that. So we are
10 actually increasing the number of on-street
11 parking spaces as a result of this.

12 Those were the traffic issues we were
13 asked to take a look at. If there's any other
14 comments.

15 MR. TUDISCO: Mr. Chairman, I just had
16 one clarification point.

17 On the remedial measures you had
18 indicated in your memo -- or the mitigating
19 measures -- one of them involves trimming back
20 of vegetation.

21 MR. DEMPSEY: Yes.

22 MR. TUDISCO: My question is, I
23 couldn't find a photo of the specific area. I
24 would just want to make sure that the

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1 vegetation you're talking about is on the
2 public right-of-way, as opposed to its a
3 homeowners, you know, vegetation or trees
4 because it could relate to an enforcement issue
5 that we need to know about.

6 MR. DEMPSEY: I could get that.

7 MR. TUDISCO: If you could.

8 MR. NEMECEK: I had a question about
9 the traffic study -- independent traffic study
10 that was apparently principally designed to
11 measure speeds and non-vehicular traffic,
12 pedestrians and bicycles and that.

13 MR. DEMPSEY: We did the non-vehicular
14 because that equipment can't count that, per
15 se. The speeds are done through the tubes on
16 the roads and such.

17 MR. NEMECEK: Okay. But the -- I just
18 took a look at it now. I hadn't looked at the
19 charts before this. It looks like these
20 measurements were taken over a period of a
21 number of consecutive days, that included
22 weekend days, and included like Monday,
23 Tuesday, Wednesday, Thursday.

24 MR. DEMPSEY: As I said, the tubes

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1 got -- it's about a week.

2 MR. NEMECEK: Okay. So about a week.
3 Now, in terms of the -- it looks like there's a
4 fairly consistent tally during the week of
5 motor vehicles, if I'm reading this correctly,
6 of somewhere in the 550 to 600 range, 500 to
7 600 range during the periods of -- and this is
8 an all day measurement; right?

9 MR. DEMPSEY: Yes. They show --

10 MR. NEMECEK: It's broken down by
11 hour; right?

12 MR. DEMPSEY: Yes.

13 MR. NEMECEK: Did anyone take the time
14 to compare those measurements with certain of
15 the measurements that you took that date back
16 to March and date back to some other period of
17 time to see if they're consistent?

18 MR. DEMPSEY: Yes. They're relatively
19 consistent. Some were higher, some were lower
20 than the initial counts, but then some of the
21 other counts we did were slightly different
22 too.

23 MR. NEMECEK: Okay. Because I know
24 one of the issues that we heard about a couple

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1 of meetings ago was a questioning as to the
 2 accuracy of certain of the numbers that had
 3 been included -- you know, nobody was
 4 suggesting that the numbers were fudged, but
 5 that they didn't -- there was a suggestion
 6 that, you know, we're people who live in the
 7 neighborhood, we know these numbers look low,
 8 and when we did a count, the numbers were
 9 higher. I just want to find out -- I think
 10 you've answered the question already, but is
 11 there anything in the data that you've
 12 assembled that's part of this report, that
 13 changes in any way the numbers that you had
 14 previously presented as compared to the numbers
 15 that --

16 MR. DEMPSEY: No, it doesn't change
 17 the findings. As I said, you know, traffic
 18 fluctuates every day, so sometimes, you know,
 19 it goes a little up, sometimes it drops a
 20 little bit. We made sure they were on good
 21 weather days and, you know, we double checked
 22 them with our numbers.

23 MR. NEMECEK: Okay. Thanks.

24 THE CHAIRMAN: Is it fair to
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1 characterize the speeds on the two different
 2 portions of Beech as a little bit higher on the
 3 portion near Highland and the lower --

4 MR. DEMPSEY: It's slightly higher.
 5 The average speed is two miles per hour higher.
 6 The 85th percentile speed was four miles per
 7 hour higher. On those, it is slightly higher
 8 up top. It's still be below the speed limit.

9 One of the things we were asked to
 10 look at as part of this was traffic calming
 11 measures. Speed humps and speed tables really
 12 wouldn't have too much affect on it because of
 13 the slower speeds they're already at. A speed
 14 hump could lower it slightly if you added a
 15 speed hump, but that brings some other issues
 16 in terms of on-street parking. The Highway
 17 Superintendent would have to look at it. They
 18 do create some noise and such.

19 THE CHAIRMAN: Just in general, if you
 20 were to change the speed limit, reduce the
 21 speed limit to maybe 25, something like that's
 22 on California Road, what would you think would
 23 happen to the speeds? Would they reduce
 24 proportionately?

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1 MR. DEMPSEY: If you changed the speed
 2 limit, I wouldn't say reduce it proportionately
 3 because we've done various speed limit studies
 4 for changing it to 25 for various
 5 municipalities in Westchester. It will drop it
 6 a little bit, but people drive at the speeds
 7 they're comfortable at. It may drop it one or
 8 two miles per hour. You would have some others
 9 on the top part, would be over the set speed
 10 limit there. On the bottom half, actually
 11 still 85 percent is below 25 miles per hour.

12 THE CHAIRMAN: Right. They're going
 13 slow already.

14 MR. NEMECEK: In my experience, the
 15 tightness of the road is what dictates the
 16 speed because people probably don't feel safe
 17 driving at above that speed, whatever the speed
 18 limit is. It's just like if you're driving on
 19 the Major Deegan and you're going 55 miles an
 20 hour, it feels like you're going -- I'm only
 21 imagining what it would be like to be going
 22 75 miles an hour -- but it feels like you're
 23 going 75.

24 MR. DEMPSEY: People will drive what
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1 they're feeling.

2 MR. NEMECEK: I think it's the road
 3 conditions that do that, and I don't know that
 4 it makes a large difference.

5 THE CHAIRMAN: So there were four
 6 measures you put forth. One, is the sign, the
 7 Tuckahoe School sign. The one that's there
 8 right now is that little green sign; right?

9 MR. DEMPSEY: It's that small sign
 10 that nobody sees.

11 THE CHAIRMAN: What would be the
 12 nature of the sign that you would put there?
 13 The approximate size. You know, would it be
 14 big enough where people are going to actually
 15 see it or -- I guess that's up to --

16 MR. DEMPSEY: It would be up to the
 17 town on how -- you don't want it too big.

18 THE CHAIRMAN: Okay. Cool.

19 MR. DEMPSEY: It's easier to read.

20 MR. NEMECEK: The thought is that
 21 Ridge is much better equipped to handle that
 22 traffic, and that's why you have the sign in
 23 the first place?

24 MR. DEMPSEY: Yes. This was brought
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up by the Town Planner as one of the --

THE CHAIRMAN: I think if people use it -- they're so used to going down Beech right now. Once they see the sign, they will come or --

MR. DEMPSEY: We could get some people to start to come, noticing that's the more practical route. People not familiar with the school, it also helps in that regard.

THE CHAIRMAN: Okay. As far as the stop signs as Rose, you're saying three stop signs probably aren't necessary because the two will be enough?

MR. DEMPSEY: You could have two or three. Either situation works. The only issue with three, which was recommended by the Town's Traffic Consultant, is because of the location of that one driveway, you would lose one parking space up top there.

THE CHAIRMAN: Oh. Right.

MR. DEMPSEY: Actually, around that curve there's no parking permitted by code, but there are no signs that say that there.

THE CHAIRMAN: Okay. So that's the

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stop signs. Number 4 is the prohibiting parking. Can you show the 19 spots if they go --

MR. NEMECEK: If I could just interject on that specific point. Did you just say that the -- if you added a stop sign, it would -- because you can't have parking within 30 feet of that stop sign, it would eliminate a space that is currently used as a parking space, but which technically shouldn't be used? Is that what I heard you say?

MR. DEMPSEY: I would have to check the house number, but in the Town Code it says there's no parking on that side going around the curve on Beech opposite Rose there. That's in the town code.

MR. NEMECEK: Okay. Sorry, Mr. Chairman.

THE CHAIRMAN: So the 19 spots you'd have if you were to only park on the north side, are they shown on that layout?

MR. DEMPSEY: We're getting there.

THE CHAIRMAN: Okay, you're looking. Thank you. Just give us the thumbs up when

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you're ready.

MR. DEMPSEY: This was the 20 spots in the future, this plan here. So there's five spaces in this area right here. There would be three more spaces right here. There's actually room for six parking spaces along this stretch of Beech east of Siwanoy. Then there would be six more spaces along the cul-de-sacs down there.

THE CHAIRMAN: So six, three, five, and six; is that right? Six, five, three, and six?

MR. CAMPANA: 20 spots.

THE CHAIRMAN: How many are on the street right now that they use?

MR. DEMPSEY: The most we can squeeze in looking at the different combinations of all on one side or staggered was 19.

THE CHAIRMAN: No, I mean currently in whatever configuration the residents use, do they line the whole street with cars?

MR. DEMPSEY: The most we could if everyone line up perfectly, would be 19 right now.

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THE CHAIRMAN: Oh. I see. In the existing conditions; right?

MR. DEMPSEY: We've never seen close to that many.

MR. CAMPANA: Does that include the spot next to the stop sign that we were discussing?

MR. DEMPSEY: It's included in both the calculations, yes.

MR. CAMPANA: Got it. Okay.

MR. DEMPSEY: That was why the stem from Beech does not have a stop sign, the short piece, because if they do put a stop sign in, then they would lose one to two parking spaces on that stretch.

THE CHAIRMAN: So I guess my question is, if we were to limit parking to the north side to the residents, would they lose the spots that they're used to using there? It sounds like the answer is no; right?

MR. DEMPSEY: There are some spots that would be lost because of the driveway and the cul-de-sac, but the overall number of spaces with actually increase by one.

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1 THE CHAIRMAN: Because they're using
2 the spots on the cul-de-sac?

3 MR. DEMPSEY: Yes.

4 THE CHAIRMAN: That's why it
5 increased. How far is the furthest one from
6 the --

7 MR. NEMECEK: Walking distance.

8 THE CHAIRMAN: For me, that's a tough
9 one. Okay.

10 MR. NEMECEK: Sorry.

11 THE CHAIRMAN: It's five spots, so
12 it's a hundred feet.

13 MR. DEMPSEY: This is the first spot
14 right here.

15 THE CHAIRMAN: So that's in 20 feet,
16 plus cars are 20 feet, so that's 120 feet.

17 MR. HERBERT: The furthest spot north
18 on the map I measured is 150 feet you would
19 have to walk.

20 THE CHAIRMAN: That makes sense,
21 right, 50 from the street and then --

22 MR. DEMPSEY: That's the top spot.

23 MR. HERBERT: Right. The most you
24 would have to walk.

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1 THE CHAIRMAN: Five cars is a hundred
2 feet, I guess. Okay. Cool. You mentioned
3 something about a staggered layout. Like, it
4 sounds kind of unorthodox. Is it something
5 that you recommend?

6 MR. DEMPSEY: No, that was when we
7 were saying -- we looked at that. You cannot
8 fit as many as cars when you stagger them on
9 each side, as opposed to if you have them all
10 on the one side.

11 THE CHAIRMAN: Not that you propose
12 that, that's just --

13 MR. DEMPSEY: No. We were asked to
14 look at.

15 THE CHAIRMAN: Oh, you were? Okay.

16 MR. DEMPSEY: As another possibility.
17 Not considering the issues with the fire engine
18 or anything like that. I was just trying the
19 layout.

20 THE CHAIRMAN: The spots that
21 shouldn't be used for anything because of
22 emergency vehicles, aren't any part of this
23 count, obviously? There just should be no
24 parking at that portion of the street? Right

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1 where you make the left off of Siwanoy. So the
2 Fire Department came and said, oh my gosh, you
3 can't park on the south side.

4 MR. DEMPSEY: Right. The Fire
5 Department asked us to eliminate the spaces
6 right here in this area right across the street
7 from the cul-de-sac south because if a car is
8 parked in this spot right here, for the truck
9 to get in, he needs this area to turn into to
10 make the turn into the stem of the cul-de-sac.

11 THE CHAIRMAN: So if you were to go
12 with the layout you have for parking, you would
13 control the spots by putting signage that
14 clearly marks where you can and cannot park;
15 right?

16 MR. DEMPSEY: Yes.

17 THE CHAIRMAN: Okay. Anything else?
18 When you say vehicles, that includes trucks,
19 that includes delivery trucks?

20 MR. DEMPSEY: Yes.

21 THE CHAIRMAN: Got it. So the
22 comments you made about 19 pedestrians, that's
23 in a particular day, the numbers you gave us?

24 MR. DEMPSEY: That was from 3 to 5, so

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1 a two hour period there were 19. Some were
2 people walking their dogs, some were, you know,
3 going to their cars across the street, some
4 were people just walking in the area.

5 THE CHAIRMAN: Okay. Got it. I don't
6 have any other questions. Do you guys have any
7 other questions?

8 MR. NEMECEK: I think I've asked them
9 all.

10 MR. CAMPANA: No questions.

11 THE CHAIRMAN: Mr. Grealy, would you
12 like to opine on the study or -- I would feel
13 much more comfortable if you tell us what you
14 think about this.

15 MR. GREALY: Philip Grealy, Colliers
16 Engineering and Design. We reviewed the
17 information that Mr. Dempsey submitted. I
18 think the questions that the board asked,
19 covered some of the items we had. Our
20 recommendations would be to make these
21 mitigation measures part of the site plan
22 approval. Have the applicant, you know,
23 install the signage.

24 In terms of the parking restrictions,

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1 that would involve the Town Board to make that
2 change.

3 I think based on the information that
4 was presented, you know, today, when you have
5 people parking on either side, as presented
6 last meeting, fire trucks and emergency
7 vehicles have some difficulty get through
8 there. There is logic to this proposal.

9 The additional spaces on the
10 cul-de-sac, you know, in terms of the fact that
11 the driveways and the garages in the individual
12 units -- you know, sometimes you'll have a
13 dwelling unit that's built and the driveway is
14 so short, you can't, and people will park on
15 the street. These particular layouts do
16 provide for adequate, as he indicated, four to
17 six spaces, you know, off-street parking. So
18 the spaces on street, they'll be used at times
19 when there's gathering or parties, you know,
20 typical for any neighborhood. So I think the
21 shifting of the parking to one side makes
22 sense. That one space in question, I think the
23 two versus the three stop signs can work.

24 His comments about the other traffic

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1 calming measures, speed tables because of these
2 speeds would not be effective. Those are
3 typically used when you have speeds in excess
4 of 35 miles an hour and you want to bring it
5 down to into the range these speeds are
6 already. As you indicated, people tend to
7 drive the speeds they feel comfortable with.
8 Some people drive a little faster. The speed
9 advisory signs, the dynamic signs that they've
10 identified, they do help because sometimes
11 people don't realize that they're going a
12 little faster than they should. The possible
13 reduction to 25 may have some slight effect if
14 it's done in combination with these types of
15 signs. If you didn't have the signs, people
16 are still going to go the same speed no matter
17 what the speed limit is, unless it's force
18 enforced all the time. With these dynamic
19 signs, people, if you they see that it's posted
20 at 25, they may bring it down a little bit, but
21 not significantly. The speed humps will bring
22 speeds even lower, but with the pedestrians and
23 bicyclists it becomes a little -- they're
24 typically used where you don't have any

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1 pedestrian or bicycle activities, where it's
2 just really motor vehicles.

3 I think those were really the key
4 points. I think they've addressed everything
5 else in terms of the data. We did look at
6 their counts compared to before. There's some
7 variation, but nothing that changes the results
8 of, you know, their analysis.

9 THE CHAIRMAN: Okay. Thank you.

10 MR. NEMECEK: I have a question for
11 you on the -- you said the two or three stop
12 signs and the removal of the one space. Do you
13 have a decided preference one way or the other
14 on that?

15 MR. GREALLY: If it wasn't for parking,
16 I'd prefer to have an all way stop, three stop
17 signs. I think in the case here, the volumes
18 are fairly similar, so there's support for
19 that. You don't want to use stop signs for
20 speed control. Looking at the volumes, it
21 makes sense. My typical preference is an all
22 way stop because then there's no indecision.
23 But understanding the concern about losing
24 additional parking, I think that the two would

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1 work fine.

2 MR. NEMECEK: Okay. Thank you.

3 MR. GREALLY: The plans had identified
4 several areas where there are some sight
5 distance improvements. The site plan had for
6 their own access drives, certain improvements.
7 What I saw in the field, looks like the
8 branches that they're talking about pruning --
9 so it's not just pure clear cutting -- would be
10 in the right-of-way. I think he can
11 demonstrate, you know, on the final plan, so
12 that it would not be affecting anybody's
13 property, per se.

14 THE CHAIRMAN: How do dynamic signs
15 work? I mean, I know physically how they work,
16 but they go up and stay there indefinitely, or
17 once you feel they've done their purpose,
18 they're removed?

19 MR. GREALLY: Once they're in place,
20 they should stay there. They're not temporary
21 signs.

22 THE CHAIRMAN: They become part of the
23 landscape.

24 MR. GREALLY: In terms of -- I don't

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1 know whether what they've identified would be
2 solar or whether they have to be direct power.
3 There's both types. It really depends on the
4 sun exposure whether the solar would work.
5 They're both effective. The technology has
6 improved significantly in terms of the life of
7 these.

8 THE CHAIRMAN: I guess I could ask Mr.
9 Dempsey, but they're not very pretty, do they
10 make nice ones?

11 MR. GREALLY: The size of the signs
12 could be kept appropriate for the neighborhood.
13 There are varying sizes of these. Again, the
14 problem is, you look at signing and you get to
15 a point where you over sign things. I think
16 the concerns and the fact that we have the
17 pedestrians there, I think this is an important
18 consideration to do this, especially if it's
19 someone from out of the area. A lot of the
20 times you find in the neighborhood, the people
21 that are speeding actually live in the
22 neighborhood. I know in my neighborhood,
23 that's what the studies found. We had the
24 speed tables installed, and I think it was like

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1 75 percent of the people that were speeding
2 were from the surrounding neighborhood. I
3 think, you know, considering the pedestrian
4 activities, it's an appropriate measure.

5 THE CHAIRMAN: I could go back to Mr.
6 Dempsey, but since you're up, I'll keep asking
7 you questions. Is part of the recommendations
8 putting appropriate markings on the pavement
9 also?

10 MR. GREALLY: Yes.

11 THE CHAIRMAN: So there's enough
12 markings that there's a big white line, you
13 stop --

14 MR. GREALLY: Where you have your stop
15 signs, you would have a solid white stop bar.
16 At one of the meetings, there was also a
17 comment about people not obeying the stop sign
18 on Siwanoy at Beech. So I think there, you
19 know, a stop sign ahead current standard would
20 be appropriate. There is a sign, but I think
21 the current standard. So that would be one
22 thing we would add to that list that he's
23 provided.

24 THE CHAIRMAN: Okay. Thank you.

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1 MR. GREALLY: Thank you.

2 THE CHAIRMAN: Are we good up here?

3 MR. CAMPANA: No questions.

4 THE CHAIRMAN: Great. So this is an
5 open public hearing, so whoever would like to
6 have comments, please come forward, state your
7 name, address, and take it away.

8 MS. BRESCIA: Good evening. Rose
9 Brescia, 205 Beech Street. I've been here
10 before. You have a long agenda. I'm going to
11 be very brief.

12 A couple of main concerns. As usual,
13 water management. I love the optimism of
14 engineers. We have a problem. What are we
15 going to do with all this water? They do their
16 formulas, and their calculations, and their
17 charts, and they come back and they say, here
18 you go, we solved it. And then reality hits.
19 Just like that storm we had at the end of
20 April. I know you've seen the pictures because
21 other residents have mailed them in. Highland
22 Avenue, completely inundated, and that's the
23 system that this is supposed to be part of.
24 That's what we're supposed to be putting our

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1 water into for some of these houses. So
2 absolutely did not work.

3 Second thing, the traffic study. I've
4 been puzzling over the statement in the study
5 that says -- I'm going to quote -- that the
6 offset variance request, the key consideration
7 for allowing the variances, there will be few
8 left turns out of the proposed cul-de-sac
9 because Beech Street becomes a dead end. Now,
10 in essence, that's the truth. However, that
11 statement is misleading because before you get
12 to the dead end, you come to Siwanoy, so you
13 have to make that right. So people are going
14 to be making a left out of the cul-de-sac, and
15 immediately, within a very short distance,
16 making a right onto Siwanoy Boulevard.

17 Now, if we're going to park 19 cars
18 over there, that's going to be a problem. Even
19 without the cars parked there. It's presented
20 as if there's going to be few cars there, and
21 the truth is, it's actually going to be more
22 cars there because you're going to be making a
23 left and you're going to be making a right.
24 You're not going down that dead end. There's

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1 only three houses down the dead end. People
2 are turning around -- I would say three or four
3 times a week, the poor people that live at the
4 end of that street someone's in their driveway
5 turning around because they think it's a
6 street. They completely ignore that dead end
7 sign. So I think that needs to be corrected in
8 the report. Beech Street, yes, is a dead end,
9 but before you get to the dead end, you get to
10 Siwanoy, and that's where people are going to
11 be making turn a turn, and that's where you're
12 going to have the traffic.

14 Yes, if you have another sign that
15 says Tuckahoe Schools up on Highland or maybe
16 down on Rose, maybe that's where people are
17 going to be redirected, but we see it all the
18 time, deliveries to the school, school buses,
19 people going back and forth to the school,
20 they're going to continue to use Beech Street
21 and Siwanoy. They're not going to change over
22 to Ridge Street because that's what they're
23 used to doing. I mean, the milk truck goes by
24 twice a day down to the school.

25 I'm not even going to talk about the

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1 19 spots. That is not even -- we just saw you
2 can't -- 19 spots on the street. The photo you
3 just saw was someone parked and someone trying
4 to get past, so how are we supposed to have
5 cars parked there? People get out of their
6 driveway and other people coming in the other
7 direction, it doesn't make any sense to me.

9 Are there going to be more traffic
10 studies in the future because there's black
11 tape all over the street where the wires were;
12 is that something that's going to come up in
13 those two locations? So where the wires were,
14 the tape is still down in the street. I don't
15 know if that's going to be reused or that
16 dissolves, I don't know, but it's a mess. It
17 should be cleaned up.

18 That's basically it. One last time,
19 we don't object to development of this
20 property. It's a great piece of property.
21 This is not the right design for it. Thank you
22 very much.

23 MR. GIACOBBE: Thank you.

24 MR. NEMECEK: Thank you.

25 THE CHAIRMAN: Thank you.

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1 MR. TUDISCO: Mr. Chairman, before we
2 continue with the next public statement, I did
3 have a thought that maybe Dr. Grealy could
4 address or somebody else could address. And
5 that is, that even if you direct traffic
6 towards Ridge going to the Tuckahoe Schools and
7 you divert traffic that way, and if the signage
8 that you put is successful in doing that, the
9 vehicles, school buses, parent cars,
10 deliveries, whatever they are, and they take
11 that route, they're not going to make a U-turn
12 coming back. They are typically going to go
13 through by the school and come back on Siwanoy
14 towards this development. That's the natural
15 route of egress, I believe. I don't know if
16 any of that signage is going to take that into
17 consideration. You can divert cars coming in
18 to go towards Ridge, but coming out, once
19 they've gone to the school or gone to wherever
20 they're going, it seems to me that's the
21 natural way out of the neighborhood, so there's
22 still going to be that traffic pattern coming
23 around. So I don't know if that was addressed
24 or considered.

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1 MR. NEMECEK: I think the thought
2 would be that if you're diverting the incoming
3 traffic, you're doing something to mitigate the
4 problem because it's a problem now, and it will
5 be a problem whether we approve this
6 application or not, it will continue to be a
7 problem. So anything you can do to, in this
8 instance, lessen the incoming traffic towards
9 the school, is an improvement. That's the way
10 I view it.

12 MR. TUDISCO: That's all.

13 THE CHAIRMAN: It's a good
14 observation. Could you get them to not turn
15 around and just keep going straight? That's
16 just way out of control. Keep them -- just go
17 past the high school and go on the streets over
18 there.

19 MR. CAMPANA: Yes, it's too
20 circuitous.

21 THE CHAIRMAN: It really is. There's
22 no way to get out of there.

23 MR. CAMPANA: I think -- I know this
24 is public comments -- with cars exiting the
25 cul-de-sac -- just, I guess, to go along with

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1 the comment that was just made -- it also seems
 2 quite circuitous for somebody to make the left
 3 out of the cul-de-sac to go to Highland or
 4 Route 22 or California Road; right? You think
 5 you would make a right out of the cul-de-sac,
 6 then to continue on Beech, and then go to
 7 Highland or down Rose, or one of those other
 8 streets to hit those main avenues. I guess
 9 also because the homes would then be located in
 10 the Eastchester School District, so there would
 11 be really no need for them to go in that
 12 direction on a daily basis, but I don't know if
 13 that was part of the study or not.

14 MR. DEMPSEY: It was. Most will go
 15 right, but to be conservative -- this was based
 16 upon our initial scoping and such -- we
 17 actually said 70 percent of the cars coming out
 18 of the driveway out of the cul-de-sac to go
 19 left to be conservative because of this. So we
 20 were overly conservative in that regard. So,
 21 yes, most will go right, Beech up to the
 22 Highland, and then out to 22, or back to the
 23 Hutch or whichever.

24 With the signage, as the board member
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1 said, it originally came to the Town Planner,
 2 but we agreed any additional reduction would
 3 help in that regard. It would mainly help
 4 people going in. During the school hours,
 5 they're set on a certain pattern that the
 6 school sends out of how they're supposed to go
 7 and to drive around the school for pick up and
 8 drop off. During other hours, though, you may
 9 have more people returning that way. A lot of
 10 people just use Ways now and such too, so
 11 whatever that tells them.

12 THE CHAIRMAN: To address one comment
 13 that came up about the dead end, is there
 14 something that could be done to prevent people
 15 from going into that dead end? I imagine more
 16 signs, more stripes, or something like that?

17 MR. DEMPSEY: We talked about
 18 additional signage, but they weren't too in
 19 favor of it.

20 THE CHAIRMAN: Who is they?

21 MR. DEMPSEY: One or two of the
 22 residents that spoke last time.

23 You could add another Do Not Enter
 24 sign on the other side of the -- so you see it

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1 from both directions. The other thing we
 2 talked about is, you could paint cat tracks,
 3 which is basically the double yellow line to
 4 keep from going there to the other one, so you
 5 should be turning there.

6 MR. NEMECEK: How do those hold up,
 7 though, with the weather that we have in the
 8 wintertime with --

9 MR. DEMPSEY: That would just be
 10 through paint.

11 MR. NEMECEK: Oh, paint. Okay.

12 MR. DEMPSEY: It's just the cat tracks
 13 as opposed to what you're talking about, the
 14 cat eyes.

15 MR. NEMECEK: Yes.

16 MR. DEMPSEY: They can be done too,
 17 but that you have to be careful. They have to
 18 be well installed. You can't have it like in
 19 Florida where they're all sticking up. They
 20 would have to be flush with the pavement.

21 THE CHAIRMAN: Is it worth considering
 22 something over there, or it's sort of a
 23 non-issue?

24 MR. HERBERT: On the dead end you
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1 mean?

2 THE CHAIRMAN: Yes. Is it worth
 3 addressing that and asking for that, or is it
 4 really just, as you said, it's really not an
 5 issue? At least not to the residents over
 6 there.

7 MR. DEMPSEY: The paint could be put
 8 on that would go between the two stop bars on
 9 Siwanoy and Beech. You could put that in.

10 THE CHAIRMAN: Oh. Okay. Got it.
 11 All right. Thank you.

12 We still have the public hearing open.
 13 Additional comments?

14 MR. SLOVENKO: Richard Slovenko,
 15 famous familiar face, 200 Beech Street.

16 I'm going to start with last point
 17 first, is that we've now opened the Bronxville
 18 Manor sign shop. Sign on every corner. Bigger
 19 one. New one. Sign, sign -- you know, there's
 20 a song many years ago, my generation, sign,
 21 sign, everywhere a sign. What I notice from my
 22 video captures is, these are the same cars
 23 every day, same times. We're creatures of
 24 habit. So these are not people that are

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1 unaware. It's a small street. It's a very
2 limited area. They're making choices,
3 conscious choices. It's not a misinformation
4 or a lack of knowledge about what they're
5 options are. They're choosing the pattern they
6 have. These other measures are likely, if not
7 inconsequential, closest to that.

8 I apologize, for what was I planning
9 to speak on, I'll be a little more organized,
10 but for the moment I'm going to skip around a
11 little bit because it's in response to things
12 said tonight.

13 One of the things that doesn't seem to
14 be an issue is speed. I think the tube
15 studies, they're saying that the 85 percentile,
16 which was regarded as the speed at which you
17 kind of direct your attention, are below even
18 the lower threshold, 25 over on California
19 Avenue. Therefore, putting additional
20 visibility to speed and so forth doesn't seem
21 to be the advantage. You guys don't have your
22 name tags tonight, but the gentleman right here
23 made some very key point about you travel the
24 speed -- you know these roads, you travel the

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1 speed that you're used to. It's a habit. But
2 what's interesting is, that overall speed is
3 not an issue. The tubes that were placed,
4 they're called position two on the study that
5 supplied the raw data that was submitted on the
6 20th of this month, they were positioned at 202
7 Beech on the tree right next to my property,
8 200, and then extended over across almost
9 exactly where the radius would be for the
10 proposed cul-de-sac. It's interesting. The
11 speed was said at the 85th percentile was 21 to
12 22 miles an hour. They have three car lengths
13 to go. They've gone three car lengths to that
14 point, meaning they're already up to 20 plus
15 miles an hour. Not that they're going to go
16 super fast at any point, but they're
17 accelerating fast, right by that development,
18 right where the people will be turning. If you
19 work in the city, you're not going right to go
20 to Highland, you're going left to get to the
21 Cross County. You want to go to, for example,
22 the Sprain, I'm not going right, I'm going left
23 and going down Pondfield so I could get down by
24 Midland and all that, get onto the Sprain exit.

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1 There's many reasons why I'm going left, not
2 right. So Rose's point was absolutely correct
3 and valid.

4 The point about -- we keep talking
5 about parking on Beech, which is a whole other
6 issue, and I'm going address something right
7 now. I have great trouble getting out of my
8 driveway. I'm generally considered a very good
9 driver. I have to do like a five point
10 turnaround maneuver to get out of my driveway
11 if somebody is parked behind me. It's one of
12 these many spaces that are so available they're
13 talking about. Most of my neighbors are
14 courteous enough not to -- because they could
15 see it's so tight. Now, my driveway goes down
16 on grade, so I don't have where I could just,
17 you know, drive on the grass a little bit, or I
18 have some big, extended area to move. I have
19 limited distance to go out of the driveway, and
20 if the car is there, I got to work. Thank God
21 I have a backup camera because it's real tight.
22 There's another guy next to me at 200 -- I mean
23 196, and then at 192, he's also got a grade,
24 and he's got the same problem that I would

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1 have. So it sounds good, much more than it is.
2 In reality, right now there's probably six good
3 spaces. If you take the cul-de-sac out,
4 there's probably four. That takes away
5 anything that was on the other side, and the
6 owners at 192 frequently park on the other side
7 with their Jeep.

8 Now, there was a comment by the
9 traffic generation -- traffic engineer I'll
10 better say -- before I go there, let me go back
11 to Siwanoy for a minute. There was a video
12 provided by my neighbor at the corner right off
13 the corner where Siwanoy and Beech meet.
14 Kristina, from 138 Siwanoy, Marciano, you got a
15 video from her. She sat one afternoon at the
16 corner, a one day sample, and you saw what was
17 going on there. It wasn't the issue that's
18 going on at Beech, the issue was what was on
19 Siwanoy. There's cars parked on both sides --
20 none of this has been addressed -- on both
21 sides, and there's people walking around the
22 corner there, and there's cars making very
23 difficult turns with other, you know,
24 pedestrians and oncoming traffic. It's very

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1 treacherous.

2 The other day, I was coming home, and
3 Rose, who's the other person, came out before I
4 could get there, there's kids sitting on the
5 curb. I don't know if they were eating
6 sandwiches or they were setting up a lemonade
7 stand right next to that stop sign on the Beech
8 side. You like got a sign of hit me on. She
9 got to them before I did. So people are just
10 not necessarily understanding the dynamic of
11 which we're making much more complicated and
12 dangerous.

13 Now I'm going to go back to the point
14 I was just starting to make. The comment, some
15 higher, some lower, again to -- could I get
16 your name again?

17 MR. NEMECEK: Phil Nemecek.

18 MR. SLOVENKO: Phil. You're an
19 architect; right?

20 MR. NEMECEK: What's that?

21 MR. SLOVENKO: You're an architect;
22 right?

23 MR. NEMECEK: I'm a lawyer.

24 MR. SLOVENKO: Oh, lawyer.

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1 MR. NEMECEK: The very best type.

2 MR. SLOVENKO: Well, Phil, again, had
3 another key question for the traffic engineer:
4 How does this compare to what you've
5 represented us, and then you continued to say
6 is proper to assess your comments and decisions
7 upon, and he said, some higher, some lower.
8 Where I come from, my industry, where we test
9 and we use, you know, facts, we like a nice
10 saying that we like to use, in God we trust,
11 all others bring data. Well, how much higher
12 and how much lower, and where does it matter
13 and where does it doesn't -- where it doesn't?
14 You'll recall in the traffic study, they focus
15 on peak hours, peak AM and peak PM, and why
16 would they do that? Because that's the
17 greatest utilization. That's when everything
18 is happening and, you know, like with any
19 situation you want to look at worse case as
20 being like your critical task, and this is your
21 worst case. Some higher, some lower doesn't
22 apply to that. They're all higher. A lot
23 higher. For example, in the PM hour on
24 Thursdays, 46 percent higher than the highest

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1 PM hour that they're talking about that they
2 did all these repeated studies for, and they
3 really got the number for you. It's definitely
4 50. Well, 73. Well, that's an outlier. Well,
5 the day before was 69. I also see a 73 count
6 on 6/8, just another day. Well, what about the
7 mornings, which I've been railing about? How
8 are you taking samples right in the wake of
9 Thanksgiving in the winter and calling that
10 representative? It's just not. Well, on 6/8,
11 which I provided a video for, which is very
12 recently, we had 89 cars. 89 is a very
13 different number than 64, and that's the peak
14 time.

15 Then there was observations about --
16 Mr. Herbert asked for, you know, some
17 qualitative understanding of what the dynamics
18 are on the street because you guys are all
19 being alerted to this is a real situation here.
20 Before we add the street, before we add another
21 driveway in between the new street, the new
22 driveway, and then the intersection too close,
23 less than a hundred feet. Before all that.
24 And they were there for just two hours on a

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1 given Saturday, random time, and then another
2 time undisclosed during the week. Well, if you
3 watched kids going to school that 7:30 to 8:30
4 peak hour, they're climbing all over the road,
5 and it's the highest utilization time, and it's
6 40 percent higher than they're claiming it.
7 How many pedestrians are at risk every day? A
8 high number. The observation --

9 MR. TUDISCO: 34 percent higher based
10 upon a study?

11 MR. SLOVENKO: Data I provided to you.
12 Plus, they corroborated with the raw data,
13 which I summarized for you. On the e-mail
14 yesterday that I sent, I laid this all out. I
15 have a copy of it here. I took their raw data,
16 and I just tallied it up. Bear in mind, it
17 would be higher, the raw data, because they
18 have it in the whole hour. I misspelled it. I
19 apologize, I forgot the W.

20 The peak periods -- I measured so many
21 times -- peak period, 7:30 to 8:30. Next peak
22 period is 2:30 to 3:30. Those measurements
23 that they're representing are on the whole
24 hour; 7 to 8, 8 to 9. So we're not getting the

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1 actual peak. So these are undercounting, and
 2 still they're blowing their numbers out of the
 3 water. 46 percent higher in the afternoon, for
 4 example. So their data shows it. I've been
 5 saying this all along. I've been showing
 6 videos I provided to the traffic consultant
 7 hired by the city, but it shows -- you know,
 8 camera trips on every time a car goes by. You
 9 could see which direction they're going. 89
 10 cars 7:30 to 8:30 two weeks ago. I counted 80
 11 all the time. Always over 70. It's not 64.
 12 I've provided that to the city. I provided
 13 that to the Planning Board. It's available.
 14 There's a link there right next to it in that
 15 e-mail. Don't listen to me. Look at their own
 16 data. Their own data is telling you.

17 That's all I'm going to do in response
 18 to what was presented. Now I'm going to want
 19 to show some visuals, and I would like to
 20 ideally talk about, so maybe --

21 MR. TUDISCO: You have to take the
 22 microphone so the record could hear you, and if
 23 you want to use the easel.

24 MR. SLOVENKO: Yes. I'm just making
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1 sure that's okay.

2 What I put before you is the
 3 representation we've seen numbers of times. A
 4 lot of times in response to things I said. I
 5 think it's from Hudson engineers, or I don't
 6 remember exactly the name. He's not here
 7 today. This graphic, the fuzzy one, was taken
 8 from a screen capture that I think we've all
 9 seen, where they say, look, it's typical, all
 10 those cul-de-sacs, that's the way we do it here
 11 in Eastchester. That's what he's been saying.
 12 I pointed out at some point via an e-mail
 13 graphic, you know, that's not the case. I
 14 don't think it really makes the point the way
 15 I'm going to now.

16 So this is the area he's showing us.
 17 This is Eastchester, per se. The red dots that
 18 you see or the red pins, represent anything
 19 with more than one home that's not a
 20 multifamily in a cul-de-sac. Even if it's not
 21 a cul-de-sac, it's a dead end with like two or
 22 three houses. So I'm giving the benefit of the
 23 doubt that this is a cul-de-sac for things that
 24 really aren't a cul-de-sac. You can see the

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1 alignment is very similar to what he has here;
 2 the two, the two. I'm giving three, he says
 3 two. The five in here. The two type ones
 4 there. Now, I'm going to subtract a couple of
 5 ones with your permission because this is right
 6 off of -- these two here are right off of
 7 119. It's basically traffic controlled. They
 8 basically put, you know, some walkway in
 9 between it and a little dirt so you don't use
 10 the -- you know, people cutting through. So
 11 this is really not a cul-de-sac, this is a
 12 traffic mitigation measure. So it really isn't
 13 fair. I'm going to pull that one out. So here
 14 we are with the -- oops, that was the wrong
 15 one. That, actually, is the Tuckahoe one, and
 16 that does belong. What I was trying to pull
 17 off was this one here off of 119. So that's
 18 now a cleaned up model tracking exactly with
 19 what he's showing.

20 Now, I put my hand over this area
 21 right at Tuckahoe Road and what would be Beech
 22 Street. How many do we really see, and how
 23 many of them have four in a row and five in a
 24 row that he's calling typical? None. Zero.

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1 If I put my hand over here, how many do we see
 2 that has four in a row or five in a row? None.
 3 One of them happens to be the new development.
 4 I take that off. That's not there yet. Now
 5 how many of these do we see if I put my hand
 6 over the Tuckahoe? Zero. Three in a group
 7 here or there. All we have is this one right
 8 here, and it's the outlier. But if you take a
 9 satellite view, if you drive there, it's very
 10 green. It's not what we have here or what's
 11 going to be here. It just happens to be some
 12 big parcels. You're going to talk about one
 13 tonight, 15 Tuckahoe. These were over a long,
 14 big, wide stretch. So these things are like an
 15 acre in between. So even if you build them up
 16 heavy, there's still a lot of green space left.
 17 Not the case of what we're having here.

18 The point that I'm trying to make is,
 19 this is an outlier. What they're proposing
 20 here is not typical of the area. Certainly not
 21 typical of Bronxville Manor because in
 22 Bronxville Manor -- let me make sure I identify
 23 it correctly -- this is the one, the one,
 24 that's in Bronxville Manor.

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1 Here I have the immediate adjoining
2 area. Hopefully, artistically presented, but,
3 more importantly, presented so you could get
4 your bearings of where you are. This is the
5 corner that's 202 Beech. This is the corner of
6 Siwanoy taken from across the corner. This is
7 looking down that dead end street that we are
8 just talking about. This is now at 196 Beech
9 looking down. This is the parked car that gets
10 sideswiped all the time, which is almost
11 exactly -- the back of this car would be the
12 cul-de-sac exit. This is what it looks like.
13 Nice neighborhood. Anybody would want to move
14 in. Not a lot of signs. No signs. Not a lot
15 of signs. One of the attributes, it's not the
16 Bronx. Not saying there's anything wrong with
17 the Bronx, but it's different. It's a
18 different character, different neighborhood.
19 That's what we have currently. This is more of
20 less what we're talking about coming. This,
21 what I'm showing you, is D'Ambrosio.
22 D'Ambrosio is a very similar concept of
23 development as what's being proposed here.
24 This is one, two, three -- this might be the

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1 same house, it's huge -- one, two, three -- I
2 would say three or four I'm looking at there in
3 that one little screen shot, and this is two
4 houses. The roof lines merging. This is a
5 very different character of neighborhood.
6 Dramatically different. There's nowhere we
7 have the succession of 3500 square foot homes,
8 not four of them, not five of them, not eight
9 of them.

10 This is a hundred year storm? No. Is
11 it a 50 year storm? No. It's 2 inches over
12 24 hours. 2 inches. 2.14 to be exact. A
13 hundred year storm is 9.17 inches over
14 24 hours. This was 4 inches of rain over 48
15 hours. That's water running in a river out of
16 D'Ambrosio with all the hundred year systems
17 that are so infallible. That's water flying
18 out in a river. These are the best
19 representations because it's taken from video,
20 which you were provided by 138 Siwanoy,
21 Kristina Marciano, I mentioned earlier. The
22 point being is, that what people keep talking
23 about that this is a very different area, this
24 is current state of the art. I sent a video in

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1 about this, and I showed you my system, which
2 is 50 year storm rated. Saturated. This is
3 like probably at least one every other month
4 saturation. A 50 year storm? It's completely
5 inappropriate. I showed you my neighbor at
6 192, the Mancusos, drying out their basement on
7 the driveway. They also have a brand new --
8 actually two brand new dry wells, also 50 year
9 rated, I assume, because they wouldn't get
10 approved these days if it wasn't at least that.
11 I showed you the video of the pool that's still
12 in there the next day. So this is 50 years.
13 Is a hundred years that much better? And it's
14 going to handle all this water in this area?
15 No. That's why that road was shut down that
16 day. We're covering more and more surfaces
17 with systems that cannot handle the level of
18 water that's already there, plus what's coming
19 from the sky.

20 I'll read from two items that came in
21 today to your facilities about the 15 Tuckahoe
22 development, and I'm just going to highlight
23 them for the fact that they're right on point.

24 One is from a women named Gail

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1 Stewart. She may be here. She wrote you this
2 afternoon at 5:17. She said -- and she lives
3 at 23 Tuckahoe Avenue. Water has always been a
4 problem on our property -- by the way, she's
5 lived there with her family since 1926, so
6 they're not new here. They kind of know what's
7 going on. Water has always been a problem on
8 our property. There's a very high water table
9 here. Dig down four feet and you hit water,
10 and it's also clay, by the way. This is not
11 soil that drains. She continues on later,
12 still very wet back there. It puddles when it
13 rains. I have a sump pump in the basement that
14 runs 24/7.

15 Another one that came in today was
16 actually a re-post of -- from Maria -- I'm
17 going to say it's Ognibene. I'm trying. I'm
18 Slovenko, so I try harder. I think that's how
19 it goes. It was to Margaret Uhle before in
20 2021, and she's -- when we were last looking at
21 15 Tuckahoe -- and she's just forwarded it
22 back. She writes: There's serious
23 infrastructure issues that plague the
24 neighborhood as a whole, and significantly on

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Tuckahoe Avenue. To name a few, these include the sanitary sewer, the storm sewer, the main water lines, the high water table and through traffic. These issues have not been meaningfully addressed by the town. In the meantime, stress on these infrastructure systems has continued to increase over the years.

So I'm going to leave it there. I mean, if this is truly a deliberative body that cares about what's going to happen longer term, I don't know how you can approve this project. I mean, that's my, you know -- you're probably going to close up the meeting for public discourse. You're probably going to make a decision. I fear you're going to make the wrong one, but that's how I'm going to leave it tonight. Thank you.

MR. NEMECEK: Thank you.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: Thank you.

MR. SLOVENKO: Do you want me to leave you these graphics?

THE CHAIRMAN: No, you could take them

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back. Thank you.

Any further comments on this application? So the public hearing is still open. No more comments on 203 Beech.

(No comments.)

THE CHAIRMAN: Gentlemen, do we have any comments?

MR. NEMECEK: The only thing, did we -- did Mr. Cermele or anyone else have any further discussions on potential water management issues?

MR. HERBERT: We resolved that, according to Mr. Cermele. He wrote a memo saying that the issues had been worked out.

MR. NEMECEK: I must have missed that memo.

THE CHAIRMAN: Are we talking about the I & I?

MR. HERBERT: No, not that the I & I. That's a sanitary sewer issue. That has not been worked out. The standards are the standards.

THE CHAIRMAN: Right. Right. Okay.

MR. TUDISCO: Also, there's one other

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thing I just wanted to make clear for those watching at home. Somebody tonight mentioned the word parking variance. I just want to be clear, that this board does not address parking variances or issue variances. That is a Zoning Board issue, to the extent that any are needed. If there's a rearrangement of parking spaces or signage, that is an issue for the Town Board, not this particular body. That's all I wanted to clarify.

THE CHAIRMAN: There was something I wanted to just bring up or note. As far as the 19 spaces in Mr. Slovenko's comment about backing up and the cars there, is that something that we could address at a later time? It seems like we're taking all the spots, but if they make life difficult for those folks that have to get out of their driveways, I mean, that doesn't have to be addressed right now, it has to be addressed --

MR. HERBERT: Well, I mean, you would have to measure the space and see if there was adequate space, you know, depending on where cars park relative to the driveways.

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THE CHAIRMAN: The driveways.

MR. HERBERT: Right.

THE CHAIRMAN: Does your study address people coming out of their driveways when we do those 19 spaces?

MR. DEMPSEY: With the 19 spaces, what we're showing is what the maximum number of spaces that could be there. If somebody is directly opposite a driveway, then the person would have to turn earlier to make the turn to back out. That's an existing condition. We're not adding any on-street parking in the area for the project, so we wouldn't be affecting that. It's an existing condition.

THE CHAIRMAN: I don't want to, but I have to agree with you. I mean, you're kind of right, it's an existing condition that's there now, you're not changing it.

MR. TUDISCO: It is, but if part of the project is going to involve, at some point in time, directing all of the parking be on one side of the street versus not on both sides of the street, then to the extent that people are coming out of their driveways on one side of

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the street, there's going to be more parking across from those driveways.

MR. NEMECEK: But as it exists right now, there's parking on both sides right now, so in theory, could be even worse because you could have the two people parked on either side of your driveway and someone parked right behind you. That won't be a problem going forward if you eliminate the parking on one side of the street.

MR. DEMPSEY: The rest of Beech Street is parking on one side of the street from Highland to Rose and then after Siwanoy.

MR. TUDISCO: You mean between Rose and Highland?

MR. DEMPSEY: Yes. Between Highland and Rose, there's parking on one side. Our recommendation for it is more a safety issue, as was demonstrated with the fire engine if you have parking on both sides of the street, I think you have start having serious issues at the far end if the fire engine can't get through. Again, that's an existing condition. It has no relevance to this project.

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THE CHAIRMAN: Okay. I'm going to close the public hearing then. Are we doing that? Oh, back there. Come on up.

MS. MARCIANO: Thank you. I'm Kristina Marciano, I live at 138 Siwanoy. I just want to bring to your attention one more time, that I did witness, and I actually have it on my Ring camera, that the existing conditions there was a situation where there were two school buses, one was coming off of Siwanoy making a left off of Siwanoy and Beech, and one was making a right from Beech to Siwanoy at the same time. One had to back up because the other one couldn't get through with the existing conditions. At that time, there was only one car parked outside of Rose's house, 203 -- 205, sorry, excuse me. That's with one car. So that wasn't even when there was supposedly going to be that many cars parked as they're requesting.

Also, if the cul-de-sac gets put in, where the cars are going to be parked on that side, and if you do not have any parking on the existing side that's on Beech, with the cars

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coming from Beech to Siwanoy, and if you're making a right-hand turn out of the cul-de-sac, there's no room for two cars. If there's a car parked where they want it to be allowed to park where that corner is, they have to come into oncoming traffic without being able to see, regardless of whether you cut any brush there because the cars are going to be parked there, and there's a potential for delivery trucks to be parked there, Amazon cars always double park. There is going to be a head on collision there, guaranteed. I mean, I hope it never happens, but I guarantee it. So I just urge you to take another look at that situation.

Can we pull up the diagram one more time?

THE CHAIRMAN: I think that would help, yes. I think I know what you're talking about, I think I do, but it would be better to point to it.

MS. MARCIANO: I just think this is extremely, extremely important because if you have --

MR. TUDISCO: If you could just take
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the microphone.

MS. MARCIANO: Oh, I'm sorry.

MR. TUDISCO: No, it's okay. We want to get everything you're saying on the record.

THE CHAIRMAN: Why don't you standby until he's got that up, and then you could make your comments.

MR. TUDISCO: Could you show the driveway, like the overlay.

THE CHAIRMAN: That's good enough. We could see everything.

MS. MARCIANO: Okay. So where Rose meets Beech Street, it's a much higher elevation than it is at the bottom of Siwanoy and Beech. So if they're making a right-hand turn out of that cul-de-sac, you have cars coming around the -- even if you put a stop sign, they're going to be coming down the hill, and there's going to be zero visibility when you have a car parked there because the majority of the cars are not sedans. They are SUV's, they are delivery trucks, they are landscaping trucks. I will tell you, that in that corner there at Beech Street where it goes

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around to the right towards Highland, there are constantly cars parked on that corner illegal.

MR. TUDISCO: Just for purposes of the record to clarify, so what you're saying is a car coming out of the cul-de-sac driveway cannot see or would have limited visibility looking up towards Rose?

MS. MARCIANO: Correct.

MR. TUDISCO: I just wanted to make sure that that's on the record. Because of the height, too, of the street.

MS. MARCIANO: Because of the height and because no one is going to abide by that corner by -- they park there all the time. But even as this is, say everybody parks legally, the visibility is going to be nonexistent.

THE CHAIRMAN: Due to all of the cars along there, or due to that one car right at the corner where you make the right?

MS. MARCIANO: The visibility is because of -- I would say because of all of the cars. Because right now, as it is, when you go up the street when cars are parked over there, you have to go into oncoming traffic as it is.

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THE CHAIRMAN: Yes. That's the nature of the street.

MS. MARCIANO: I know that there have been people that are in this room, that have had issues with delivery trucks and having very close calls with situations that are existing as it is. So the fact that I witnessed even the two school buses with one car parked outside of Rose's house not being able to make the turn as it is, I just would like for you to please consider what the request is here, and the danger that this is going to put not even just the people that are in their cars, but the children that are walking, the strollers, the bicyclists, the pedestrians. I just think it's a recipe for disaster, and I really hope that it could be avoided some way. The additional signage, too, it just doesn't fit with the neighborhood. I understand some, but what's being proposed is excessive.

THE CHAIRMAN: Thank you.

MS. MARCIANO: Thank you.

THE CHAIRMAN: You're welcome. Any more comments? I saw a few hands. No. We're

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good. Okay.

Is there any way to at some point just -- I mean, there's lots of comments about the traffic patterns and everything, and we had some suggestions here, but is there any way to study the traffic a little bit more and make more recommendations to sort of address the issues that were brought up now; safety, pedestrian safety, these conditions that are just unnatural?

MR. HERNANDEZ: I mean, I think it's just part of the problem. Unfortunately, you all live on a street that's just generally not safe.

THE CHAIRMAN: I don't think you say that, but --

MR. HERBERT: It is what it is. It's a narrow street. I mean --

THE CHAIRMAN: It is existing, although I sympathize.

MR. HERBERT: Everyone just keeps pointing at that, and, you know, we put on paper everything that we could come up.

THE CHAIRMAN: Right. We can't change

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the conditions that are there.

MR. HERBERT: So it's like we tried our best to look at every possible angle. If people don't like the angle that we came up with, well, we don't have to do that. I mean, there's only so many solutions.

THE CHAIRMAN: Right. We've addressed as much as we could.

MR. NEMECEK: I guess, you know, look, it's a less than ideal traffic situation now, and it becomes a little more complicated when you're adding this cul-de-sac, you know, where it's at. Personally, you know, I depend a lot on Phil Grealy's input because you're the neutral in this, and you're the consultant that is here to advise this board on the town's behalf. I understand -- we had a back and forth a couple of meetings ago where I kept asking, you know, is there anything that can be done with this situation with this development, that could possibly make the traffic situation even if it's only a tiny bit better than it is right now. I know we kind of struggled with it. I re-read the transcript. I think the

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1 conclusion was, no, there is nothing that can
2 be done to make it better. At best, you can
3 add some measures -- you could take some
4 measures that might make it less worse. But
5 any time you add a new street, as we would be
6 doing here, and you're adding additional
7 traffic, even if it's only an incremental
8 amount of traffic, I think that combination on
9 what's already a difficult street, is not going
10 to help.

12 So I guess, you know, my question to
13 you is, how much worse is this, you know, if we
14 take the appropriate measures? I mean, is it
15 just a teeny, tiny bit worse, or is it
16 significantly worse? Because significantly
17 worse isn't going to cut it.

18 MR. GREALY: First of all, I think the
19 applicant is proposing measures to try to
20 offset -- and I think speed control and
21 organizing parking -- offset traffic increases
22 in terms of it's addressing the existing
23 conditions. The concerns about the sight
24 distances exiting, they have to provide minimum
25 sight distances. The issue turning from Beech

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1 onto Siwanoy two buses at the same time, under
2 their plan, there are some spaces being
3 eliminated. I think you understand that;
4 right?

6 MR. NEMECEK: Because you're putting a
7 home right there, and you can't park in front
8 of the homes.

9 MR. GREALY: And that was the
10 requirement of the Fire Department for the
11 proper swings. So that should actually improve
12 that scenario that was talked about.

13 MR. NEMECEK: That particular
14 scenario?

15 MR. GREALY: Yes.

16 MR. NEMECEK: Yes, I agree.

17 MR. GREALY: I think anything that
18 helps reduce speeds, even if it's only one or
19 two miles per hour, you know, we're talking
20 about speeds in the twenties, but if you're
21 walking, 20 miles an hour seems fast, okay.
22 It's relative. So if we can, by doing the
23 speed signing, bring that down even by one or
24 two miles per hour, that's a betterment. I
25 think the stop sign controls and sight

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1 distances, improving the sight lines, you know,
2 those are things that could be done even
3 without this project, but I think the applicant
4 identified them, and if they're willing to make
5 those, then there's no additional cost to the
6 town.

8 From a traffic generation standpoint,
9 I think they've addressed that. They were
10 conservative on their numbers. So in terms of
11 offsetting any increase in traffic, I think
12 this helps the situation somewhat. It doesn't
13 solve the situation. The way to solve
14 situations like this is to put sidewalks in,
15 but that's not going to happen here.

16 The parking on one side of the street,
17 as presented, the other section of Beech
18 already has that limitation. There's other
19 roads in the town, there's other streets that
20 have that same situation. Backing out of
21 driveways, that occurs even without these
22 changes, okay. I think by organizing it, it
23 does make it a little better because you're not
24 dealing with cars on either side of the street
25 so you have some better visibility. You have a

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1 little bit more room to move on your side of
2 the street. So at the end of the day, you
3 know, how much worse is it going to be? I
4 think the recommendations will offset the
5 increases we're talking about. It's to address
6 existing conditions.

8 MR. NEMECEK: Yes. For example,
9 putting all of the parking on one side, I never
10 like driving on a tight road where you have to
11 kind of slalom because -- and talk about
12 increasing the likelihood of a pedestrian
13 incident when you have cars that are weaving in
14 and out simply because they're trying to avoid
15 other cars. You know, you have somebody
16 stepping out from behind a car, that's a less
17 than ideal situation, I think we can all agree.
18 I do understand that, you know, these are well
19 conceived measures to try to alleviate the
20 impact of -- as I view it, you know, you have a
21 less than ideal situation, and the two things
22 that you're adding, you're adding another
23 street, and, needless to say, that street would
24 require a variance, which this board isn't
25 going to address.

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MR. GREALY: Right.

MR. NEMECEK: And the other thing you have is just naturally by having, you know, an additional six homes in that area, you are increasing traffic. That comes with the territory. If you grant the application, you're going to have that new street coming out, and you're going to have some small increase in the traffic flow.

MR. GREALY: Right.

MR. NEMECEK: And the efforts that have been made to try to offset the impact of that, seem to be well conceived by your judgment; is that fair?

MR. GREALY: Correct.

MR. NEMECEK: Okay.

MR. GIACOBBE: Mr. Grealy, I have one question. There are several streets in town which are narrow like Beech Street, have parking on one side like they're proposing here, but they're one ways. This is a two way street. If two cars are coming head on, is there enough room, in your opinion, that they could get by each other?

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MR. GREALY: It's going to be a similar situation to what exists today. They're currently functioning as two way roadways. If you look at the other portion of Beech Street, which is between Rose and Highland, that's the way it functions. It's courtesy of the road, to a certain extent. All that this would do is extend that pattern to the section between Rose and Siwanoy.

MR. GIACOBBE: I feel like when they're on two sides of the street, though, you have more little places to duck in and wait. Now, with all the cars on one side, what happens if they're all packed? Someone is going to have to back up now.

MR. GREALY: It's similar to what occurs in the other section. In some respect, that could also calm the traffic down further. At the end of the day -- the volumes that were documented and the future volumes, they are still of the same magnitude of what we refer to as a local street, okay. If we were talking about, you know, double the volumes, you know, that may be a little different to look at,

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whether or not one way patterns would be appropriate.

THE CHAIRMAN: Just to follow-up on that, it's a 22 foot wide street or 20?

MR. GREALY: It varies between 20 to 22 feet. There are, you know, some sections that are tight. As you get to Rose around the curve, the road opens up a little bit just because of the --

THE CHAIRMAN: Worst case is 20. So is that -- what's a car width; eight or six?

MR. GREALY: So with parking, the on-street parking space you would typically have seven to up to eight feet is what you would allow for that. So you're remaining about 14 feet, 15 feet if someone isn't parked, you know, properly there.

THE CHAIRMAN: As we said, it's a condition that exists, so we're not really changing anything.

MR. GREALY: Yes.

THE CHAIRMAN: Okay. So my next question -- maybe it's more for you -- procedurally, the recommendations that everyone

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brought up, that Mr. Dempsey brought up, the stop signs and everything, who implements the or -- sorry -- who implements them, who's responsible because some of them require approval by the Town Board? If we were to pursue them, who goes to the Town Board and what's the next step to have them implemented?

MR. HERBERT: Well, I mean, as part of your decision, you could make a recommendation to the Town Board to make these changes, putting the stop signs in, the parking regulations, but then they would have to act on their own.

THE CHAIRMAN: So that's the next step. But the applicant would go to the Town Board?

MR. HERBERT: The applicant would petition the Town Board for those changes.

THE CHAIRMAN: We would send out recommendations to the Town Board?

MR. HERBERT: Correct. Right. But that would come at the end, if the subdivision were to be approved. I mean, they still have to get the variances, and they still have to

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come back before your board.

THE CHAIRMAN: Okay. But they won't die on the vine, sooner or later they'll become part of the application and make their way through?

MR. HERBERT: Right.

THE CHAIRMAN: Got it. Okay.

MR. GREALY: And typically they would be implemented at the cost to the applicant to do that, if the Town Board makes that determination. They may make the determination these should be done regardless. You could work that into your resolution.

THE CHAIRMAN: Right. I understand. Okay. Thank you. Any more comments, guys?

MR. CAMPANA: Question.

THE CHAIRMAN: Please.

MR. SLOVENKO: Richard Slovenko, 200 Beech. In Mr. Collier's -- Dr. Grealy's comments, won't make it worse than it is now. Actually, I think that's not the case. For example, if we take the few cars that are on the other side of the road, they're typically at the very wider part of the road at the

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intersection area of Rose and we push them down onto Beech, now we're guaranteeing they're going to be behind my car, and there are going to be sight line distance issues as people are trying to take a right out of the new cul-de-sac. They don't do that now because they don't need to, we're not so short on space. That's number 1.

Number 2 is, the focus about -- to Phil's -- the lawyer -- point about making, you know, things worse as far as traffic was addressed -- and, yes, there's not a lot of cars, there's going to be a lot of bicycles, people on scooters, things like that, which is really, in this area, the bigger concern from my point of view, but more importantly, we're adding a -- I mean, I don't have a graphic in front of me, but you have the corner, you have the current 205 basically looking right down the street of Siwanoy. You would add a new driveway, a new cul-de-sac all within three car lengths of what we're all talking about is one crazy intersection, and no parking restriction changes on the area where we show all those

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dangerous videos. So the real danger and change that's happening -- we're adding significant danger, I'm trying to emphasize -- is the new source of traffic and people in the most compressed area. We already know from the data we received yesterday or the day before yesterday, is they're accelerating very fast there. They're going to be at 21 miles an hour at that point of where that cul-de-sac is. They're already at that speed. Your stop signs -- I mean your speed signs aren't going to do anything for that. That's just the behavior of people. Those are the people that are either going to be going left to the city, Bronxville, or the coming right, and they got a parked car for sure. They're blocking my ability to get out of my driveway, which I don't have now, so it's making it worse, and people's ability to see down the street, which they don't have now. So it's making a bad situation a lot worse. A lot worse.

I think Kristina wants to point out is that -- there might have been a misunderstanding about the situation she was

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talking about the school buses. It's not going to be mitigated by not having potentially a car on the south side of the street. That wasn't an issue with the situation she was describing. So that was maybe misunderstood.

So I would emphatically disagree with that the situations are now not being made worse by what's going on. The movement of the cars and the added source of complexity in an area where these kids, sometimes young, sometimes stupid, you know, youth, not paying attention, they could get hurt. They're not paying attention. All these things that are like a video game, everything is coming at you at once in that very tight area. This is crazy.

THE CHAIRMAN: I'm sorry, I have to ask you one more question, Mr. Grealy. Do you mind coming back up? Does -- and I think I know what you're opinion is, but I have to ask it. Does making the parking on the north side of the street make the situation any better by organizing it, or, as suggested, it might actually exacerbate it, make it worse?

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1 MR. GREALY: Two points. Number 1, it
2 definitely makes it better for emergency
3 vehicle access, number 1, by consolidating it.
4 The positioning of it relative to
5 driveways, I think the plan that Mr. Dempsey
6 showed accommodates that. In terms of the
7 sight line existing from the cul-de-sac, that
8 one vehicle that they're talking about, with it
9 all consolidated on one side, vehicles
10 traveling towards Siwanoy will be further away
11 from that edge, and they will have to, if
12 someone is parked there, move forward to see
13 before they exit. The speeds we're talking
14 about, we have accommodated the sight lines
15 based on his plan. So I think if we were
16 talking about higher speeds in the thirties,
17 then we would have to recommend removing that
18 space. With the speeds we're talking about in
19 that area, and again, the speeds refer to both
20 directions, so vehicles, you know, coming away
21 from Siwanoy at that point would be a little
22 bit less.

23 MR. NEMECEK: I do have a question
24 because I'll play devil's advocate here. Just

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1 as I think it's an advantage to remove that
2 slalom-like parking on both sides, if you do so
3 and have parking only on one side, would that
4 have a tendency to increase the speeds because
5 you no longer have to slow down naturally?

6 MR. GREALY: The width of the road
7 will still limit that.

8 MR. NEMECEK: Yes. Okay. That would
9 be my experience as well.

10 MR. GREALY: If you have -- if we were
11 talking about a 35 foot wide road and you put
12 parking only on one side, then, yes, it would
13 probably change that, but with the width of the
14 road is the determining factor here.

15 THE CHAIRMAN: So I'm going to take
16 comfort in the fact that you just said
17 everything has been looked at, all of the sight
18 lines and emergency vehicles and the
19 circulation and all that has been looked at by
20 the applicant. You looked at it, you reviewed
21 it, and you said everything that has been
22 brought up by the public and their concerns
23 have been addressed in their application?

24 MR. GREALY: Yes.

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1 THE CHAIRMAN: Okay. Thank you. So
2 then, it comes down to what do we do next. So
3 we spent a long time on this. We
4 certainly have done -- we, on the board, have
5 done our due diligence and listened to comments
6 from the public, we've listened to our
7 consultants, we listened to comments from the
8 public and our consultants, and we've gone back
9 and forth. We understand what the issues are.
10 It's a difficult -- it's a difficult
11 neighborhood, it really is. From the very
12 beginning, I think we all said it's existing
13 conditions that are just poor to start with.

14 I think maybe the very first thing
15 that we came to, we all asked Mr. Grealy and
16 everyone else, is what's being done here make
17 it any worse. I think you brought up again
18 tonight, Phil, you said to Mr. Grealy, is there
19 anything you could do to sort of make it a little
20 bit better than what is there now to offset any
21 increases due to the development? Maybe you
22 said it a little bit better, but I remember you
23 asked that. We sort of agree with Grealy
24 that -- yes, I think you might have said it

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1 just now -- it helps makes things a little bit
2 less worse. A little bit less worse, right. I
3 think we've done everything we can based on the
4 conditions.

5 All of the other issues that are
6 brought up about water, similarly, I would
7 think that I would ask Mr. Cermele the same
8 questions, is this the best we can do here. I
9 understand there's lots of water here, but we
10 have to leave it up to their consultant and our
11 consultant with the town, that's what's being
12 done will work. I know the pictures stink and
13 everything, but I can't make conclusions that
14 what is being presented isn't going to work.
15 It's being presented as something that's going
16 to work, our consultant reviews it, they give
17 the thumbs up, and we act on that.

18 We all have our own opinions. We all
19 have lots of opinions in this room, and I have
20 mine. I wish there was a way I could change
21 everything, but, as I've said repeatedly, we're
22 faced with the documents that are put in front
23 of us. Right now, the documents that have put
24 in front of us that are on the record, and all

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1 the comments that have been made, point in the
2 direction that the impact on the neighborhood
3 is not such that we should say it can't move
4 forward.

5 MR. NEMECEK: If I can add. First of
6 all, I think the Chairman stated something that
7 suggested that the neighborhood is sort of less
8 than ideal. Well, I think he only meant, for
9 example, the traffic is a less than ideal
10 traffic situation. Certainly, if the measure
11 of the neighborhood is the fervor with which
12 its residents come forward and bring up all of
13 these terrific points for this board to
14 consider, well, obviously this is a great
15 neighborhood.

16 I do know, for example, what Mr.
17 Cermele stated, and I listened very carefully
18 at the April meeting, I know we had the
19 terrible water event just about a week or so
20 after that meeting, maybe it was the weekend of
21 that meeting, and certainly made for some
22 dramatic footage. It wasn't even a hundred
23 year event. There is -- global warming being
24 what it is, we're probably all faced with these

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1 types of events no matter what we do at this
2 point. Mr. Cermele was pretty adamant, and I
3 remember we definitely questioned him, that the
4 water management on this site is going to
5 result in, you know, a net improvement of the
6 water conditions at this location from how they
7 presently exist. I understand your skepticism.
8 Those photos today from D'Ambrosio are real.
9 That was a pretty bad storm. Everything came
10 sort of at once. But I think it was only about
11 five and a half inches we got over 36 or 48
12 hours.

13 As the Chairman said, you know, we do
14 place -- I know, personally, I place a lot of
15 weight on what our consultants say. I
16 certainly don't mean that to negate your
17 experiences as residents of the area, you know
18 the area better than anyone else, but we
19 also -- I certainly defer to experts. I do it
20 in my own job every day. When we have, you
21 know, true neutrals here, as we do with Dr.
22 Grealy and Mr. Cermele, who are here
23 exclusively to help educate us and sift through
24 the information that's being presented by the

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1 applicant and tell us what carries water and
2 what doesn't, you know, I have to rely on that
3 information.

4 It's less than ideal. There's not a
5 good, easy decision here. I think we certainly
6 have investigated the circumstances here, you
7 know, pretty thoroughly. I'll leave it at
8 that.

9 THE CHAIRMAN: Thank you, Mr. Nemecek.
10 Were you done?

11 MR. NEMECEK: Yes. I leave it that is
12 the signal.

13 THE CHAIRMAN: You said that much
14 better than I could.

15 MR. CAMPANA: No comments.

16 THE CHAIRMAN: No comments. No
17 comments? Great.

18 What are we doing here? So the public
19 hearing is going to stay open until the
20 applicant returns.

21 At this point, I'm going to make a
22 motion to adopt a Negative Declaration pursuant
23 to the New York State Environmental Quality
24 Review Act for the reasons stated in Parts 1, 2

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1 and 3 of the EAF for this application, 23-02,
2 203 Beech Street.

3 MR. NEMECEK: Second.

4 THE CHAIRMAN: All in favor.

5 (AYE)

6 THE CHAIRMAN: That being said, this
7 is going to Zoning, and they're going to assess
8 the variances that are being requested by the
9 applicant. After that, it comes back here.
10 It's going to be back here. We'll see how it
11 goes with the variances, and then we'll take it
12 up if and when you guys are back here.

13 MR. NEMECEK: I certainly encourage
14 the interested parties to be present at the
15 meetings of the Zoning Board of Appeals.

16 THE CHAIRMAN: Right. So their
17 purview at this point is to review the
18 variances that are being requested and act on
19 those.

20 So I'm making a motion to forward this
21 application, 23-02, 203 Beech Street
22 subdivision, to the Zoning Board of Appeals for
23 consideration of the necessary variances for
24 this application.

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MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Great. Thank you.

The next application is 23-18, Bout Boxing, LLC.

MR. GIBBONS: Good evening. Is it okay to begin?

THE CHAIRMAN: I've been waiting for this. Go ahead. You could use the mic.

MR. GIBBONS: Good evening. My name is James Gibbons with Gibbons Engineering, and I'll be presenting the information on Bout Boxing at 76 Garth Road for the special use permit.

Last time the board had heard about this application, we hadn't discussed the special use issue. So I want to go over those tonight and continue with the application. Is that okay to do that?

MR. NEMECEK: Yes.

MR. GIBBONS: In terms of the items in the law, we wanted to go over the main items that the board would definitely have to look

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at.

The space is existing. There is no exterior construction expected as part of the existing space, so nothing is going to occur outside. So we feel that because of that, we're not really going to do much with landscaping, exterior improvements, and so on and so forth.

So the internal space is about 1200 square feet. It's going to function more like a private educational type of class as opposed to a traditional gym. So there's not going to be a ring, any kind of competition, or intense type of exercise. There won't be a pool. There won't be any kind of retail sales of food or beverages. It's going to be a very simple location to teach and to help people improve their skills and have some fun at the same time.

It's a small space. It's only 1200 square feet. I was talking to Alek before the meeting, who is going to be the principal of this space, and he feels about eight people will probably be present most of the time, and

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maybe later on the 16 people that I discuss in my report. It's intimate. It's private. It's a quiet type of establishment. In fact, in Roslyn, where Alek has his other space, there's a spa next to his space, and there's never been a complaint or any kind of issues with noise or the intensity of the workout going on inside. So we feel it's small, it's cozy, no exterior changes, so we don't feel that will negatively effect the neighborhood.

The big issue is parking. I did look at the issue of trying to park cars behind this establishment in the condominium unit behind. From what I understand at the last meeting, there was a discussion about changing the parallel parking to maybe diagonal. There is just no way with the backup lane possibility and the ability to put any kind of parking from a parallel to a diagonal type of activity.

The other possibility was to see if the landlord was available to provide parking within the condominium complex, and we just don't have that as a possibility right now.

Alek has prepared some photographs, if

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I could give it to the board, showing you various times of parking that's available, and the possibilities of parking. You could see in the pictures, there's plenty of spots on the street.

THE CHAIRMAN: Hold on a second. Back to you.

MR. GIBBONS: So we kind of try to show the availability of parking on the street. It's our belief that because of the small size of the class, the various times that it might be possible to use on-street parking, given that we can't provide parking off street behind the location or to modify the parking lot that exists, there seems to be plenty of space over at the Freight Way Garage and the adjacent lot next to it, if it's needed. We don't even think that that parking would be needed, except for maybe a very rare occasion, but it's our belief that we don't envision any parking needed, given the small size of the class. In terms of providing the board actual off-street parking spaces, we don't have that to provide. That's one of the major concerns that we wanted

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to be straightforward about.

The other issue, aside from maybe variances, would be that because the building is an existing building and there's a requirement of a hundred feet setback from the property line to the gym for a special use permit, the building is existing, there is no way to provide that hundred foot setback. We indicate it's preexisting. We're not doing any exterior construction. We're right on the property line in front of the building at the sidewalk.

We're not going to change any exterior lighting. We're not going to create any kind of public address system, or any of the other things that might go with what you see in a gym. It's just going to be quiet and cozy. Nothing mechanical outside. No live type of activity. Everything is inside the space.

Alek would like to run the business where he does open before 9 a.m., and that's not allowed, according to the requirements of the special use permit. So we are looking to do the teaching and the activity of this

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business before 9, but it would be a very private one on one kind of class with an individual or two. So that's another item I highlight out to the board.

Again, no landscaping, no exterior work. We don't really expect an issue where children need to be picked up with the gym. If there's any youngsters or teenagers, they're going to be with their parents. It's not like a congregation. It's a very small and cozy type of environment.

There's no roadwork plans. It's a preexisting building. Then, of course, the issue there's just not enough parking off street in Item J, and there's no pool that will be on this space. It's just not part of the concept of the client.

So with that, I wanted to open up to the board any questions you may have and discuss this, if you so wish.

THE CHAIRMAN: Sure. Standby. So these points, the ones you gave us, do we believe he's adequately addressed these requirements?

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Is this what you used, this checklist, for the most part, to prepare your responses? I think you maybe didn't address them verbatim, but up cover on everything that we used for the special permits.

MR. GIBBONS: Yes. If you want, we could go over them verbatim.

THE CHAIRMAN: No. I think you've --

MR. NEMECEK: I think we've got them here. This will require more than a handful of variances, which would be required to be obtained from the ZBA; right?

MR. HERBERT: Right. There are three variances that we've identified that they would have to obtain. One is for --

MR. NEMECEK: Parking.

MR. HERBERT: -- Being on the lot line as opposed to a hundred feet setback. Another is for opening prior to 9 a.m. Then the last is the parking variances.

So you could recommend to the -- when you send it to them, you could recommend to the Zoning Board your opinions.

MR. NEMECEK: I think you should try

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to move the lot line. Just kidding.

THE CHAIRMAN: It's been awhile. I know a lot has happened since you guys were last here --

MR. NEMECEK: It was just a month ago. Actually, it was only four weeks ago.

THE CHAIRMAN: Seven months in dog years. I guess, if I remember correctly, maybe Alek explained to us, the hours are not the same hours that coincide with when most of the parking is taken, which is the dinner hour, and the amount of traffic is much less than you would expect from a typical health club.

MR. GIBBONS: That's what we're seeing. The pictures do demonstrate the times that Alex would want to teach.

THE CHAIRMAN: They're great pictures. I would like to believe him. I mean, that's kind of what he said when they came in here last time.

MR. NEMECEK: But the one concern I have is -- I know that Alek said last time, he presented very effectively last time on the concept and the enthusiasm is all there, but I

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1 do know, in keeping with people's typical
2 classes, that the classes, the none one on one
3 sessions are more likely -- and they're not big
4 classes, but they're more likely to be first
5 thing -- maybe some 9:00, but maybe 8, 9:00,
6 and in the evenings.

7 So, you know, I don't know that --
8 look, I think the one most significant concern
9 I have is on parking, and I know that there
10 were a few ideas that were floated, and some of
11 them don't seem to be really viable ones.
12 There was a suggestion made by a gentleman here
13 a mere four weeks ago, and it was -- and again,
14 I don't know how this would -- whether this is
15 viable or not, and whether, you know -- and I
16 believe it involved the Village of Scarsdale as
17 well, but there's apparently a lot there that
18 has potential spaces that if somehow -- and
19 there was some suggestion that those could be
20 potentially be metered. It sounds like to me,
21 quite frankly, well beyond your ability to
22 simply wave a magic wand and have it done. I
23 would certainly encourage the applicant to
24 explore every avenue because I think that's

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1 what the Zoning Board is definitely going to
2 want to hear is, you know, what have you looked
3 at, what have you tried to do to address the
4 parking issue because the lot line is not
5 really an issue, and they'll determine whether
6 they want to let you open before 9:00 or not.
7 But the parking is something that, you know,
8 anyone who's been in the Garth Road area, you
9 know, it is perpetually a problem, and it's a
10 problem in many parts of our town. But this
11 one happens to abut on Scarsdale as well.
12 There was a suggestion last time that there
13 could be some form of -- there seems to be the
14 potential for availability. I remember there
15 was a discussion of, you know, metering of the
16 spaces that are right now being underutilized
17 in a parking lot because people are not going
18 to work in the City as frequently as they used
19 to pre-pandemic. Again, I don't know what
20 discussions can be had, who you can go to other
21 than go to Lukas in the first instance, and he
22 may be able to help coordinate discussions with
23 or point you in the right direction. I think
24 that would be go a long ways towards -- you

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1 know, if you were able to point out that we've
2 secured, you know, the possibility of some
3 additional spaces here, that would really show
4 some good faith and some initiative, that I
5 think would probably, I would hope, result in
6 your application being viewed more favorably by
7 the ZBA. Okay?

8 THE CHAIRMAN: Thank you. Any more
9 comments, guys?

10 MR. GIACOBBE: No.

11 MR. CAMPANA: No.

12 THE CHAIRMAN: This is an open public
13 hearing. Any comments from the public about
14 this application?

15 MR. NEMECEK: Or from the applicant.

16 THE CHAIRMAN: Oh, you want to add on?

17 MR. KUCICH: Hi. I'm Alek. So what
18 you were suggesting about the parking spaces,
19 so there's a big parking lot that has a lot of
20 reserved parking. It's a Scarsdale lot. So I
21 did talk to them. So if I had to pre-reserve
22 it, it would be too expensive. It would be
23 over \$10,000 a month in spots that we don't
24 plan on ever using. What they did say was, if

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1 ever needed, you know, they do have more than
2 28 open spots. So if ever needed, I could just
3 send cars there, and then what I was thinking
4 is -- and they have hundreds of spots that they
5 say that are open for daily use -- would be if
6 we were to send them there, and then whether I
7 pay or they pay, whatever, they're open spots.
8 I don't know how that would work. If I had to
9 get it on contract, it wouldn't work anyway. I
10 didn't know if it was that you need access to
11 28 spots, or that you officially need to have
12 28 spots, because access they said they have
13 hundreds in one of the parking lots. They said
14 there are open spots, you know, forever. So I
15 did talk to them, and they said they do have
16 that ability, if needed. There is also metered
17 parking all over the place that would fall
18 under it.

19 MR. NEMECEK: Is there metered parking
20 in that park facility or just around the
21 neighborhood?

22 MR. KUCICH: Around -- and there's
23 another lot where you guys were referencing,
24 that lot that's not used and it's metered

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1 before 6 p.m. or something.

2 MR. NEMECEK: Yes.

3 MR. KUCICH: Anyone can technically
4 use that, but this is different.

5 MR. NEMECEK: Yes. Okay. It seems
6 like you've taken the initiative, and I do
7 appreciate that. I also understand that you're
8 not going to reserve spots. You're probably
9 working on too tight a margin to begin with.
10 That would just blow your finances out of the
11 water.

12 Certainly, I would -- I don't know
13 even know who you would speak to in Scarsdale
14 or whether that's a municipal lot or not, but
15 if they could turn some of those spaces, rather
16 than being kind of reserved for whomever, into
17 metered spaces as well, that would increase the
18 capacity in the neighborhood, which is
19 something that you could point to to the Zoning
20 Board of Appeals.

21 Certainly, the availability, if that's
22 something you could verify to the Zoning Board
23 of Appeals, is probably helpful. Again, I
24 can't speak for that board, but, you know, I

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1 would definitely try to firm up whatever that
2 commitment is, or whether there were any other
3 options available that would be usable. That
4 would be, you know, user friendly, I should
5 say. Nobody wants to pay for a parking meter
6 and have to look at their watch and find out,
7 you know, am I about to -- did I put enough
8 money in the meter. Maybe that's not a big
9 issue with, you know, paying with an App, but
10 people will always go far -- I can speak for
11 myself -- they always love to get free parking.
12 I always personally see it as vindication from
13 the Almighty when I get a very good parking
14 space. It means I'm living my life very well,
15 and I'm being rewarded for it. But a free
16 spot -- you like that, Father Sorgie? People
17 will always go for a free spot, you know, and
18 people will take up all the free spots first
19 before they put a nickle in the meter or a
20 quarter, whatever it is.

21 The more you can -- ultimately, the
22 more availability you can point to, you know --
23 and these photos are great. I mean, they show
24 that during parts of the day there's plenty of

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1 availability, but there are other parts of the
2 day that we all know it becomes a lot tighter.
3 So that's what the Zoning Board of Appeals is
4 going to be looking for. Okay?

5 THE CHAIRMAN: So I think you've
6 warmed up with this board. You've presented it
7 pretty well. You've got us convinced of you
8 intentions and what you're doing, and, as Mr.
9 Nemecek said, what you could offer them. So
10 when you go to present it to the Zoning Board,
11 do this again, add what he said, present your
12 case, and they're reasonable guys, they'll
13 understand it.

14 So, I mean, we're going to send
15 you to -- at least I'm going to make a motion
16 to send it, but I think you've done a good job
17 here presenting what you have. Just do it
18 again, see what they say. That's my opinion.

19 So let's get this moving then. What
20 am I doing? So the public hearing --

21 MR. NEMECEK: It's open.

22 THE CHAIRMAN: It stays open. Anyone
23 else? It stays open. Good. Because you're
24 coming back; right.

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1 So I make a motion to forward
2 Application 23-18, Bout Boxing, LLC, 74 Garth
3 Road, to Zoning Board of Appeals for
4 consideration of the necessary variances for
5 this application, with the following
6 recommendations:

7 I mean we, recommend that Zoning look
8 favorably on the variance, and do what they
9 need to let this applicant take their space.

10 MR. NEMECEK: Second.

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

13 THE CHAIRMAN: Great. Thank you.

14 MR. GIBBONS: Thank you.

15 THE CHAIRMAN: Do you want your
16 pictures back? Why don't you take these.

17 MR. NEMECEK: You could probably use
18 these with the Zoning Board.

19 THE CHAIRMAN: You're going to have to
20 organize them again because we made a big mess.

21 MR. HERBERT: I'll keep these for the
22 file.

23 THE CHAIRMAN: What I can recommend,
24 if you're going to give them to Zoning, just

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organize them on sheets or something.

MR. KUCICH: Thank you.

THE CHAIRMAN: Have a good night, guys.

Next application -- oh, my --

MR. NEMECEK: We're finally at the new business. THE CHAIRMAN: Next application, 23-13, Embassy Cleaners, 826 Scarsdale.

MR. NEMECEK: And this isn't really new business. We saw you guys not that long ago.

MR. RIVKIN: Good evening, everyone. My name is Andrew Rivkin, and I am the owner of the property at 826 Scarsdale Avenue. I want to thank you for agreeing to consider our change in paint color. I'm also the owner of Embassy Cleaners. I purchased this property a little over a year ago, and my company, Embassy Cleaners, will occupy this property in its entirety.

I wanted to come here tonight to personally present to you, as I will be part of the Eastchester business community, and I expect to be a positive contributor to the

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Eastchester community as a whole.

For a point of reference, Embassy Cleaners is the largest dry cleaner in Westchester County. We've been established locally since 1937. We are a high-end dry cleaner, and we have been selected as one of America's best cleaners annually since 2004. One of only 30 dry cleaners that are selected annually out of approximately 40,000 dry cleaners around the country. We have been based in Larchmont for over 85 years, and now we will be relocating a large part of our business and our operations to Eastchester, including our offices, our production, our route distribution. We will also be relocating our current Scarsdale retail store from Scarsdale Village to this building.

Additionally, we will be adding a large tailoring and alteration space with a separate entrance, with a particular focus on bridal alteration, which we believe is an area that is vastly underserved in the county. It seems that many people who have wedding gowns that are high value wedding gowns, are going

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into Manhattan for this work. We expect to really focus on this and to draw from all over the county. Some of these customers will presumably be spending money at other businesses in Eastchester while visiting the area.

Regarding the building, we originally presented this application for a color change to the ARB, as per the town's procedure. Our original presentation showed the building in a mint green color. I believe you have a drawing of -- a rendering of what our new color would be. The original color was not appreciated by most members of the ARB, and a recommendation was made that we instead consider softening this color to a sage green, which is what we did. By the way, our brand colors are this mint green and blue. You may have seen our trucks on the road, and you may have noticed that before. We wanted to the building to sort of represent what our branding was. Unfortunately, the ARB didn't see eye-to-eye with that.

MR. NEMECEK: They're very tough at
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the ARB.

MR. RIVKIN: Yes, for sure. We had a subsequent meeting with ARB earlier this month, and we presented a shade of sage green, like they suggested, and the ARB had a positive reaction to that. This is the color that they're recommending to this board for approval.

MR. NEMECEK: Okay. And that's the only -- your application is just about the colors; right?

MR. RIVKIN: Just about the colors.

MR. NEMECEK: Because everything else we approved?

MR. RIVKIN: Everything else has been approved, yes.

MR. NEMECEK: This should be a pretty easy one.

MR. RIVKIN: I think you guys deserve something easy right now after the last two hours.

MR. NEMECEK: Particularly seeing as our hard working ARB approved this color on the second go around.

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MR. RIVKIN: Yes.

MR. NEMECEK: I think that's probably good enough for me.

THE CHAIRMAN: So it's the sage tint 458?

MR. RIVKIN: Yes, correct.

MR. CAMPANA: The color gives it nice definition.

MR. RIVKIN: Yes. It's very muted.

MR. NEMECEK: I'm ready to approve it. This is pretty easy, guys.

THE CHAIRMAN: Yes, they wore us down. What are we doing here? This is a public hearing, so I make a motion to open the public hearing on Application 23-13, Embassy Cleaners --

MR. NEMECEK: Second.

THE CHAIRMAN: -- 826 Scarsdale Avenue.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Going once, going twice.

(No comments.)

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THE CHAIRMAN: I make a motion to close the public hearing on this application, Embassy Cleaners, Scarsdale Avenue.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: I make a motion to approve this color scheme and this application, 23-13, Embassy Cleaners.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Great. Thank you. Good luck.

MR. NEMECEK: Mr. Rivkin, I appreciated your -- even though you're only changing the colors, you got kind of free advertising time in there. It was very well played.

MR. RIVKIN: Listen, there's at least a dozen people here that could be potential customers.

MR. NEMECEK: We have a massive viewing audience.

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MR. GIACOBBE: We have our YouTube channel.

THE CHAIRMAN: I was going to ask why I should leave my current dry cleaner and come up to you guys. It's a little bit out of the way, but I'm sure --

MR. RIVKIN: We look forward to having at least some of you as our clients moving forward. I want to thank you very much for your consideration and your decision.

THE CHAIRMAN: Have a good night. Thank you.

Next application is 23-22, Westchester Meat Market, 1 Mill.

MR. IANNACITO: Good evening. My name is John Iannacito, I'm an architect, and I'm representing Westchester Meat Market, the tenant at 1 Mill Road. We are requesting a special use permit to provide outdoor dining at the front of the existing meat market and deli. The proposed outdoor dining is highlighted in yellow on the site plan.

The proposed outdoor dining will have five tables with 20 seats, and will be located

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completely within the limits of the property lines. We are proposing to place new planters along the side lot line and the front line to define the dining area and provide a separation to the public sidewalk. We're also proposing two umbrellas within the seating area.

The hours of operation will be 10 a.m. to 10 p.m., the same as the business hours. No music, no additional lighting, no additional signage is proposed for the dining area, and all the tables and chairs will be stored indoors after business hours.

MR. NEMECEK: And the umbrella as well? The umbrellas?

MR. IANNACITO: Not the umbrellas. Just the chairs and the tables will be stored inside. The umbrellas will stay outside and be tied back.

Then we have this area highlighted in red here, that represents an existing planting bed which encroaches into the existing sidewalk. We did meet with Rocco Latella from the Highway Department out at the site, and it was determined that the planting bed had to be

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1 removed because with the new planters on our
 2 side of the property line and the planting bed
 3 encroaching on the sidewalk, there was just not
 4 enough room for pedestrians to get through. So
 5 what we came up with was, the Highway
 6 Department was going to remove the existing
 7 tree that's there, and then my client was going
 8 to repair and patch the existing sidewalk.
 9 Also, the Highway Department recommended adding
 10 two additional planters out at the curb, and
 11 then those locations will be reviewed by the
 12 Highway Department before they're installed.
 13 We don't know the exact location of the two
 14 additional planters yet, but they will happen
 15 along the curb line in front of the building.

16 Then on the furniture, the proposed
 17 planters will be black, and they will be two
 18 sizes; a 12 by 30 and a 15 by 15. The tables
 19 will be 30 inches round and will be metal with
 20 a black finish. The chairs will be metal with
 21 a vinyl wicker in a navy blue finish, and the
 22 umbrellas will have a navy blue finish.

23 Thank you for your time, and I'm happy
 24 to answer any questions.

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1 MR. NEMECEK: So the tree that would
 2 be removed, the planting bed, this is a pretty
 3 immature tree? I'm looking at a Google Maps
 4 photo right now, I'm trying to figure out when
 5 this is from, but it looks like it's a
 6 relatively recently planted tree.

7 MR. IANNACITO: Yes. It was planted
 8 not too long ago. Rocco said he could actually
 9 pull it out and plant it somewhere else in
 10 town.

11 MR. NEMECEK: Okay. Is there any
 12 thought to putting a -- basically moving the
 13 planting bed down a little further into -- I
 14 know that there's seating next -- there's
 15 outdoor seating at the pizza place just down
 16 the --

17 MR. IANNACITO: Well, there was. They
 18 didn't renew their application. They
 19 definitely can if they wanted to. The two ends
 20 could potentially have outdoor dining. I guess
 21 they could, but the problem with -- what Rocco
 22 was saying is the problem with putting another
 23 planting bed there is the planting bed has to
 24 be too large, and the sidewalk is not very

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1 large right in that area. So it would have to
 2 encroach into the sidewalk, and then drive
 3 pedestrians back onto the private property to
 4 walk. It would make just more sense not having
 5 any trees.

6 MR. NEMECEK: Okay.

7 MR. IANNACITO: If you look at the
 8 whole space between Parsons and White Plains
 9 Road, it's the only tree on that whole line.
 10 So that's why we came up with the idea of
 11 having the planters as a better option. If you
 12 go down towards White Plains Road, there are
 13 planters on the island and also on Fisher
 14 Avenue.

15 MR. NEMECEK: But there are limits to
 16 what planters can do. I mean, I know on Mill
 17 Road there, which I pass every day on my walk
 18 down to the train station, particularly in the
 19 springtime, I know when they redid that area,
 20 they took down a lot of the older trees and put
 21 up new trees. They traditionally had pear
 22 trees there, and they just look wonderful in
 23 the spring time. Obviously, it gives the
 24 entire area just a better feel, it isn't just

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1 all concrete, when you have trees. They
 2 provide shade. It's more in keeping with the
 3 character of what, you know, that sort of
 4 downtown Eastchester, it's sort of the center
 5 of town right there, what I believe it ought to
 6 look like.

7 So, I really have no -- I think the
 8 suggestions for the outdoor dining are all very
 9 good, I'm just wondering is there a way that we
 10 can -- and I see where this particular planting
 11 bed is. Is there a way that that can be moved
 12 so that you do still have a planting bed
 13 between Parsons and Route 22, that doesn't
 14 interfere with your right-of-way? It's a
 15 pretty recent vintage tree, so it's not like
 16 we're cutting down some priceless, you know,
 17 hundred year old tree, which I would have real
 18 problems with. The fact that it could actually
 19 be dug up and moved is comforting. I would
 20 prefer if there was, you know, a tree there
 21 somewhere. I just like the -- I like that look
 22 better than I do a bare area with a few
 23 planters.

24 MR. IANNACITO: I think we looked at

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1 that with Rocco when we were out there, and I
2 think the issue was that the planting bed had
3 to be larger than that piece of stamped
4 concrete that's there. Just having a tree in
5 that little stamped concrete area to allow
6 enough space for the sidewalk, the tree would
7 not do well there.

8 MR. NEMECEK: Yes. On Fisher Avenue
9 going down towards Tuckahoe, they have some
10 planting beds that have the tiniest of, you
11 know, earth area. I just know that some of the
12 trees aren't doing that well. You need a
13 certain amount of space --

14 MR. IANNACITO: Also, as they get
15 larger, the root bed is going to get bigger,
16 and it's going to start popping the curb and
17 the street, and could create some issues down
18 the road.

19 MR. NEMECEK: But not a reason not to
20 plant trees, Mr. Iannacito.

21 MR. IANNACITO: We're going to have
22 small trees in the planters.

23 THE CHAIRMAN: I guess a couple of
24 comments. I just noticed there's a street lamp

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1 there too.

2 MR. IANNACITO: So the street lamp is
3 within the stamped concrete part.

4 THE CHAIRMAN: Oh. So that's not part
5 of the sidewalk?

6 MR. IANNACITO: There's enough room
7 for the sidewalk -- if you look at the photos
8 that I submitted, the planting bed is so much
9 larger than that strip of red stamped concrete.
10 The lamp post happened within that stamped
11 concrete area.

12 THE CHAIRMAN: So that's not walking
13 area anyway.

14 MR. IANNACITO: Yes, it's not walking
15 area.

16 THE CHAIRMAN: But the 5.9 is from the
17 curb to the property line; right?

18 MR. IANNACITO: I'm sorry.

19 MR. CAMPANA: 5.9, yes.

20 THE CHAIRMAN: At the location of the
21 lamp, it's not 5.9; right?

22 MR. IANNACITO: No.

23 THE CHAIRMAN: It's less?

24 MR. IANNACITO: The location of the

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1 lamp is not --

2 THE CHAIRMAN: It says 5.9 is the
3 clear sidewalk dimension from curb to property
4 line. That's not walking space, that's just
5 the dimension. How much do you think is
6 actually available for walking space there,
7 particularly at the lamp? I mean, it's like --

8 MR. IANNACITO: I don't see where --

9 THE CHAIRMAN: Oh, 5.9. I'm sorry,
10 not 5'9, 6 feet, 5.9. On the layout.

11 MR. IANNACITO: Oh, yes, 5.9. So
12 that's from the property line to the outside of
13 the --

14 THE CHAIRMAN: Of the curb, right. So
15 I'm asking how much space do you think is
16 available as a walking surface, particularly at
17 the lamp post?

18 MR. IANNACITO: This is probably three
19 feet.

20 MR. CAMPANA: 42 inches.

21 THE CHAIRMAN: When in doubt, use a
22 scale. I just think it's very little, but I
23 don't know what you can do about it. It's your
24 property so -- it's the tenant's property, so

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1 we can't tell them what to do on their
2 property, I guess, can we?

3 MR. HERBERT: I did circulate the
4 application to the Chief of Police, the Fire
5 Chief, the Superintendent of Highways, and the
6 County Department of Public Works. The Chief
7 of Police did -- he didn't see any issues with
8 emergency response, but he did note the
9 narrowness of the sidewalk. I'll just read you
10 what he wrote:

11 I do have a concern that if they make
12 the sidewalk that narrow and they remove the
13 tree, it may force pedestrians to walk into the
14 roadway. This is a busy roadway, and that area
15 of town is frequented by the many young people
16 who tend to travel in groups or on bikes,
17 skateboards or scooters. If traveling in large
18 groups or riding and there are people coming
19 the other way, they may need to walk into the
20 street. Even if the tree is removed, there is
21 a lamp post and sign post in the way, which may
22 make them walk into the street.

23 So that was the concern he expressed.

24 THE CHAIRMAN: And it's a bus stop;

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1 right, and the bus probably stops right around
2 there?

3 MR. IANNACITO: Yes, the bus stops
4 there also.

5 MR. HERBERT: Forgot to ask the Bee
6 Line folks.

7 THE CHAIRMAN: But it is. It's a lot
8 of congestion right there.

9 MR. HERNANDEZ: The County Department
10 of Public Works and Transportation did kind of
11 also come to a similar conclusion. In general,
12 they tend to frown on outdoor dining on any
13 county road, which is kind of a broad, you know
14 mandate, but they don't control the sidewalk.
15 They just expressed an opinion, you know, that
16 they thought the intersection was a busy
17 intersection and very tight. That's what they
18 said.

19 MR. NEMECEK: Lukas, was the Police
20 Department's comment largely based on if you
21 didn't remove the tree? I mean, it said it's
22 still tight with the lamp post if you do remove
23 the tree, but the first part of what you read I
24 believe was if you did not remove the tree?

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1 MR. HERBERT: Right. He was saying
2 even if the tree is removed, the lamp post and
3 sign post are in the way.

4 MR. NEMECEK: Correct. But the first
5 part of what you read was if you didn't remove
6 the tree; is that correct?

7 MR. HERBERT: Yeah, I mean, the case
8 he makes is that there's a potential for
9 pedestrians to go into the roadway regardless.
10 Certainly if you keep the tree, but even if you
11 remove the tree, his concern is that people
12 will walk in the road.

13 THE CHAIRMAN: I mean, 42 inches is
14 the width of the table here. It's very small.
15 So who controls the sidewalk in a situation
16 like this? It's their private property
17 but it's --

18 MR. HERBERT: It's like a layer of
19 responsibility. The closest to the building is
20 the owner, then comes the town, and then once
21 you get to the curb, it then becomes the
22 county.

23 THE CHAIRMAN: So how do we encourage
24 you to give us a little more room for our

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1 sidewalk?

2 MR. NEMECEK: Is there any way that
3 the -- what is the seating configuration going
4 to be, and is there any give in terms of --

5 MR. IANNACITO: We could push the
6 planters a little closer to the building to
7 shrink that a little bit. I don't think that
8 would be a problem. You will still have enough
9 room to get the five tables in there. The only
10 thing is, we're forcing the public to walk on
11 private property.

12 MR. NEMECEK: Well, they do now;
13 right?

14 MR. IANNACITO: It's the same
15 situation with the gas station on the corner,
16 the sidewalk is very narrow. Everyone cuts
17 right through the gas station all the time.

18 MR. NEMECEK: Our concern is, quite
19 frankly, less with that and more with people
20 getting run over by buses. That we don't want
21 to have happen.

22 MR. IANNACITO: Yes, absolutely.
23 Look, if we have to bring it back a foot or
24 18 inches or even two feet, I think we can

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1 manage that.

2 THE CHAIRMAN: We'll take it. Two
3 feet will get us --

4 MR. CAMPANA: I would think you need
5 to maintain clearances for the tables as well.

6 MR. IANNACITO: We have nine and a
7 half feet, and the planters are -- the planters
8 are 12 by 30 and 15. We have enough room
9 there. They're 30 inch tables. They're not
10 very large tables.

11 MR. NEMECEK: I think if you did that
12 and you just got that extra, you know,
13 18 inches or so, that's a big difference.

14 MR. IANNACITO: So now instead of a 42
15 inch sidewalk, you're looking at a 60 inch.

16 THE CHAIRMAN: That's five feet. It's
17 better than what's there. Sure. We'll take
18 it. I mean, we would like a little more,
19 but --

20 MR. HERBERT: Just so I understand,
21 you're saying that you want the tables to have
22 fewer seats around them?

23 THE CHAIRMAN: No. I don't really
24 care what happens inside their property, I just

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1 want more space on the --

2 MR. HERBERT: Would the types of
3 tables you purchase need to change?

4 MR. IANNACITO: No, I think the 30
5 inch tables would still fit. Instead of nine
6 foot five or nine and a half feet, we're going
7 to end up with eight feet. Eight feet should
8 work with the planters and with the tables.

9 MR. HERBERT: Oh, I see. So you would
10 move the planters closer.

11 MR. IANNACITO: Move the planters
12 closer to the building.

13 MR. HERBERT: Okay. Would that leave
14 adequate space for -- because the Fire Chief
15 had a comment, that the applicant should show
16 the width of the aisle on either side of the
17 tables so that we can determine if it complies
18 with the fire code.

19 MR. IANNACITO: Yeah, I'm not sure if
20 that would comply with --

21 MR. CAMPANA: What is that
22 measurement? Is it 36?

23 MR. IANNACITO: If it's A.D.A., it
24 would be 36 at least, but I don't know if

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1 that's the same requirement for a fire. Why
2 would the Fire Department have to go through
3 those tables, it's outside?

4 MR. HERBERT: It's just what he said.

5 MR. CAMPANA: The tables are metal;
6 right?

7 MR. IANNACITO: Yes, they are metal
8 tables. I'm not sure what dimension he's
9 looking for, and if we'll meet that
10 requirement.

11 MR. HERBERT: Well, I mean, that could
12 also be worked out, you know, later with our
13 Building Inspector and stuff like that.

14 THE CHAIRMAN: I would like to see six
15 feet for the sidewalk. I wouldn't be so
16 concerned about buses running people over.

17 MR. IANNACITO: Whether it's 42 inches
18 or 60 inches, if a bus jumps over the curb,
19 it's not going to make a difference.

20 THE CHAIRMAN: You're saying we'll end
21 up with 60? It's five feet.

22 MR. NEMECEK: Five feet is pretty
23 good.

24 THE CHAIRMAN: Yes. Okay. I'm good.

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1 Did we do the public hearing?

2 MR. NEMECEK: Is this going to be
3 seasonal? I mean, this is going to be --

4 MR. IANNACITO: Yes, seasonal. Spring
5 and summer and a little bit in the fall.

6 MR. NEMECEK: Late spring to, you
7 know, maybe early fall?

8 MR. IANNACITO: Yes. October.

9 THE CHAIRMAN: Who monitors this?
10 Does the police?

11 MR. HERBERT: Our Code Enforcement
12 Officer would monitor it.

13 THE CHAIRMAN: Right. But I mean if
14 there's any trouble with people and pedestrians
15 and roadways and everything, how is that picked
16 up?

17 MR. HERBERT: A complaint would get
18 filed with our -- somebody would complain to
19 our office.

20 MR. TUDISCO: In terms of the -- it
21 depends on what you're asking. If you're
22 asking if you determine at some point in time
23 that five feet is not enough and if it's
24 meeting the condition and it is approved, it is

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1 approved. If whatever is approved, if somehow
2 the planters start inching, you know, across
3 what was agreed upon, now that's a violation of
4 the condition, and that's something that our
5 Code Enforcement Officer would issue typically
6 a Notice of Violation, and give them an
7 opportunity to cure. If they didn't, he would
8 reinspect and issue a summons, and then we
9 would prosecute it down here. It really is a
10 question of once you set it in stone, are they
11 complying with it or not, as opposed to you
12 rethinking what you set in stone.

13 THE CHAIRMAN: I think it's rethinking
14 what is set; right?

15 MR. TUDISCO: I think you have to be
16 happy with it.

17 THE CHAIRMAN: -- jumping off the curb
18 and buses slamming on their breaks before
19 running them --

20 MR. NEMECEK: John, answer me this
21 question, if you can. The pizza place that had
22 the seating up until recently, apparently, how
23 far out did they come?

24 MR. IANNACITO: I didn't do that

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1 application, but I believe that was set a
2 little further back. It was actually set up on
3 a platform.

4 THE CHAIRMAN: Yes, it was high.

5 MR. IANNACITO: I think they were a
6 little further -- a little closer to the
7 building than --

8 MR. NEMECEK: A little closer to the
9 building. Okay.

10 MR. IANNACITO: An exact number, I
11 don't know.

12 MR. HERBERT: They were flying a
13 little blind with that. They didn't have a
14 survey. They just put those there. Then our
15 department gave them a violation, they took it
16 down. Then we said to them, you can do this,
17 but you need to have a survey that shows where
18 your property ends. Then they said, well,
19 forget it, we don't want to do that. So they
20 just took it down.

21 MR. IANNACITO: We had a new survey
22 done for this application. I think there were
23 some documents that showed eight feet. It
24 turned out to be nine and a half feet, which

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1 was a little better. Initially, we were going
2 to make it eight feet any way, because that's
3 what we thought it was. Going to eight feet
4 shouldn't be a problem. Even if we had to
5 reduce the number of tables, we could. I mean,
6 I think the minimum required for the special
7 use permit is 12 chairs?

8 MR. HERBERT: Right. 12 seats, three
9 tables.

10 MR. IANNACITO: So if we can reduce it
11 to 12 seats and maybe make them square tables
12 and push them up against the building to make a
13 little more room. So we could probably make it
14 work.

15 MR. NEMECEK: My point with the pizza
16 place is, we didn't have any accidents, that
17 I'm aware of. So, you know, not to say that,
18 look, maybe we came precariously close and it
19 never registered, but it's been tried and true
20 on that very block, and it seemingly worked.
21 You're proposing something that's entirely
22 within your property line. I think if we can
23 get it as close to the building, leaving as
24 much sidewalk as possible, I think, if I'm

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1 reading everyone else's --

2 THE CHAIRMAN: It's minimum 60 inches,
3 five feet.

4 MR. IANNACITO: So five feet --

5 THE CHAIRMAN: Minimum.

6 MR. IANNACITO: Yes, minimum. Right.

7 THE CHAIRMAN: If you can do more,
8 we'll have you back every time.

9 MR. IANNACITO: We'll try.

10 MR. HERBERT: Can I clarify what's the
11 minimum you want?

12 THE CHAIRMAN: I'm saying, at this
13 point I would love to see six feet. It seems
14 like that's a big ask. You look at --

15 MR. IANNACITO: Then that would be a
16 seven foot dining area.

17 THE CHAIRMAN: Is that enough if you
18 put square tables up against the --

19 MR. IANNACITO: I mean, if we didn't
20 have the planters there, it would work. But
21 then the planters are the --

22 MR. NEMECEK: The planters provide a
23 dividing line as well, which is kind of
24 necessary.

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1 MR. IANNACITO: I mean, we could
2 change it from planters to like some type of a
3 railing, which is much thinner, but it's not
4 going to look as attractive.

5 THE CHAIRMAN: I'm concerned about
6 people getting run over by buses, not the
7 aesthetic of the planters.

8 MR. NEMECEK: We can have it all, Mr.
9 Chairman. We can have it all.

10 MR. TUDISCO: Can I make a suggestion?

11 MR. NEMECEK: Yes.

12 MR. TUDISCO: If the Fire Department
13 wanted to see dimensions as well, is this
14 something that you would want to have them look
15 at before you take action?

16 MR. HERBERT: I mean, I did forward
17 him the plans.

18 MR. TUDISCO: Okay.

19 MR. HERBERT: He just asked for a
20 verification. We did circulate the plans.

21 MR. IANNACITO: I can call Tom and
22 show him the plan before we do it also.

23 MR. HERBERT: Maybe just make that a
24 condition of the approval.

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MR. CAMPANA: What material is the apron?
MR. IANNACITO: The apron?
MR. CAMPANA: The apron on the edge of the sidewalk bordering the sidewalk and street; is it brick?

MR. IANNACITO: It's stamped concrete.

THE CHAIRMAN: It's stamped concrete.

MR. CAMPANA: So it's part of the sidewalk?

MR. IANNACITO: It's part of the sidewalk. I think that might have been lawn at one time, and then they just changed everything to stamped concrete.

MR. CAMPANA: So technically you have more than five feet; right?

MR. IANNACITO: Right, you do.

MR. CAMPANA: With the curb to planters -- curb to property line?

MR. IANNACITO: Curb to property line.

MR. CAMPANA: So the lamp post and the garbage can and the bus sign are just obstacles.

MR. IANNACITO: We have 5.9 feet from
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the curb to the property line.

MR. CAMPANA: Almost six feet. Right.

MR. IANNACITO: There's an additional 18. We're going to end up with six, seven -- more than seven feet.

THE CHAIRMAN: I mean, I agree, except stamped concrete has a different surface feel because I'm very sensitive. You almost feel like you're not supposed to be there. It's a trip hazard, so you really shouldn't be walking on it.

MR. NEMECEK: But it is a buffer. It does provide something of a buffer as well. Okay, let's get this moving.

THE CHAIRMAN: Yes. I'm just trying to figure out --

MR. NEMECEK: It's almost 10:00.

THE CHAIRMAN: So how much more do we want? We want 18 inches minimum more from you; right, to get to 42? He said it's 42? 5.9, which is 60 --

MR. CAMPANA: The sidewalk is 42 inches, and then if you give the 18 inches, that would be 60.

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THE CHAIRMAN: So it's 60 inches.

MR. IANNACITO: Five feet plus the red part would give you --

THE CHAIRMAN: Plus the overflow. Let's see how that goes. If you do more, great.

MR. IANNACITO: Six, seven, seven and a half feet.

THE CHAIRMAN: So another 18 inches.

MR. IANNACITO: Okay. So I'll push everything back 18 inches. If we have to go down to four tables and 12 seats, that still complies with the special use permit.

THE CHAIRMAN: Okay. Good. Did we do a public hearing?

MR. CAMPANA: Not yet.

MR. TUDISCO: You have to do a public hearing.

THE CHAIRMAN: So I make a motion to open the public hearing on this application, 23-22, Westchester Meat Market, 1 Mill Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

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THE CHAIRMAN: I make a motion to close the public hearing on this application, 23-22, Westchester Meat Market, 1 Mill Road.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.
(AYE)

THE CHAIRMAN: I make a motion to approve this application, Westchester Meat Market, 1 Mill, subject to the conditions we said about adding a minimum 18 more inches to the width or the distance from the curb. Second?

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.
(AYE)

THE CHAIRMAN: Great, John. Good seeing you.

MR. IANNACITO: Great. Thank you. Have a great summer.

THE CHAIRMAN: Enjoy the summer.

The next application is the one we've all been waiting for, 23-23, Parish of Immaculate Conception and Assumption of Our Lady, 265 White Plains Road.

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1 MR. GABOURY: Good evening. My name
2 is Nicholas Gaboury from Bibbo Associates.
3 We're the site planning engineers for the
4 project. Tim Allen apologizes he couldn't be
5 here tonight, he was double booked on another
6 Planning Board meeting. He had to be in
7 another town tonight. So I'm filling in for
8 him. He's brought me up to speed on the
9 Immaculate Conception Church project, which
10 is -- I'll keep it fairly brief because it's
11 pretty simple -- driveway realignment of the
12 existing driveway entrance for the existing
13 church property.

14 The existing driveway is connecting to
15 White Plains Road, and it's fairly narrow and
16 very close to the existing ball field, the kind
17 of sand brown area down there on the bottom
18 part of the property. So shifting the driveway
19 approximately 50 feet to the south, which is to
20 the left-hand side of that plan, north is
21 pointing to the right, and connecting back to
22 the existing parking lot.

23 The new driveway requires slight
24 regrading. It's a very minor gentle slope that

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1 flows out towards White Plains Road, which is a
2 DOT state highway. So we will be getting DOT
3 permits for the state portion in their
4 right-of-way to do the driveway entrance. So
5 that entrance will be brought up to DOT
6 standards. Much wider curb cut, better flares
7 for truck deliveries, and passenger cars coming
8 and going to the school and to the church. The
9 slope is coming out towards Westchester
10 Avenue -- White Plains Road, I'm sorry. With
11 DOT standards, we will be creating a low point
12 at the curb line with the road so that water
13 won't be flowing onto the state highway, and
14 they're won't be any issues with ponding or
15 icing in the winter.

16 The existing driveway will be removed
17 and just seeded and grassed. There will be
18 several parallel parking spaces along the new
19 driveway added, and a new pedestrian sidewalk,
20 which will run down the right-hand side of that
21 driveway, allowing pedestrians to come and go
22 from the site much easier than now and much
23 more safely. So very much a safety concern and
24 improved situation in the new driveway.

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1 MR. CAMPANA: You mentioned that the
2 existing driveway, which is the entrance
3 driveway to the church property, it was going
4 to seeded -- graded out and seeded. Is it
5 going to be graded at the same elevation as the
6 field with retainage, or is it going to be --
7 because I know there's retaining walls on both
8 sides; right?

9 MR. GABOURY: I don't believe it's a
10 major regrading. I believe the existing
11 roadway will just be seeded at the existing
12 elevation that it's at now. I don't believe
13 there's plans -- I do have the project team
14 with me and Father Sorgie to help answer any
15 questions, but I don't believe there's any
16 plans to create any regrading on that side.

17 MR. CAMPANA: Got it.

18 MR. NEMECEK: I know there is
19 retaining wall -- and this is the entrance to
20 the parking lot, the egress is not getting
21 changed at all; correct?

22 MR. GABOURY: Correct.

23 MR. NEMECEK: The egress is two lanes
24 with parking, I think, on either side. This is

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1 just one narrow lane right now, and that's, I
2 guess, the way it's been for a long, long time.
3 But it definitely does have a retaining wall
4 that looks like it could be marble on the -- or
5 some sort of granite, some sort of stone, for
6 sure, on the left when you come in. And then
7 on the right I think it's just a fence with,
8 you know, a slope that has the ball field on
9 the other side. Definitely Louis is correct,
10 there is something of a tunnel that you would
11 be left with if you didn't raise the elevation
12 of that. But certainly, I would want to see
13 what you're doing with the new roadway.

14 MR. GABOURY: The new roadway I
15 believe was approximately two to three percent
16 in grade pitching upward from White Plains Road
17 up to the site. So I believe that's a slight
18 regrading, partially filling maybe to create a
19 little bit less of a tunnel. I could talk
20 about that with Tim, and we can adopt that into
21 the plan.

22 MR. NEMECEK: How many lanes is the
23 new proposed entrance going to be?

24 MR. GABOURY: It's wide enough for two

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1 way traffic, but I think the idea is to still
2 have a main entrance and an exit to keep
3 traffic flow organized and around the site,
4 simplified for the users.

5 MR. NEMECEK: But currently, it's one
6 fairly narrow lane, you know, with the
7 retaining wall on one side and, you know, the
8 slope and the fence on the other with the ball
9 field. Is it going to be two lanes, or is it
10 just going to be one lane coming in?

11 MR. GABOURY: This driveway?

12 MR. NEMECEK: Yes. Which is one lane.

13 MR. GABOURY: One lane. Two lanes
14 with both arrows coming in. Here you could see
15 the parallel parking.

16 MR. NEMECEK: So it actually joins up
17 to the existing before it hits the main parking
18 lot?

19 MR. GABOURY: Right.

20 MR. NEMECEK: Okay.

21 MR. GABOURY: The existing driveway
22 will be removed and seeded, and it does connect
23 almost back into the --

24 MR. NEMECEK: Got it.

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1 THE CHAIRMAN: That's the existing
2 angle that you're just pointing to.

3 MR. CAMPANA: I think I understand
4 now. So it looks like on the left side of the
5 driveway, the new driveway, there will be
6 retainage or a berm going up to an existing
7 grade, and then on the right -- yes, exactly.

8 MR. GABOURY: There's a slight high
9 point here where some of the grading has to
10 happen. I believe this goes down slightly to
11 the existing driveway. I could look at the
12 profiles, and we could try to make that
13 transition as mild as possible.

14 MR. NEMECEK: I know there's a big
15 tree, also, at the end of the existing driveway
16 on the left. I don't know if that can be
17 salvaged or not, or what your intentions are
18 with that.

19 MR. GABOURY: We have the 20 inch tree
20 marked to be removed.

21 MR. NEMECEK: Okay. All right. Are
22 there going to be trees planted? Is there a
23 landscaping plan?

24 MR. GABOURY: There isn't any plans to

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1 provide any landscaping or anything, just the
2 reseeding of the grass.

3 MR. NEMECEK: Okay. Because there was
4 a house that was located on that property, that
5 got torn down. It was not in the greatest
6 shape, but I know that was removed. You could
7 see it --

8 MR. GABOURY: Here --

9 MR. NEMECEK: Yes. That's right. No,
10 I'm aware of that. That's been removed, so you
11 kind of have an open space right now, mostly
12 open space, with the exception of that one
13 tree. There were trees there beforehand.
14 Maybe that was a function of there being a
15 house there. You know, I know this is -- I
16 just ask if there's, you know, any plan to put
17 any trees in the -- in what's now the vacant
18 area?

19 MR. GABOURY: I'll talk about that
20 with the project team, and we'll consider that.

21 MR. NEMECEK: Okay. I love trees.

22 THE CHAIRMAN: Because right now -- if
23 you flip back to your colored -- yes, that.

24 Right now -- what is that space right now? I

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1 know that whatever was demolished, has grass
2 been planted there? No, to the left.

3 MR. GABOURY: This is a grass area now
4 where the building was?

5 SPEAKER: Yes.

6 THE CHAIRMAN: It's all grassed over.

7 I think there's also a wall that's getting
8 built right there? That 18 inch wall at the
9 south side? No, down towards 22 there's a
10 proposed 18 inch high stone wall.

11 MR. GABOURY: We have a stone wall
12 shown here. There are steps coming off the
13 road.

14 THE CHAIRMAN: But that's new?

15 MR. NEMECEK: I think that's existing.

16 MR. LAZARCHECK: Joe Lazarcheck from
17 JPL Architects.

18 MR. NEMECEK: Why don't you guys grab
19 the mic, by the way, just because we have a
20 record. Hopefully --

21 MR. LAZARCHECK: Part of it is, we are
22 proposing an 18 inch stone wall to continue the
23 existing stone wall that's here. So that would
24 be filled in from this section to this section

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2 with a new stone wall.

3 THE CHAIRMAN: Make it consistent.

4 MR. LAZARCHECK: This is the existing
5 one that's coming along here, and then we'll
6 just pick it up after the new driveway
7 entrance.

8 MR. NEMECEK: Are you going to
9 repurpose the retaining wall that's on the left
10 of the existing because that has a lot of nice
11 stone on it? Is that the stone that you're
12 going to be using?

13 MR. LAZARCHECK: Repurpose this stone
14 over here?

15 MR. NEMECEK: Yes.

16 MR. LAZARCHECK: What we're doing is,
17 we're bringing up a sidewalk along that stone
18 wall --

19 MR. NEMECEK: Oh, got it.

20 MR. LAZARCHECK: -- and picks up to
21 this existing sidewalk. So you have pedestrian
22 access along the existing -- I mean the new
23 proposed driveway.

24 Again, about the safety issue is that
25 we're pulling -- the existing driveway was

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2 here. Now by pulling the proposed driveway
3 away, we're increasing the distance from the
4 ball field that's there now.

5 MR. NEMECEK: Good.

6 THE CHAIRMAN: Is there going to be
7 any site lighting or anything?

8 MR. LAZARCHECK: No. No. We're not
9 increasing the lighting at all.

10 MR. HERBERT: Can I just ask a
11 question about the rock out cropping? Just to
12 verify, there won't need to be any blasting to
13 get rid of that?

14 MR. LAZARCHECK: Right now, we don't
15 anticipate any blasting at all. I mean, the
16 only high spot that we have is right here.

17 THE CHAIRMAN: What's the, just in
18 general, traffic pattern for a one way street
19 that is 22 turning right in and there's two
20 lanes there? I guess whoever is there can pull
21 into either way, and then pick which lane
22 they're going to use?

23 MR. LAZARCHECK: Yes. You could have
24 access -- by doing this with two lanes, you can
25 access --

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2 THE CHAIRMAN: So people making a left
3 can also pull in?

4 MR. LAZARCHECK: Right. It would give
5 us continuity from the exit because, you know,
6 the volume that comes in here with two lanes
7 and the volume coming out two lanes, it give us
8 a constant flow. You don't have a constriction
9 point right now with --

10 THE CHAIRMAN: I guess in the mornings
11 it gets jammed up because it's only one lane
12 there.

13 MR. LAZARCHECK: So whatever volume
14 comes in now can access it.

15 MR. NEMECEK: Although, it does make
16 sense to have a big -- because mass ends at one
17 time, but people get there with a variety of
18 time.

19 MR. LAZARCHECK: And this also gives
20 us -- you know, again, it cleans up the access
21 with the street. Then we also got a
22 positive -- I don't know if you saw the comment
23 from the county? Their first paragraph, you
24 know, sums up about the whole concern about
25 safety and the access flow.

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2 MR. NEMECEK: The fact that this came
3 in today was almost divine intervention;
4 wouldn't you say?

5 THE CHAIRMAN: I guess while we're at
6 it, just one little point I had mentioned. The
7 exit sign on the other side, sometimes that
8 turns into, after church, one lane because
9 someone parks along this side on the left.

10 MR. LAZARCHECK: Oh, well, that's
11 human nature. That's something that they have
12 to deal with internally.

13 THE CHAIRMAN: Can you put up a sign
14 or something to get them to do that?

15 (Discussion from the audience.)

16 THE CHAIRMAN: Why don't we put
17 something there to get those people from
18 parking there? I mean, I know they want you to
19 be at church and we're not discouraging it, but
20 they really shouldn't park there. So can we
21 add a sign there?

22 MR. NEMECEK: There's parking on the
23 right side as you exit, but when people park on
24 the left, that's not good.

25 THE CHAIRMAN: Okay. Cool.

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1 Otherwise, I'm good. We all want to go home.
2 Thank you.

3 MR. HERBERT: Mr. Chairman, there's
4 two comments from the county letter that didn't
5 get addressed in the presentation. If I could
6 just ask: The County Planning Board made a
7 comment about bicycle parking and electric
8 vehicle parking; are those possibilities on the
9 site plan?

10 MR. GABOURY: We'll talk about that
11 with the project team and make those
12 considerations, and we'll respond to the board.
13 There's nothing on the plan now for proposed
14 bike parking, but we'll consider that.

15 MR. HERBERT: Okay. Also, they asked
16 if it was possible with the new construction to
17 use pervious pavement materials for the
18 additional parking spaces that are being built
19 along the side of the road, as well as if any
20 type of landscaping treatments, like rain
21 gardens or whatnot, could be incorporated in
22 the landscaping plan to just mitigate the
23 runoff from the new pavement?

24 MR. GABOURY: Yeah, I think the

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1 pervious paver spaces could be an option that
2 could work here, and help kind of manage the
3 slight change in impervious with the expanded
4 driveway width and the new sidewalks. So we'll
5 work on that with the project team, and we'll
6 talk and come up with a design that works.

7 THE CHAIRMAN: Where would that be;
8 the entire length of the driveway?

9 MR. GABOURY: The parking spaces.

10 MR. NEMECEK: It does strike me that
11 with the removal of the building that was
12 previously there, probably the net
13 impervious -- you probably -- but that's
14 probably not counted in this -- in this --
15 yeah, it may not be.

16 MR. HERBERT: Right. I mean, these
17 are just long-standing county policies in
18 general any way.

19 MR. NEMECEK: Yes. Yes. Yes.
20 Understood.

21 THE CHAIRMAN: Do we have a to make a
22 comment about the Department of Highways?

23 MR. HERBERT: Right. I mean, I did
24 refer the application to the State DOT Permit

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1 Engineer on June 15th. So I did send her the
2 application.

3 THE CHAIRMAN: But did you get a
4 response yet?

5 MR. HERBERT: Not yet, no.

6 THE CHAIRMAN: So is our approval
7 going to be contingent on that, or that's just
8 a detail that gets followed up with --

9 MR. HERBERT: I mean, you could make
10 it contingent on their approval.

11 THE CHAIRMAN: A favorable response
12 from the county.

13 MR. HERBERT: Right.

14 MR. GABOURY: One of the ideas here,
15 because the DOT can take a substantial amount
16 of time, even for a simple realignment like
17 this, is to maybe have some of the work that
18 can be completed outside the DOT right-of-way,
19 start construction on that work, interior work
20 of the driveway realignment, prior to the
21 issuance of the DOT permit approval.

22 MR. HERBERT: What if they say no?

23 MR. GABOURY: We would certainly have
24 to make sure we're at a certain point where all

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1 the pre-application meetings and all the
2 agreements are in place. That the driveway is
3 in the right spot with the DOT, and they agree
4 to that. We can work on that. But I know some
5 of their final processing of the documents can
6 hold up, like a construction permit.

7 THE CHAIRMAN: But, I mean, that would
8 be at your own risk; right?

9 MR. GABOURY: That would be at our own
10 risk, yes, if they somehow decline the
11 location.

12 MR. CAMPANA: Lukas, isn't the
13 building permit contingent on the State DOT
14 approval?

15 MR. HERBERT: I mean, yes.

16 MR. CAMPANA: Right. So you would
17 need that approval first before the town would
18 issue a building permit to do the work.

19 MR. GABOURY: We could talk to the
20 Building Department about that and verify that,
21 but if that's the case, then, certainly, we
22 would have to get DOT on board.

23 THE CHAIRMAN: Okay. So public
24 hearing. We're just going to see if anyone has

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1 any comments.

2 I make a motion to open the public
3 hearing on -- oh, my gosh -- Application 23-23,
4 Parish of Immaculate Conception.

5 MR. NEMECEK: Second.

6 THE CHAIRMAN: All in favor.

7 (AYE)

8 (No comments.)

9 THE CHAIRMAN: Close the public
10 hearing, same application, 23-23, Immaculate
11 Conception & Assumption of Mary -- Assumption
12 of Our Lady.

13 MR. NEMECEK: Second.

14 THE CHAIRMAN: All in favor.

15 (AYE)

16 THE CHAIRMAN: So, I guess, just
17 subject to the approval from the State DOT on
18 the curb cut as a condition of approval, we
19 make a motion to approve this application,
20 Immaculate Conception & Assumption, 265 White
21 Plains Road.

22 MR. NEMECEK: Second.

23 THE CHAIRMAN: All in favor.

24 (AYE)

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1 THE CHAIRMAN: You're good. Thank
2 you.

3 MR. GABOURY: Have a good evening.

4 THE CHAIRMAN: Have a good night.
5 Thanks, guys.

6 MR. NEMECEK: Thank you.

7 THE CHAIRMAN: Next application is
8 21-17, 15 Tuckahoe.

9 MR. MASTROGIACOMO: Good evening.
10 Michael Mastrogiacono from Mastrogiacono
11 Engineering, here for 15 Tuckahoe. It's a
12 proposed five lot subdivision.

13 Since we were last in front of the
14 board, we've been working with Joe Cermele's
15 office in regards to the site drainage to come
16 up with a viable solution for this project.
17 One of the solutions we came up with is, we
18 created an extra lot, called it lot number 6.
19 This is un-buildable lot in size, so it doesn't
20 meet zoning, but what it does is it creates an
21 area for us to do a subsurface drainage system
22 for the roadway to pick up all the water. And
23 then what we're doing is, we're overflowing it
24 down to the right side of the existing house

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1 through an easement, and tying into the storm
2 drainage down on Tuckahoe Avenue.

3 So that's what we've been working on.

4 We still have a little bit more work to do with
5 them as far as detailing and all that, and
6 that's it.

7 THE CHAIRMAN: So I think, and I read
8 Joe's memo from awhile ago when this was in
9 front of us, and I guess -- I didn't read it in
10 great detail, but I know he had a few pages, so
11 those are the issues that you're addressing?

12 MR. MASTROGIACOMO: Yes. A lot of
13 them we've addressed already as far as the
14 alignment of the road to create the curve to
15 meet the zoning codes and all that. So we've
16 done a lot of that work. We're just right now
17 detailing more the drainage, the whole drainage
18 for not just the road, but also for the houses
19 as well.

20 THE CHAIRMAN: Was that empty lot on
21 the original subdivision that you brought to us
22 previously, or that's been added?

23 MR. MASTROGIACOMO: That's been added.
24 That's been added.

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1 THE CHAIRMAN: Got it.

2 MR. MASTROGIACOMO: So what we did is,
3 we shifted everything down in order to create
4 that lot so we had an area to put a drainage
5 system for the roadway.

6 THE CHAIRMAN: Cool. So the way it's
7 been explained to me is, you're here mainly to
8 present what you have and get us to take lead
9 agency on this so you could move forward?

10 MR. MASTROGIACOMO: Yes, that is
11 correct.

12 THE CHAIRMAN: Okay. Cool. I'm good
13 with that.

14 MR. NEMECEK: When you were last
15 before us, it looks like we initially reviewed
16 this in April of 2021?

17 MR. MASTROGIACOMO: Correct.

18 MR. NEMECEK: Was it the same number
19 of single family homes that were proposed?

20 MR. MASTROGIACOMO: Yes, that's all
21 stayed the same. It's still five single family
22 homes. One of the changes, which created a lot
23 of the revisions in all the drawings, the
24 existing residents were proposing to keep --

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1 even though it doesn't meet zoning, you know,
 2 we request to go in front of the Zoning Board
 3 at some point to get variances to try to keep
 4 that residence, and then it would be just the
 5 construction of the four houses at the rear.
 6 It kind of helps minimize the impact on
 7 Tuckahoe Avenue and the neighbors and all that.
 8 It kind of keeps all the construction in one
 9 corner, out of the way.

11 THE CHAIRMAN: Okay. So we can look
 12 at this more in the fall, September. Cool. So
 13 I'm just going to go ahead and open the public
 14 hearing because this has never been a public
 15 hearing before? I guess not. Yeah, I guess
 16 it's not. Okay. Good. So I make a motion --
 17 I'm sorry.

18 MR. TUDISCO: There was never a public
 19 hearing.

20 THE CHAIRMAN: That's what I'm saying,
 21 it has not been before. It's not an open one.

22 I do make a motion to open the public
 23 hearing on Application 21-17, 15 Tuckahoe
 24 Avenue subdivision.

25 MR. NEMECEK: Second.

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1 THE CHAIRMAN: All in favor.
 2 (AYE)

3 THE CHAIRMAN: Comments?

4 MR. DIORIA: My name is Vincent Dioria
 5 (Ph). I live on the north side of the proposed
 6 property.

7 Water has been an issue in that area
 8 before this. It's a swamp when there's regular
 9 rain. I understand that there is a system
 10 being set up to fix that. You know, when I
 11 expanded my driveway, I had to put in a grate
 12 with a dry well, and I had to get an architect
 13 and all this stuff for the town to approve it.
 14 Whatever they're putting in, who's maintaining
 15 it, and who's guaranteeing if it breaks down is
 16 it going to be fixed, or if the water gets
 17 pushed onto my property, who's going to be
 18 responsible for that? Because the sewer
 19 system -- I don't have a sewer system within
 20 four or five houses on the dead end, which is
 21 something that we talked to the town before and
 22 that was denied.

23 I spent money on sump pumps, backup
 24 generators. I don't want water in my basement,

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1 and I just feel like this is bound to push
 2 water towards our area.

3 MR. NEMECEK: Are you to the east of
 4 the property? As I understand it, this
 5 property is bounded by a parking lot on the
 6 west --

7 MR. DIORIA: I'm on the north.

8 MR. NEMECEK: The north?

9 MR. DIORIA: So I'm right behind
 10 Country Markets. My backyard is Country
 11 Markets on one side, and then the property on
 12 the other side.

13 THE CHAIRMAN: So, let's see. Not to
 14 put off your questions, because they are going
 15 to be addressed in greater detail than we're
 16 able to tonight, right now the applicant is in
 17 front of us just to -- it's more a procedural
 18 thing right now for us to take --

19 MR. DIORIA: I get that, but that last
 20 group that was here, it seems they spent a long
 21 time fighting the water problem, and it was
 22 kind of passed over pretty quickly that the
 23 rules are all being followed. It's great to
 24 say the rules are being followed, but when it's

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1 an issue for my house and my family -- you
 2 know, it's great that new houses are getting
 3 built, and the town is going to get money, and
 4 people are going to get paid, but when money
 5 has to come out of my pocket to fix the problem
 6 that could have been fixed or shouldn't even
 7 exist at all, that's where it becomes an issue
 8 for me as a resident.

9 MR. NEMECEK: Well, you said yourself,
 10 you had to put in dry wells and all of this
 11 when you did construction. As the Chairman was
 12 alluding to, we have our consultants. You
 13 heard, you were here. It may not be -- it may
 14 not satisfy, you know, everyone here, but you
 15 do understand that we can only -- I'm not a
 16 water expert. I have to rely on --

17 MR. DIORIA: I understand. There are
 18 what if's, you know, what if this happens, what
 19 if that happens.

20 MR. NEMECEK: Yes. So we have a
 21 process in place, though, that -- again, as the
 22 Chairman was suggesting, you know, this is an
 23 initial phase, but there will be plenty of
 24 opportunity for this issue, and water is

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1 definitely a big issue. It was a significant
 2 issue with the prior subdivision. I can see
 3 that since the last time this application was
 4 before us, the applicant has adopted sort of a
 5 technique that was used, you know, on the Beech
 6 Street as well, 203 Beech, which is to devote a
 7 lot to capturing some of the runoff, to
 8 managing some of the water. So there will be
 9 plenty of opportunity -- and importantly, you
 10 know, we will have a consultant who will -- you
 11 know, who is as objective as we can find -- who
 12 will evaluate, you know, is this a problem or
 13 not. We have already received materials
 14 suggesting water is a problem here. So we're
 15 very aware of that right from the inception,
 16 and the applicant will have to show --

18 MR. DIORIA: I just want to put it on
 19 record. I just want to be on record saying,
 20 you know -- I mean, build away. I don't care
 21 about that. I mean, it's an empty space.
 22 Hopefully, they clean up some of the brush
 23 behind it and improve it. But at the end of
 24 the day, I just have to make sure my house and
 25 my investment, which was based on what was

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2 there currently, doesn't get altered.

3 MR. NEMECEK: And that's part of what
 4 this board is here for, to make sure that we're
 5 hearing all of the view points from the people
 6 who are most interested, who have a sense of
 7 the neighborhood, who have a sense of the
 8 conditions, and that we also then listen to our
 9 consultants, who are professionals in their
 10 particular areas.

11 MR. DIORIA: Thank you.

12 THE CHAIRMAN: Feel free to come back.

13 MR. TUDISCO: Just so you're aware,
 14 when the consultant is briefing the board,
 15 they'll be an opportunity for you to raise
 16 questions there too.

17 MR. DIORIA: I appreciate it.

18 THE CHAIRMAN: Thank you. Good night.

19 MR. MASTROGIACOMO: I just want to
 20 touch on the drainage and all that.

21 One of the things with Cermele's
 22 office is, number 1, we did very minimal
 23 grading towards that side of the property
 24 because we did not want to affect any of the
 25 neighbors. What that also did was, we created

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2 a little bit of a quote/unquote back pitch, so
 3 that we capture the road that we're proposing
 4 and putting it into a drainage system and
 5 overflowing it, to try to mitigate and minimize
 6 any possibility of affecting any of the
 7 neighbors as well. That's part of the
 8 redesign.

9 THE CHAIRMAN: That's all on the plans
 10 that our consultant is reviewing? That's all
 11 on the plans that our consultant is reviewing
 12 right now, the description you just --

13 MR. MASTROGIACOMO: Correct. Yes.

14 THE CHAIRMAN: Got it. Thanks.

15 MR. MASTROGIACOMO: Correct.

16 THE CHAIRMAN: Please.

17 MS. GESOFF: Jean Gesoff, 5 Duluth
 18 Place. So I just have always been told, and I
 19 think it's true, that there is a creek that
 20 runs through that property, and it empties out
 21 at the girl scout cabin, and then runs down to
 22 California Road and Highland. Just if you
 23 could check that out and see if that's really
 24 true, because we always get water when it
 25 rains, and all along there, you can -- I mean,

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2 you could almost see that there's an
 3 underground creek. If you walk over the bridge
 4 at the girl scout cabin, you could see that
 5 creek. Where is that coming from? I think
 6 it's coming from this property and our
 7 backyard.

8 MR. NEMECEK: What is your address?

9 MS. GESOFF: 5 Duluth Place.

10 MR. NEMECEK: Okay.

11 MS. GESOFF: Thank you.

12 MR. NEMECEK: Thank you.

13 THE CHAIRMAN: Thank you. More
 14 comments?

15 (No comments.)

16 THE CHAIRMAN: Okay. They've done a
 17 number of borings out here?

18 MR. MASTROGIACOMO: Yes, we did a
 19 bunch of borings out there.

20 THE CHAIRMAN: Did they find ground
 21 water somewhere? I guess we can ask --

22 MR. MASTROGIACOMO: The ground water
 23 table toward the back is a little higher,
 24 that's why we decided to put the drainage more
 25 up in the front where we had better percolation

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2 rates, we had a better soil at the front.

3 THE CHAIRMAN: How far down was the
4 ground water?

5 MR. MASTROGIACOMO: About four foot
6 and change.

7 THE CHAIRMAN: That's the comment we
8 got from someone.

9 MR. MASTROGIACOMO: It was a little
10 shallow.

11 THE CHAIRMAN: It's right there.

12 MR. MASTROGIACOMO: I mean, the other
13 part of the whole application is going to be a
14 full landscaping plan where we're working with
15 our landscape architect to pick trees that will
16 help soak up some of the ground water as well
17 and try to dry it up as well.

18 THE CHAIRMAN: I guess this is more of
19 a question for the consultants: It might be
20 seasonal or it's standing, the ground water?

21 MR. MASTROGIACOMO: I think it might
22 be seasonal just because -- the ground water
23 table always fluctuates, especially this year
24 we really had no snow, so it didn't have a
25 chance for the ground to freeze, like it

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2 typically does, and it lowers the ground water
3 table. We had a lot rain this year than snow,
4 so the ground water table is higher this year.
5 If we have a dryer summer, it will lower. If
6 we have a real winter that we have a good
7 amount of snowfall, it will stay low as well.
8 The ground water table always fluctuates up and
9 down.

10 MR. NEMECEK: And the proposed lot --
11 I'll just call it the water retention -- storm
12 water retention lot -- that just holds the
13 water, and then dissipates it over time. It
14 holds it during a heavier water event, and then
15 dissipates it, but it doesn't drain into
16 anything; right?

17 MR. MASTROGIACOMO: Well, no. So what
18 we did in working with Mr. Cermele's office is,
19 not only does it percolate into the ground, but
20 on a very hard storm event, we have an overflow
21 system which will go through the cul-de-sac,
22 just to the side of an easement, down the side
23 of the existing lot, and then turn and go down
24 Tuckahoe Avenue and tie into there's large 24
25 inch diameter pipes, storm drainage. I think

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2 it's Sage Place is where we're tying into. So
3 when we do have a large influx of a big
4 rainfall, we do have something for it to get
5 out and, you know, minimize any impacts on
6 neighbors.

7 The same thing will hold through with
8 the drainage for the lots, we're going to have
9 overflows to go into the storm drainage and get
10 out.

11 MR. NEMECEK: Okay.

12 THE CHAIRMAN: Oh, really? Okay. We
13 could talk more about this another time, but
14 for now, we leave the public hearing open. I
15 make a motion -- no more comments from the
16 public. It's going to stay open.

17 So I'm going to make a motion to
18 classify the 15 Tuckahoe Avenue subdivision as
19 an unlisted action under SEQRA, and for the
20 Eastchester Planning Board to declare its
21 intent to be lead agency in the coordinated
22 review of that action, pursuant to New York
23 State Environmental Quality Review Act for
24 Application 21-17, 15 Tuckahoe Avenue
25 subdivision, and to direct staff to prepare and

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2 circulate the required noticing of this
3 declaration.

4 MR. NEMECEK: Second.

5 THE CHAIRMAN: All in favor.
6 (AYE)

7 MR. MASTROGIACOMO: Thank you very
8 much.

9 THE CHAIRMAN: Have a good summer. Is
10 that the plan, to be back here in September?
11 Is that the plan, to return, get it all wrapped
12 up, and be back here in September?

13 MR. MASTROGIACOMO: Yes.

14 THE CHAIRMAN: Great. So we'll be
15 back here in September, guys. Have a good
16 night.

17 MR. GIACOBBE: Thank you. One more.

18 THE CHAIRMAN: One more. The last
19 application is 22-49, 120 Lake Shore Drive.

20 MR. CAMPANA: Good evening. Louis
21 Campana, architect of record.

22 120 Lake Shore Drive is a lot situated
23 in the R-12, I believe, R-15 zone. It is
24 situated on a corner lot. The existing home is
25 situated on a corner lot, I should say. On the

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1 lot exists a one story dwelling with a
2 basement, which is partially exposed to the
3 rear and side yard.

4 We're proposing to remove the roof,
5 put a second story on the existing footprint,
6 and then expand the front slightly with a new
7 front entrance, and then one story additions.

8 We're also adding a veranda across the front
9 with a stone wall and some planting that you'll
10 see on the landscape plan.

11 We were at the ARB hearing last month
12 where there was just one comment regarding a
13 railing in the rear of the house, and we
14 removed piers which were located on the two
15 outside corners of the balcony so this way that
16 railing matched the other one above. This is
17 the terrace right down below.

18 There was also a recommendation from
19 the ARB to include a landscape plan based on
20 the location of the site being a prominent
21 location on a corner with somewhat of an acute
22 angle. We were able to get that done for this
23 hearing.

24 What the landscape architect is

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1 proposing is a number of plantings along the
2 border of the property to give it a nice, I
3 wouldn't say a barrier, but a softness around
4 that intersection and corner. They'll be a
5 number of perennials, and also evergreen
6 planting, along with the existing trees that
7 will be pruned and maintained.

8 There was also a recommendation to
9 show a plan with tree protection for all trees
10 that are to be saved. You could see along the
11 perimeter here, there are a number of trees
12 both deciduous and evergreen conifer. You
13 could see we have tree protection along the
14 inside of the property there. There are also a
15 few trees that will be removed. The tree up
16 here near the wood deck will be removed. One
17 tree which is not in great shape right by the
18 walls that will be constructed, that will be
19 removed as well, along with a tree on the back
20 corner. All the other existing trees are to
21 remain, and a good portion of them are actually
22 located on the town right-of-way.

23 The existing driveway will remain.

24 We're going to be also adding some evergreen

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1 planting along that border as well. The rear
2 yard will be cleaned up. The lake actually
3 comes into the rear yard of this house, and
4 right now it's just very overgrown. So all
5 that will be cleaned up and exposed to the rear
6 yard, so it will just flow right down into the
7 water.

8 MR. NEMECEK: Good. Can you show us
9 the before and after again on the --

10 MR. CAMPANA: Of the house?

11 MR. NEMECEK: Yes. It's really going
12 to have some height to it.

13 MR. CAMPANA: I'm sorry.

14 MR. NEMECEK: It's really going to
15 have some height to it compared to --

16 MR. CAMPANA: Based on how it sits on
17 the lot as well, it does climb up. So, yes, it
18 does have some height.

19 The existing house is composed of
20 brick and yellow aluminum siding. So all that,
21 obviously, will be removed and replaced with
22 stucco veneer, an EIFS stucco veneer.
23 Actually, I should do this.

24 THE CHAIRMAN: Yes, that's a good one.

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1 MR. CAMPANA: EIFS stucco veneer. A
2 gray standing seam roof. We have white
3 Andersen 400 Series windows, white Boral trim.
4 Boral is a material I've been using more
5 frequently. It just holds the paint finish
6 much better, and feels more authentic than PVC.
7 We'll have whites K style aluminum gutters.
8 The railings will be black wrought iron with
9 square and rectilinear profiles. We'll have a
10 fieldstone veneer on the veranda wall and
11 piers. All the light fixtures located around
12 the house will be the Devaux square sconce from
13 Restoration Hardware.

14 MR. NEMECEK: Looks really nice.

15 MR. CAMPANA: We do have a drainage
16 plan as well. The house basically -- well,
17 it's taking the same footprint of the existing,
18 so we're going vertically. The increased
19 impervious coverage is the veranda. So there's
20 a very minor drainage system being implemented.
21 I believe there's three CULTECs specified by
22 the civil engineer.

23 MR. NEMECEK: What's the current
24 drainage system or drainage situation I should

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say? Is there anything?

MR. CAMPANA: There must be a dry well, but the rest probably goes into the lake. The property flows naturally down that way. That's the catchment area for the sheet flow.

MR. NEMECEK: Good. I don't have any further questions. It looks good.

THE CHAIRMAN: Do you have the colors? Just kind of curious.

MR. CAMPANA: Oh, yes. I'm sorry. So it's parrot stucco. The color will be Canvas, and the white trim will be Super White. Canvas is the one with the arrow.

THE CHAIRMAN: With white trim?

MR. CAMPANA: Yes.

THE CHAIRMAN: What color is the roof?

MR. CAMPANA: Gray. It's a gray standing seam.

THE CHAIRMAN: Okay. Very handsome. Hang on.

I make a motion to open the public hearing on Application 22-49, 120 Lake Shore Drive.

MR. NEMECEK: Second.

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THE CHAIRMAN: All in favor.

(AYE)

(No comments.)

THE CHAIRMAN: I make a motion to close the public hearing on the same application, 22-49, 120 Lake Shore Drive.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(AYE)

THE CHAIRMAN: Before we vote, usually there is something we put as a condition about the landscape plan, that, you know, it is built per that and --

MR. NEMECEK: Was the landscape plan required on this one?

MR. CAMPANA: It was not.

MR. HERBERT: It was not, but we're going the extra mile.

MR. NEMECEK: So do we need to put that requirement in if there was not initially a requirement for the landscape plan?

THE CHAIRMAN: Well, it's part of the application; isn't it?

MR. CAMPANA: That's fair.

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THE CHAIRMAN: So subject to some sort certification from a licensed landscape architect that it's been built per the plans -- that's the condition -- I'll make a motion to approve this application, 22-49, 120 Lake Shore Drive.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor. (AYE)

THE CHAIRMAN: Thank you, Louis.

MR. CAMPANA: Thank you.

MR. GIACOBBE: Thank you.

THE CHAIRMAN: I make a motion to adjourn the June 22, 2023 Planning Board meeting. The next meeting will be on September 28, 2023.

MR. NEMECEK: Let's let Louis get up here to vote. Second.

THE CHAIRMAN: All in favor. (AYE)

THE CHAIRMAN: Good night, everyone.

Have a nice summer.

(Meeting adjourned.)

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CERTIFICATION

STATE OF NEW YORK)
) SS.
COUNTY OF WESTCHESTER)

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of July, 2023.


DINA M. MORGAN
Court Reporter

DINA M. MORGAN, REPORTER

CORRECTION SHEETPAGECORRECTION

20:25 – change “with” to “will”
61:6 – insert “it” before “could”
61:22 – change “have” to “will”
65:3 – change “illegal” to “illegally”
68:22 – insert comma after “situation”
68:23 – insert comma after “bit”
97:3 – delete “none”
102:20 – change “nickle” to “nickel”
150:22 – remove “a” after “have”
166:3 – insert “more” before “rain”

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