

Eastchester Town Clerk
NOV 13 '23 AM 8:53

TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
OCTOBER 26, 2023

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

BOARD MEMBERS IN ATTENDANCE:

ACTING CHAIRMAN PHILIP NEMECEK
ANTHONY GIACOBBE, MEMBER
JOSEPH RUBINO, MEMBER
MICHAEL FORTUNO, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

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

Dina M. Morgan, Reporter
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Bronxville, New York 10708
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Building & Planning Department
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approve the June 22, '23 minutes because we need at least three members of the board who were at that meeting to approve it, so we'll move on. I have circulated some relatively minor revisions to the September 28, 2023 transcript of the Planning Board meeting. I've circulated that within the board and to Lukas and all other parties, Rob Tudisco I believe as well.

So I'm going to make a motion to approve the minutes of the September 28, 2023 Planning Board meeting, subject to the few minor revisions that are set forth in my e-mail of today's date.

MR. GIACOBBE: Second.
ACTING CHAIRMAN NEMECEK: All in favor.

(AYE)
ACTING CHAIRMAN NEMECEK: All right.

So on to the meat of the meeting. We have three applications that are before -- that will be before the board this evening. They are, in order, one item of old business, which is Application 21-17, which is the 15 Tuckahoe

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ACTING CHAIRMAN NEMECEK: Good evening, everyone. Welcome to the town of Eastchester Planning Board Meeting of Thursday, October 26, 2023. Let's stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

ACTING CHAIRMAN NEMECEK: I'm Phil Nemecek, and I'm the Acting Chairman today in Jim Bonanno's absence, but I will call the balance of the roll call. As I mentioned, James Bonanno will not be here.

Anthony Giacobbe.

MR. GIACOBBE: Present.

ACTING CHAIRMAN NEMECEK: Joseph Rubino.

MR. RUBINO: Present.

ACTING CHAIRMAN NEMECEK: Michael Fortuno.

MR. FORTUNO: Present.

ACTING CHAIRMAN NEMECEK: All right. Very good. So we got that done.

There are two sets of minutes -- of transcripts of prior Planning Board meetings that have yet to be approved. We can't

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Avenue subdivision. Importantly, that is before us for a very limited purpose of considering a lead agency resolution, that the Planning Board would be the lead agency for purposes of this application. The balance of the application for subdivision approval has been adjourned to the next Planning Board meeting, or at least won't be heard at this one. I believe it went to the Zoning Board of Appeals.

MR. HERBERT: No. We're still working out the details.

ACTING CHAIRMAN NEMECEK: Okay. Very good.

Second item of business is 23-29, Polpettina, and the third item is 23-30, 249 Main Street and 27 New Street.

So if you haven't heard the application you're interested in, there is Thursday night football tonight, you could leave right now and probably catch the opening kick off, but I guarantee this will be scintillating. I know we have a very sizable viewing audience at home that thinks the same.

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Without any further delay, let's proceed with Application 21-17, which is 15 Tuckahoe Avenue subdivision.

MR. HERBERT: So for this application, the applicant is not coming in tonight to present. All this is, it's just like an administrative action just to vote to adopt the lead agency resolution.

Two meetings ago, you declared your intent to be lead agency under SEQRA. The 30 days has expired. Nobody has objected to the Planning Board assuming the roll of lead agency. So all you have to do now is just vote to declare yourselves lead agency.

ACTING CHAIRMAN NEMECEK: Okay. I think I have the language right here? I think it's --

MR. HERBERT: Yes.

ACTING CHAIRMAN NEMECEK: I'm going to proceed. If I need anything more, you tell me.

I make a motion to designate the Eastchester Planning Board as lead agency for the review of Application 21-17, 15 Tuckahoe

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Avenue subdivision, pursuant to the New York State Department of Quality Review Act, SEQRA.

MR. GIACOBBE: I'll second.

ACTING CHAIRMAN NEMECEK: All in favor.

(AYE)

ACTING CHAIRMAN NEMECEK: All right. Done. I can tell you that Chairman Bonanno would have taken 20 minutes with that.

Next, the second item on our agenda is Application 23-29, Polpettina, 16 Hall Place. We have John Iannacito here to present.

MR. IANNACITO: Good evening. My name is John Iannacito, I'm an architect, and I'm representing Polpettina Restaurant, the ground floor tenant at the subject property. We are requesting a special permit to continue using the area in front of the building for outdoor dining, as it has been for the past several years.

I'll come over to the drawings. So here we have the survey or the site plan showing the existing dining area highlighted in yellow. This is an enlarged plan of the

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dining area showing the table layout.

The proposed outdoor dining will have 10 tables, 26 seats, and will all be located within the limits of the property lines.

We are also proposing a new entry ramp at the main entrance in order to make that existing entrance accessible.

ACTING CHAIRMAN NEMECEK: Is it not accessible now?

MR. IANNACITO: There's a small step there. There's about a four or five inch step at the front door.

ACTING CHAIRMAN NEMECEK: So we're talking about ADA accessibility?

MR. IANNACITO: Yes, ADA and elderly.

ACTING CHAIRMAN NEMECEK: Yes. Okay.

MR. IANNACITO: Here are some photos of the existing furniture, which will be reused. The tables and the chairs are black metal, and the tabletops are stone. This is the larger table with the umbrella at the end of the dining area. This is a couple of benches that will be relocated in front of the new ramp.

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There will be no music, no additional lighting, no additional signage for the dining area, and all of the chairs and tables will be stored indoors after the hours of operation.

Thank you, and I'm happy to answer any questions.

ACTING CHAIRMAN NEMECEK: Of course the big question is -- I've actually eaten in the outdoor dining area here -- what has changed, that has made you come before us this evening?

MR. IANNACITO: I don't think they had -- they had this approved during the Covid years, and they never formally got an official approval. This is for the official approval for outdoor dining.

ACTING CHAIRMAN NEMECEK: Okay. So is this one of the situations -- and we've dealt with many of them on this board -- where during Covid, as certainly a lifeline both to restaurants and to people who were hungry to eat at them, there were a lot of, let's say, informal arrangements, permissions given to have outdoor dining, and that's where this

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1 originated?

2 MR. IANNACITO: Correct.

3 ACTING CHAIRMAN NEMECEK: And now

4 Polpettina -- because I know they were closed
5 for a little while doing renovations from
6 around Easter time until maybe a month or two
7 ago -- now they're formalizing what has, I
8 believe, been a pretty successful outdoor
9 dining option?

10 MR. IANNACITO: Yes. They were very
11 happy to have it during the Covid years, and
12 they want to make it a permanent seasonal
13 dining.

14 ACTING CHAIRMAN NEMECEK: That was
15 going to be my other question; seasonal means
16 what in practical terms?

17 MR. IANNACITO: Now it's probably
18 another few weeks until it gets a little
19 colder, and then they'll shut it down, and
20 then it will come back in March.

21 ACTING CHAIRMAN NEMECEK: Yes. Now,
22 there's always that nice day in February, you
23 know, when we're all fooled into thinking that
24 spring is coming. Is the thought to have the

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1 chairs and tables available so that if you
2 have that nice day in February where people
3 are clamoring to be outside, you can put them
4 out?

5 MR. IANNACITO: They can always bring
6 some tables outside if it is a nice day in
7 February.

8 ACTING CHAIRMAN NEMECEK: The permit,
9 it doesn't constrain them from operating
10 during a certain period of time?

11 MR. HERBERT: No. No. Seasonally,
12 no. Time of day, yes.

13 Also, if I could just ask a question.
14 The storage of the furniture has currently
15 been stored in front of the restaurant with a
16 cable lock. So I've told the code enforcement
17 officer, okay, just give them a break because
18 they're coming before the Planning Board, but
19 that has to be worked out.

20 MR. IANNACITO: The plan is to store
21 it indoors. Right?

22 MR. TUDISCO: Come up and put your
23 name on the record.

24 MR. LODI: Joe Lodi, owner of

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1 Polpettina -- co-owner.

2 We have a place in an HVAC sort of
3 area in the backyard with a set of steps going
4 down, we can put our stuff down there. We
5 also have the dining room itself, which would
6 be easier for us at night around 10:00 when we
7 close down, you know, 9:30, 10, to bring it
8 right through the front door. It's just a lot
9 easier.

10 Winter storage, we'd probably bring it
11 where it's not going to be coming in and out,
12 pain in the neck moving it, you know, in and
13 out of the front of the store. The idea is to
14 either bring it down to the basement, or leave
15 it in the front of the store when we're using
16 it on a daily basis.

17 ACTING CHAIRMAN NEMECEK: Okay. I
18 think Lukas' point was, when you close the
19 store every evening -- when you close the
20 restaurant every evening -- and I've noticed
21 this too because I walk to and from the -- you
22 know, I live right in this area, and I walk
23 down Fisher Avenue to the Crestwood Train
24 Station, and, in fact, I walked up from the

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1 Crestwood Train Station this evening, and I
2 believe every outdoor seat was occupied by a
3 diner and there were people waiting. So
4 congratulations, it looks like your pre-launch
5 has done very well. I know there have been
6 favorable reviews on the pizza that I've seen.

7 MR. LODI: Thank you. Thank you.

8 ACTING CHAIRMAN NEMECEK: This is a
9 full service Planning Board. We also pitch
10 for our -- but the concern was that, you know,
11 it is a bit of an eyesore to see, you know,
12 chairs -- you know, I understand the
13 convenience of having them locked up, no one
14 is going to take them that way, but I don't
15 think the town has a problem with them storing
16 them in the -- as long as they're indoors.

17 MR. HERBERT: That's correct, yes. I
18 just need to make it clear that if they're
19 kept outside, you'll be issued a violation,
20 and you could lose the special permit you may
21 get tonight.

22 MR. LODI: We'll abide by it.
23 Absolutely.

24 ACTING CHAIRMAN NEMECEK: Okay. Good.

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MR. RUBINO: So is the only I guess adjustment to the Covid time until now, is that just the adding of the ramp because all the seating is the same? That's a question for the architect.

MR. IANNACITO: With the ramp, we're going to actually have a few less tables than what they have today.

MR. RUBINO: Okay.

MR. IANNACITO: But, yes, the only permanent change is the ramp.

MR. RUBINO: And it's just a ramp, it's not like a vestibule or anything?

MR. IANNACITO: No, just the ramp. A ramp up to a platform, and it will have a railing also.

MR. FORTUNO: Can I also ask, I don't see where it -- if it grants or restricts the use of any sort of like propane or electric heating. Is there any plan to do that?

MR. LODI: You know, we have had heaters out there before, you know, just the stand up ones. Not underneath an awning or anything like that. Nothing, you know,

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against the Fire Department rules. The Fire Department consistently checked on those things during Covid. But we did use an outdoor like one of those vinyl vestibule, you know, enclosures, so the wind doesn't come flying into the place. So that would be nice to use it in the ADA ramp area, not to go outside the railing there, and I think it would, you know, look appropriate to it. I think it would be convenient for people, you know, because it gets cold when the door opens. The cold air just rushes right in. So if we could be allowed to use that again, that would be great.

MR. IANNACITO: I'm just not sure if that's part of this approval or if it's a different approval to put an enclosure around the ramp just in the wintertime, a vinyl enclosure.

MR. HERBERT: Come talk to us about that. I'll have to check with the Building Inspector.

MR. IANNACITO: Okay.

ACTING CHAIRMAN NEMECEK: It doesn't

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sound like a major undertaking, and it's temporary.

MR. HERBERT: So you're talking about a small enclosure around the door seasonal?

MR. IANNACITO: Right. Just so that the cold air doesn't rush into the space.

MR. HERBERT: I don't believe that would require Planning Board approval.

MR. IANNACITO: It might require some type of permit, I guess.

MR. HERBERT: Yes, from the Building Inspector, but I don't think you would have to come back.

ACTING CHAIRMAN NEMECEK: It sounds like it's a temporary seasonal fixture and not something that's permanent.

MR. IANNACITO: Yes, and it's completely within the property lines. It's not going to be on the sidewalk.

ACTING CHAIRMAN NEMECEK: This ADA ramp isn't going to interfere with the ability to go up to the window and get some delicious ice cream, is it?

MR. IANNACITO: No. The window is

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going to be before the ramp.

ACTING CHAIRMAN NEMECEK: Okay. Got it. All right. I don't have any further questions. I think we have to have a public hearing.

I make a motion to open the public hearing on Application 23-29, Polpettina, 16 Hall Place.

MR. GIACOBBE: Second.

ACTING CHAIRMAN NEMECEK: All in favor.

(AYE)

ACTING CHAIRMAN NEMECEK: Public. Yes.

MR. LUGO: Hi. Good evening. I would like to first start off to stay that, please excuse any words that I might say, this is my first time speaking in front of a board.

ACTING CHAIRMAN NEMECEK: Okay. If you could identify yourself.

MR. LUGO: Yes. My name is Samuel Lugo (Ph.). I live at 16 Hall Place, right above the restaurant, and my apartment is the one right alignment with the front facing of

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2 the restaurant.

3 So during my time there, I've lived
4 there for about two and a half years, as they
5 have said, they have already implemented from
6 Covid the outside restaurants. And given that
7 they have already done it, luckily there have
8 been problems that have arisen. They are
9 asking to add 10 tables and 26 seats. This is
10 a fairly large amount of tables to add to the
11 occupancy that they already have, and, with
12 that, it adds issues.

13 As we have seen from their drawings,
14 they are in their drawings showing that they
15 will not be blocking the doorway, but this
16 does not co-align with the images that you
17 have seen where clearly a table is blocking
18 the doorway. I would like to ask how long the
19 ramp would have to be, because I believe there
20 is a standard for the incline on how long the
21 ramp would have to be and would it
22 not interfere with that one table and would
23 that result --

24 MR. TUDISCO: When you say the
25 doorway, are you referring to the doorway to

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2 go upstairs or the doorway to go into the
3 restaurant?

4 MR. LUGO: The doorway into the
5 restaurant. So this is currently with the
6 restaurant and the pedestrians. The reason I
7 bring that issue is because, as you also see,
8 there is a tree and a sign in the way in the
9 images, and the tables are fairly close. They
10 are taking about 90 percent of the sidewalk at
11 that point. When you have to walk through
12 there, only one person, maybe a mom with a
13 stroller, you would have to wait. So that
14 will be affecting the pedestrian traffic, as
15 stated in the application, that they said they
16 would not be affecting that. So that would be
17 an issue that I would see there.

18 Also, continuing to the vehicle
19 traffic, Polpettina is a very popular
20 restaurant. Congratulations to them. I hope
21 they are doing well. But, of course, you have
22 heard they are parking at the pumps past the
23 parking signs, and that creates a very
24 possible danger.

25 I'm sure you might be aware, 16 Hall

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2 Place had an incident a few months ago where
3 Con Edison had an accident and they blew a
4 power line into the building.

5 ACTING CHAIRMAN NEMECEK: I wasn't
6 aware of that, but I saw the Con Ed trucks.
7 Thank you.

8 MR. LUGO: I have images of the Con Ed
9 truck and the firefighters and --

10 MR. TUDISCO: Do you want to post them
11 up here, or just put them on the easel so the
12 people can see at home.

13 MR. LUGO: So these images are from my
14 brother's vehicle as he was leaving for work
15 at the time. He was leaving for work, that
16 was about 6:00 p.m., when they blew the power
17 line, and he had to evacuate the building.
18 You could see that the fire trucks are in the
19 middle of the road because in these images you
20 could that there's a Con Ed truck blocking
21 Hall Place. They cannot make their way up
22 there. Alongside where the fire trucks are,
23 there is a Con Ed truck where the pump is.
24 Now replace these Con Ed trucks with the
25 vehicles that come to the restaurant, wait

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2 there, I have seen firsthand that,
3 unfortunately, they have to wait 30 minutes,
4 maybe more, that's all I've seen, to get their
5 order and come outside, and the vehicles are
6 still on during that time.

7 Now, I don't want anyone to get hurt.
8 During that time when Con Ed blew the power
9 line, I wasn't home, fortunately. Returning
10 home and seeing that there was an issue, my
11 brother saying that they weren't able to get
12 to the building as fast, minutes cost lives in
13 these scenarios. If something were to have
14 happened and they would have to have acted a
15 lot faster, we could have had a very different
16 situation. Now, there have been two instances
17 already where I have been home where fire
18 trucks have had to come to Polpettina, as the
19 alarm has been set off. I assume there would
20 be a third time.

21 Given that they are, in practice,
22 asking for this space for the 10 seatings, you
23 could see that they are asking for a fairly --
24 a sizable variance in the sense that these
25 seats are closely packed in the pictures. You

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1 could see that, in practice, it looks fine
2 with the umbrella, they have it nice and
3 spread out to look good for the picture, but
4 in reality, if you go there, the seats are
5 back-to-back. No one is going to be sitting
6 comfortably there. They are going to have
7 people pushing the boundaries.

8 As you said, it was against the code,
9 which is why we are here. Ignorance is not an
10 excuse for the law. They knew what they were
11 doing. Unfortunately, they were still doing
12 it. Gladly, they were, because as it came to
13 the nicer weather and they were staying out
14 there later, it brought problems that were
15 arisen. People like to drink. Drinking
16 brings problems with noise. Obviously, and
17 unfortunately, it brings confrontation.
18 Multiple nights, 11, 11:30 people would come
19 down from the center of Eastchester, from the
20 center of Tuckahoe that is on either side,
21 people from the restaurant which are
22 screaming, breaking things. Unfortunately, my
23 vehicle sometimes was parked out front, and I
24 would have to stay up worried that I'm going

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1 to wake up to damage, and I would have to, you
2 know, get up, get dressed, go attend to the
3 situation.

4 Given these parameters, they have
5 already shown that they are willing to go
6 above the board's approval in doing these
7 things. Obviously, Covid was a horrible time.
8 I'm glad they survived as a business, that's
9 fine, but we're back to a regular situation
10 where Covid is not no longer an issue I
11 shouldn't say, but it's not as precedence.

12 The final issue I do want to have is
13 their garbage management. Obviously, they're
14 asking for 10 tables, 26 people. You're
15 looking at more than a hundred people a day on
16 a busy night, given that, you know, maybe two
17 hours each time throughout the day as they are
18 open. This is going to add to their landfill.

19 Now, already they have it where it's
20 on Hall Place on the other side of the
21 building that is around the corner. They do
22 have an issue of leaving it out too early, and
23 the building has complained not directly to
24 the tenants, but we have received complaints

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1 from the city of Eastchester saying that there
2 is a rodent issue in the neighborhood already.
3 We already have these rodents. The tenants
4 are being I shouldn't say threatened, but
5 encouraged to deal with these issues
6 themselves or you aren't getting a renewal on
7 your lease. Who isn't being blamed? The
8 restaurant. Who has garbage and food
9 alongside of the road? The restaurant.

10 Unfortunately, the area, their garbage
11 management is just not sufficient enough.
12 It's overfilled. They leave it out Sunday
13 night. No one comes Monday morning, so they
14 leave it out until Tuesday pickup. So it's
15 out -- I'm assuming we are supposed to leave
16 it out just the night before the pickup and
17 not two nights before, leaving time for
18 rodents to come.

19 With that, that is all the issues I
20 think, and I don't want to use any more of
21 your time. These are precedent issues that I
22 believe should be considered in this
23 application, as you are just simply adding to
24 all of these problems. Again, I'm so happy

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1 that they are successful. As people, I do not
2 have anything against them. It's great that
3 they're there. But, unfortunately, they
4 cannot handle -- they have too much on their
5 plate already. I don't see why we would do
6 something as reckless to add on to that.

7 **ACTING CHAIRMAN NEMECEK:** Thanks. I
8 did want to clarify that, at least it's my
9 understanding, with respect to Covid, there
10 was sort of a blanket -- this happened in the
11 City too -- outdoor dining was permitted sort
12 of across the board both for purposes of the
13 restaurants and the diners. It's taken awhile
14 to -- you know, people like outdoor dining,
15 you know, and -- as I said, I've actually
16 eaten at Polpettina outdoors and enjoyed it if
17 it's a nice night. I think most people, at
18 least at the hours I'm eating there, seem to
19 be pretty responsible. I mean, this evening
20 there was -- I could see there was a guy
21 drinking a beer, he had his wife and his
22 little daughter with him. He seemed to be
23 acting very responsibly and having a good
24 meal.

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1 The fact that they're before us -- I
2 mean, they're not the first, and I'm sure they
3 won't be the last to seek a permit of this
4 nature. Part of the reason why we have this
5 application process that includes a public
6 hearing, is to hear the concerns that are
7 voiced by people exactly like yourself, who
8 are most directly affected by something like
9 this.

10 So I think I've heard everything you
11 said, and certainly I have a question or two
12 about hours, for starters. This is -- even as
13 proposed, it sounds like this is something
14 that -- the restaurant is there, and it's
15 approved, and I understand that there are
16 traffic problems because it's a tight area.
17 It seems that everything in this town that we
18 have -- you know, particularly if it's
19 popular, we have some sort of a traffic and
20 parking issue. But the restaurant is there
21 and the restaurant is staying. They just did
22 renovations.

23 What's before us today is a request
24 for a permit that would be -- that would

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1 permit seasonally -- so not even the full year
2 but seasonally -- outdoor dining. And, I
3 think, you know, on a rainy day, no one is
4 going to eat outdoors. It's certainly less
5 than full-time. On top of that, I know -- I
6 can't remember which day of the week the
7 restaurant is closed. Is it Tuesday maybe?

8 MR. LODI: Monday.

9 ACTING CHAIRMAN NEMECEK: Monday.

10 Okay. So it's not even seven days a week.

11 I do want to hear a little more from
12 the applicant about the hours of operation,
13 and also to address the concerns that the
14 resident raised about garbage.

15 MR. IANNACITO: I can address the --

16 MR. TUDISCO: Before you do, I just
17 want to just clarify. I guess one of the
18 things that I guess the person who came to
19 address the board I'm guessing is the
20 increased capacity may increase the capacity
21 for garbage or whatever. From an enforcement
22 point of view in terms of the town when
23 violations happen, typically the Code
24 Enforcement Officer or the Building Inspector

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1 would come out. If there is an increased
2 capacity in a restaurant or store or something
3 that would require a larger dumpster or an
4 increase in the schedule of pickups, that is
5 something that is typically addressed, and I'm
6 certain that the Building Department will
7 address that with the applicant. You should
8 feel free to contact the Building Department
9 because if there is an additional need that it
10 becomes a burden to the community, perhaps it
11 might mean a minor fix of just, you know,
12 getting a bigger dumpster or, you know, an
13 extra pick up during the week, that is
14 possible.

15 Certainly, we all want to be mindful
16 of the community's concerns, but also in terms
17 of an enforcement perspective, as the person
18 who, you know, manages the violations, we
19 don't want to see it get to that place if it
20 doesn't have to. So, you know, to the extent
21 that there are concerns, I'm sure we can
22 discuss them with the applicant and the
23 Building Department.

24 ACTING CHAIRMAN NEMECEK: The two main

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1 concerns that I heard were one about rowdiness
2 perhaps might be the word, late night
3 rowdiness, you know, people overindulging a
4 little bit, being loud, so I would like to
5 know something about the hours both on
6 weekends and during the week.

7 The second issue -- the second major
8 issue there was -- well, there were three,
9 actually. The second one was about the
10 garbage, and then there was also the concern
11 about the vehicular traffic and, you know, the
12 impositions -- I mean, I'm not sure that if
13 someone is sitting in a car waiting for their
14 pizza, that they won't move if there's a fire
15 truck. I don't think that's an issue. But if
16 people are parking illegally, then that's an
17 enforcement issue, and one that I think if
18 it's regularly enforced and the owners make it
19 clear to their patrons that this is an area
20 where parking violations are strictly
21 monitored, that that would lead to a reduction
22 in those issues.

23 If you could address, John, to the
24 extent possible, those issues.

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1 MR. IANNACITO: Those issues I think
2 I'll have Joe address. I just wanted to
3 address the questions about tables being in
4 front of access entryways.

5 Previously, before we did the
6 renovations on the building, there were two
7 entrances on Hall Place -- on Fisher, and one
8 entrance on Hall. So we reduced that to one
9 entrance on Hall, one entrance on Fisher. So
10 I'm not sure if the photos that this gentleman
11 had showed the old entrance or not.

12 We're also adding this ramp, which
13 we're going to reconfigure the seating area
14 and push it closer to the Hall Avenue corner,
15 and we're not going to have any tables near
16 the ramp. So the access to the building
17 should never be blocked by any tables.

18 ACTING CHAIRMAN NEMECEK: Where would
19 the ramp be? Show me.

20 MR. IANNACITO: So here's the front of
21 the building. This is the main entrance to
22 the restaurant. So this is the ramp right
23 here.

24 ACTING CHAIRMAN NEMECEK: Got it. It

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1 slopes towards --

2 MR. IANNACITO: The site actually
3 slopes up, and then the ramp slopes back up.
4 So at this point, we're actually -- because
5 the sidewalk is sloping up, the ramp doesn't
6 have to be as long as needed to meet ADA
7 because we're already up a certain amount of
8 inches when we get to this point.

9 ACTING CHAIRMAN NEMECEK: That's
10 right. Okay. That makes sense.

11 MR. IANNACITO: The ramp will
12 definitely be 100 percent compliant to
13 handicap requirements, and there will be no
14 seating in front of this ramp. So access
15 should never be blocked by any tables in the
16 front. So all the tables will be at this end
17 of the restaurant. Here we're just going to
18 have a couple of benches for people waiting to
19 pick up.

20 ACTING CHAIRMAN NEMECEK: And on the
21 far left in the illustration, are those
22 planters?

23 MR. IANNACITO: These are planters
24 that are here right now, and there's also some

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1 planters here on the two ends, which we're
2 hoping to keep there. It does soften up the
3 space a bit with the plants.

4 MR. TUDISCO: Where is the second
5 entrance?

6 MR. IANNACITO: So the second entrance
7 is on the side here. It's cut off here. You
8 see where the arrow is here?

9 ACTING CHAIRMAN NEMECEK: The second
10 entrance isn't really used by patrons?

11 MR. IANNACITO: It's more of an
12 emergency entrance, but it can be used to
13 enter also. It enters the main dining room.

14 ACTING CHAIRMAN NEMECEK: And that's
15 also where the -- I guess -- is it 16 Hall?
16 The main entrance to that is on Hall Place as
17 well?

18 MR. IANNACITO: So the main entrance
19 to the building I believe is back here.

20 ACTING CHAIRMAN NEMECEK: Show me
21 again where the Hall Place entrance is to the
22 restaurant.

23 MR. IANNACITO: Right here where the
24 arrow is.

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1 ACTING CHAIRMAN NEMECEK: Okay. Got
2 it.

3 MR. IANNACITO: Then this arrow here
4 is the new ramp area.

5 ACTING CHAIRMAN NEMECEK: Okay. Got
6 it.

7 MR. IANNACITO: So as far as the hours
8 of operation, Joe, and the trash
9 removal and --

10 MR. RUBINO: Just one question before
11 you start that. As far as the waiters and
12 servers, are they going to have to travel
13 around the ramp or would they be using both
14 doors?

15 MR. IANNACITO: They can use both
16 doors.

17 MR. RUBINO: They could use both;
18 right? So if there's congestion, they could
19 always go through the back and be able to --

20 MR. IANNACITO: Access to the dining
21 room --

22 MR. RUBINO: The side. Sorry.

23 MR. IANNACITO: -- And goes back to
24 the kitchen. They could use both.

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MR. RUBINO: Great.

MR. IANNACITO: Probably more the side door because --

MR. RUBINO: Because you're going to have a ramp now.

MR. IANNACITO: -- You have customers coming in and out from the main entrance.

MR. RUBINO: So it will help the traffic in that way.

MR. LODI: So we open at 11 and close at like 4:30, and then we are open at -- on Sunday, we close at 8 and we're open until about 10 -- last service is about 10 during the week, but, you know, people are usually out of there by 11:00 or so. We try not to stay open late.

ACTING CHAIRMAN NEMECEK: How about on the weekends? How about Friday and Saturday?

MR. LODI: Same. Same. Pretty much the same. We're not trying to go past, you know, 11 or 12:00 at night. We try to like wind it down.

MR. HERBERT: According to the special permit criteria, you have to be -- the hours

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of outdoor dining shall be as follows: Sunday through Thursday until 10 p.m., and Friday and Saturday until 11 p.m. However, the Planning Board may prohibit or limit the hours of operation if it is determined that the activities associated with the outdoor dining will have an adverse impact on adjacent or nearby residential properties.

This is the special permit criteria on the worksheet.

MR. LODI: That's totally understood, and we live and abide by that. I just want to say that for three years through Covid, we hadn't had one single complaint from not a single neighbor in the -- you know, as the crow flies, you know, a hundred yards from the place.

ACTING CHAIRMAN NEMECEK: I was going to verify that with -- I was going to ask you that first, but also, have there been any complaints, Rob or --

MR. HERBERT: I received complaints, yes.

ACTING CHAIRMAN NEMECEK: You have.

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Okay. What are the nature of those complaints?

MR. HERBERT: Parking, traffic, noise. I mean, I haven't received a high volume, but I do keep track of them, yes.

ACTING CHAIRMAN NEMECEK: Is it fairly typical with an establishment of its size with outdoor dining? Is there a way for you to quantify that?

MR. HERBERT: Well, I mean, for better or for worse, the Building Department is kind of like the complaint bureau. We receive complaints all day long. So, right, I mean, we do keep track of the complaints. I mean, the outdoor dining in front of Polpettina has really only been since they've reopened. I would have to go back and check my records. The complaints do get recorded. It's not just Polpettina that gets complained about, it's, you know, town wide.

ACTING CHAIRMAN NEMECEK: Yes.

MR. HERBERT: Sometimes the complaints are not for real. I mean, we get that too. We get complaints all the time.

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MR. LODI: You've been there before, it is a family place. It's not like -- we're not trying to make it like a bar scene. It's a restaurant with bar, not a bar with a restaurant.

MR. TUDISCO: I would say that my understanding of the nature of the parking complaints are -- well, certainly from patrons who want to get in and don't have a place to park, but I think part of the issue that we've seen from an enforcement perspective is people going in to wait for their orders and leaving their cars at the curb, as opposed to people who are there waiting for someone to come out with the order. There are hydrants there. It is busy, especially in the evenings when the trains are coming out. So I don't know -- you know, from an enforcement perspective, the Police Department could monitor that. If it becomes an issue, we may have to address the applicant at some point in time. I think that is basically what I was getting from the community in terms of concerns that cars are left there while people are inside, you know,

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1 I could kind of see my car through the window
2 if I have to get out there, and it just
3 becomes a problem.

4 MR. LODI: And we can also reinforce
5 that through our customer base and, you know,
6 our website to say, you know, we have to solve
7 this issue so there aren't any issues. If
8 you're picking up food, you know, park your
9 car up the street. You can find parking, it's
10 just not in front of the place.

11 MR. FORTUNO: Could you do an option
12 where you have someone bring it out to the car
13 for them, something like that?

14 MR. LODI: Probably. Yes. Yes. We
15 actually do do that on occasion, but, yes, we
16 can do that.

17 MR. FORTUNO: Help everybody out in
18 that situation.

19 ACTING CHAIRMAN NEMECEK: Fisher
20 Avenue, there's parking on both sides there
21 and --

22 MR. LODI: Yes, it's narrow.

23 ACTING CHAIRMAN NEMECEK: -- And, of
24 course, there's always somebody that parks

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1 like a foot and a half away from the curb to
2 further narrow the area. I know that because
3 I'm constantly going back and forth to the
4 Crestwood Train Station to pick people up or
5 drop them off. That is a very busy area right
6 there, and it's because, you know, you run a
7 successful restaurant. People want to be
8 there. People pick up a lot, and then there
9 are people dining there as well. It is a
10 problem -- it's a parking problem that we're
11 not going to be able to solve with or without
12 outdoor dining. It's going to remain a
13 concern.

14 How many -- how many -- I think you
15 said there are 10 tables? Is that the
16 amount -- what's the total seating that is
17 implicated by this permit application, and how
18 does that compare to the indoor permanent
19 seating?

20 MR. IANNACITO: The plan that was
21 submitted shows 10 tables. One is a larger
22 table with eight people that's pushed right
23 into the edge of the corner of Fisher and
24 Hall, and then there are smaller tables,

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1 double tables of four. So there's a total of
2 10 tables, 26 seats. Today, without the ramp,
3 there's at least three additional tables
4 there. So we're actually going to lose three
5 tables with the addition of the ramp.

6 ACTING CHAIRMAN NEMECEK: Okay. What
7 is the indoor seating in the newly
8 reconfigured restaurant? What is the maximum
9 seating?

10 MR. IANNACITO: About 50 people
11 inside.

12 ACTING CHAIRMAN NEMECEK: 50 people.
13 So this is a pretty significant -- it's not --
14 this isn't permanent, of course, this is
15 seasonal and weather permitting, but it does
16 sound like it's about a 50 percent increase in
17 the capacity on an ideal day, if it's filled.
18 I would say that, you know, outdoor seating
19 works very well on nice days, and anything but
20 that, you only have the really hardy people
21 who want to eat outside. So it's not even
22 half the time, I'm sure.

23 MR. TUDISCO: There's one other thing
24 in terms of the parking issue, which is a

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1 little bit of an anomaly here, is that from --
2 check me on this -- but I believe that whole
3 place is the divider between Eastchester and
4 Tuckahoe. So you have the edge of two Police
5 Departments kind of -- you know, leading up
6 from Crestwood Train Station is Tuckahoe
7 jurisdiction versus from Hall Place up Fisher
8 towards Town Hall is within the town of
9 Eastchester. So that potentially could, you
10 know, just make it a little bit more
11 complicated.

12 ACTING CHAIRMAN NEMECEK: Hall Place
13 at Fisher is in Eastchester. Marbledale Road
14 is Tuckahoe.

15 MR. TUDISCO: I think Hall is the
16 dividing line, if memory serves me correctly.

17 MR. HERBERT: I think it goes a little
18 to the west of Hall Place.

19 ACTING CHAIRMAN NEMECEK: The
20 apartment that's just like west of 16 Hall,
21 that development, I think the line is
22 somewhere on that property.

23 MR. HERBERT: Right. There are
24 properties on the east side of Marbledale Road

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2 that half the lot is in -- half the property
3 is under the corporate of Eastchester and the
4 other half of the property is --

5 ACTING CHAIRMAN NEMECEK: But I get
6 your point, it's an enforcement dilemma.

7 MR. IANNACITO: And there are metered
8 parking on Fisher on the Tuckahoe side, and I
9 believe there's some on the Eastchester side
10 by the post office, and in the municipal lot
11 right across from the post office, which in
12 the evenings there's always parking there.

13 MR. HERBERT: There's also a municipal
14 lot in Tuckahoe, I believe, on Fisher Avenue.

15 MR. IANNACITO: Down further.

16 MR. HERBERT: Down the other way, yes.
17 So there is parking, it's just --

18 ACTING CHAIRMAN NEMECEK: Yes. But
19 people aren't going to go to the municipal lot
20 near the train station.

21 MR. IANNACITO: The one in Tuckahoe is
22 too far. The one in Eastchester is close
23 enough. It's not a far walk from --

24 ACTING CHAIRMAN NEMECEK: Yes, that's
25 true. That's true. But people are very,

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2 very, very lazy.

3 MR. IANNACITO: After you eat some
4 pizza, you can digest while you're walking
5 back. We got to put a Gelato place in between
6 the two.

7 ACTING CHAIRMAN NEMECEK: All right.
8 So, Lukas, if we were to determine -- do we
9 have to make a single one time determination
10 as to the hours, or can that be revisited by
11 us?

12 MR. HERBERT: Well, I mean, the hours
13 are dictated in the special permit criteria.

14 ACTING CHAIRMAN NEMECEK: They are?
15 Okay.

16 MR. HERBERT: Yes. If you don't
17 comply with the hours, you lose the special
18 permit.

19 MR. TUDISCO: He's saying can you
20 adjust them.

21 ACTING CHAIRMAN NEMECEK: If we were
22 to determine, let's say, that there were an
23 inordinate number of complaints in the month
24 of October, November with people being rowdy
25 at 10:30 on a Friday night, could we scale

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2 back the outdoor dining at some future point,
3 such that we'd have it through 9:30 or so?

4 MR. HERBERT: Right. So you can limit
5 the hours now if you approve the special
6 permit, or the last criteria says: The
7 special permit for outdoor dining shall be
8 contingent upon the continued compliance of
9 the special permit requirements and any
10 conditions of approval. The Building
11 Inspector at any time may require that the
12 application reappear before the Planning Board
13 for a reconsideration of the special permit in
14 the event that the applicant fails to comply
15 with one or more of the special permit
16 requirements or conditions of approval, if
17 there is significant change in site
18 conditions, or upon the recommendation of the
19 Chief of Police.

20 ACTING CHAIRMAN NEMECEK: Okay. So
21 that's the enforcement arm that we have there.
22 I think if we received enough -- if you
23 received enough complaints, it could be
24 discussed, and we could make that happen.
25 That's the stick part of it. I think that's

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2 important, that we can reconsider this if Mr.
3 Lugo's concerns get any worse. I would hope
4 they get better. As you said, you actually
5 would be reducing the number of outdoor seats
6 by a few. I really do want you to think very
7 seriously about the garbage situation, and how
8 you might do a better job of making sure that
9 the concerns that have been voiced are
10 addressed. We can monitor the timing. Do
11 what you can do to make it clear to your
12 clientele, to the patrons of restaurant that,
13 you know, we can't have you parking
14 willy-nilly wherever you feel like until your
15 pizza is ready. I like the idea of having a
16 more organized, you know, pizza pickup place,
17 if you will. Bring it out to the car. That I
18 think would help the problem quite a bit as
19 well.

20 MR. TUDISCO: You still have the
21 public hearing open.

22 ACTING CHAIRMAN NEMECEK: I know we
23 do. I know we do.

24 MR. LODI: We can actually speak to
25 the garbage removal company and see if they

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1 could come -- I don't know if they come every
2 day or every other day, but we could try to
3 get them down there, you know, more often, if
4 that would help.

5 ACTING CHAIRMAN NEMECEK: I see them
6 in the mornings. I see them sometimes, again,
7 when I'm walking to the train station. I
8 don't know when the garbage is left out.
9 I mean, is it possible to have somebody put it
10 out early in the morning? I don't know if
11 there's anyone who's nearby.

12 MR. LODI: I'll talk to my partner
13 about that to see if that's feasible. There's
14 a garbage area behind the building where they
15 allow us to -- you know, it's like a corral
16 kind of thing. So we put it there, and then
17 we put it out. They're covered. They're all
18 covered. I can address that, and probably
19 there's a logical and simple solution to it.

20 ACTING CHAIRMAN NEMECEK: Yes. I know
21 you probably get early morning bread
22 deliveries and stuff like that, so maybe you
23 have somebody taking care of bringing the
24 bread in, bringing the garbage out. In that

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1 order.

2 MR. RUBINO: Does the garbage area get
3 shared with the rest of the building, or is
4 that a separate garbage?

5 MR. LODI: I'm not sure. Maybe he
6 would know.

7 MR. LUGO: It's alongside of the
8 restaurant right on the corner. It's
9 alongside the restaurant.

10 MR. LODI: But I think there's a
11 shared corral in the back.

12 MR. LUGO: There's a shared corral
13 with the building past 16 Hall Place. So it
14 goes Hall Place, then the next building, and
15 then they are separated inside, one for
16 residents and one for the next building.

17 MR. LODI: Where is the next building?

18 MR. LUGO: On the site plan, there is
19 an area back here. This is access down to the
20 basement.

21 MR. LODI: And there's no other
22 building, I believe, next to us.

23 MR. LUGO: The next property is here.
24 (Discussion from the audience.)

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1 MR. TUDISCO: I just want to make sure
2 he's getting on the record.

3 MR. HERBERT: I'm concerned, because
4 you're not speaking into a microphone, that
5 the court reporter is not getting this.

6 ACTING CHAIRMAN NEMECEK: I can hear
7 you loud and clear, but we create a record.

8 MR. LUGO: That area is a small grass
9 area where the garbage is. On the opposite
10 side of it is the entrance to two apartments
11 for 16 Hall Place, and then around that where
12 they say you can go down is the fire escape.
13 That is the location of the fire escape for
14 that side of the building. So that area is
15 generally left open, and the garage is put to
16 the side as, you know, people need to get out
17 of the apartments in case of an emergency.
18 They need a safe amount of space to get out in
19 case of a fire. So that's what that area is.

20 Then the next building, the next property has,
21 I believe, access to like one of the like --
22 across on the other side of the wall. It's
23 not in our spots, it's on the other side of
24 it. It is part of the same structure, but

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1 they just have their side to it.

2 ACTING CHAIRMAN NEMECEK: Okay. Thank
3 you.

4 All right. Do we have any other
5 comments from the general public? Yes. Okay.
6 Mr. Lugo.

7 MR. LUGO: Just to the gentleman on
8 the right, how he explained how the hours were
9 an issue on the permit. The last issue was
10 that the proposed outdoor dining would be
11 located at the front of the building within
12 the limits of the property line and will not
13 disturb the pedestrian or the vehicular
14 traffic within the site. Obviously, like I
15 said, the increased occupation would disturb
16 that, and I believe that would contradict one
17 of the -- I'm assuming the --

18 MR. TUDISCO: Well, just so you know,
19 that refers to -- there's a portion of the
20 sidewalk that is owned by the landlord, owned
21 by the business or managed by the business,
22 and there's a certain amount of sidewalk that
23 is the town right-of-way and requires passage.
24 It's my understanding from the presentation,

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that the proposed dining is all on the property of the restaurant.

The town right-of-way -- actually, it's somewhat fortunate because we have cases in town where the restaurant owner does not have this amount of real estate in front of the store and wants to have outdoor dining, but we can't allow it because of the pedestrian traffic.

It seems to me -- and maybe Mr. Iannacito can speak to that a little bit better -- that the way that this is being proposed for special permit is all on the property of the applicant and does not impact the right-of-way where pedestrians will go back and forth. Now, if people are waiting around for tables or anything like that, that may not be the case. But in terms of the actual dining area that's being proposed, it does not appear that it's on the town right-of-way; is that correct?

MR. IANNACITO: Correct. I believe it's 10 feet in front of the building. Let me just check. So from the face of the building

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to the edge of the public sidewalk, there's 10 feet. All the dining tables are going to be within that area, within the limits of the property.

ACTING CHAIRMAN NEMECEK: And I can comment again as somebody who's regularly a pedestrian right in that area, that perversely all that parking creates a buffer between the pedestrians and the vehicular traffic, such that it really -- there's not a safety issue walking in that area even though there are a lot of vehicles around. There are always people parked there, so, you know, you're always walking between, you know, diners and cars. So you're not -- you're never going to have a car drive up right next to you and, you know, where you would actually feel it go by.

My experience has been, yes, it does get crowded, but there is a sufficient amount of space there on the town right-of-way for pedestrians. That's my experience, and I'm not a small man.

MR. LUGO: I'm not sure if it is on the drawing, but it is missing the tree and

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the postage sign that is there. That does tighten up that space slightly.

ACTING CHAIRMAN NEMECEK: A little bit.

MR. LUGO: It does tighten up the space. Where, obviously, like I said, they are compacting these tables very close together, I do believe that, you know, in order for a bigger person to get -- you know, we're not that large, but someone who might be, might need a little more wiggle room. Those seats are going to be pushed out a little further, decreasing that space. So I do believe that that's just a concern.

ACTING CHAIRMAN NEMECEK: Yes. You know, contrary to your concerns earlier, you voiced those concerns very artfully, very fully, and I think we've had a pretty robust conversation on this. You know, I would just encourage you, you know, you see everything going on there, you know, if there's a continuing problem, either speak to the management, the owners, whomever. They seem to be responsive. If the problem persists,

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the Building Department knows how to enforce these things, and we want to know if there's a continuing problem.

MR. LUGO: I apologize for the lack of complaints. I don't like to be confrontational.

ACTING CHAIRMAN NEMECEK: You're handling it just perfectly. It's helpful to have this type of dialogue. That's why we have a public hearing. We want to make sure that we are informed. I happen to know this area from going past there, but you live there, you would know it better than I do. It's important to hear those concerns voiced so that we can address them at a moment when we have the full attention of the owner. So thank you.

MR. LUGO: Thank you.

ACTING CHAIRMAN NEMECEK: All right. So unless there are any further comments from the public, I'm going to make a motion to close the public hearing on Application 23-29, Polpettina.

MR. GIACOBBE: Second.

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 2 ACTING CHAIRMAN NEMECEK: All in
 3 favor.
 4 (AYE)
 5 ACTING CHAIRMAN NEMECEK: All right.
 6 I'm inclined to grant the application, you
 7 know, subject to being able to revisit in the
 8 event that the problem gets -- the problems
 9 that have identified get any worse. I'd
 10 expect that maybe they'll get a little better.
 11 We're reducing the amount of outdoor seating
 12 due to the ramp, among other things.
 13 One unavoidable problem, if you want
 14 to call it that, is that with your reopening
 15 and a lot of publicity, it has become a hot
 16 place to dine again. It was closed for a
 17 number of months. Now people want to come
 18 back. That's a good problem for you to have
 19 as an owner. I just want to make sure that
 20 you're aware that you are in a neighborhood,
 21 and it's a very residential neighborhood.
 22 There are a number of concerns, particularly
 23 with parking. I think there's always going to
 24 be some concern when you have outdoor dining,
 25 that not everyone behaves as nicely as we want

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 2 them to all the time. That's something that
 3 you'll have to enforce maybe a little bit more
 4 rigidly if it becomes a problem.
 5 Otherwise, I'm prepared to make a
 6 motion to approve this application, you know,
 7 subject to our ability to revisit if some of
 8 these criteria are triggered.
 9 MR. HERBERT: Also, if I could add
 10 with one of these criteria, just for the
 11 public record, I did share the application
 12 with the Chief of Police and the Fire
 13 Department, and they both had no comments.
 14 ACTING CHAIRMAN NEMECEK: Okay. All
 15 right. Again, it would be subject to the
 16 hours that you're normally in business, but,
 17 you know, if there are problems, if problems
 18 persist, you know, and there are complaints
 19 that trigger these criteria, we may want to
 20 revisit that. That's strong incentive for you
 21 to keep things moving smoothly, and to be as
 22 considerate as you can possibly be to your
 23 neighbors.
 24 With that said, I make a motion to
 25 approve Application 23-29, Polpettina, 16 Hall

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 2 Place.
 3 MR. GIACOBBE: Second.
 4 ACTING CHAIRMAN NEMECEK: All in
 5 favor.
 6 (AYE)
 7 ACTING CHAIRMAN NEMECEK: Thank you.
 8 MR. IANNACITO: Thank you. Have a
 9 nice weekend.
 10 MR. LODI: Thank you, guys. I
 11 appreciate it. Come down for some pizza.
 12 MR. RUBINO: I would have gave it an
 13 8.8, by the way.
 14 ACTING CHAIRMAN NEMECEK: Finally, we
 15 have Application 23-30, 249 Main Street and 27
 16 New Street. Believe it or not, I think I'm
 17 the only one sitting on the board here --
 18 well, also Rob was here at the time -- you
 19 have almost an entirely new audience than you
 20 did with the prior iteration of this. I'm the
 21 institutional knowledge here, and I guess Rob
 22 is as well.
 23 I understand you're here to make an
 24 initial presentation as to a new application
 25 at what's largely the same site, but is

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 2 actually a larger site than had been
 3 previously proposed.
 4 MR. FREDA: My name is Antonio Freda.
 5 I'm representing Angelo Agovino and Manor
 6 Developers -- I'm sorry, Eastchester Manor
 7 Developers.
 8 So basically, as you have understood,
 9 what we're doing is taking the old
 10 application, amending it to add two more
 11 stories to the structure, and also to add
 12 another lot behind the original lot, which is
 13 facing New Street, and providing parking only
 14 on that particular lot. We're not enlarging
 15 the footprint of the building at all. So the
 16 actually site as it was before remains
 17 practically identical to the -- the proposed
 18 site is identical to the old site, with the
 19 exception of two parking spaces which have to
 20 be eliminated in order to access the new site
 21 from the old site.
 22 So we've increased the size -- the
 23 height of building and the number of units.
 24 The number of units have increased by 10, each
 25 floor having five units. They're identical

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1 floors all the way up. We have provided 10
2 additional parking spaces. We had 26
3 originally, and now we have 36. The required
4 number of parking spaces is 43. So we're
5 deficient in that because we don't have enough
6 land area. The height of the building is --
7 of course permitted is four stories, and we're
8 seeking six stories. So the difference in the
9 actual height, not the story height but the
10 number of feet, is 45 versus 67. So it's
11 about 22 feet higher than the original
12 permitted height that we had.

13 The access to the site will remain the
14 same on Main Street. One way in, one way out,
15 and proposing to have access in from New
16 Street, and then out on Main Street again. So
17 we keep the traffic study pretty much the same
18 as it was before.

19 Other than that, it pretty much sums
20 up what we're requesting.

21 ACTING CHAIRMAN NEMECEK: Okay. I'm
22 debating how much to -- I know you're
23 suggesting -- and for me it helps to
24 conceptualize this, that effectively you're

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1 amending the prior application, which was
2 approved. I know we had a pretty fulsome back
3 and forth, you know, with the parking
4 underneath, and even the power lines I think
5 we had a big issue, the fire station is right
6 there, and so, there were a number of
7 different concerns that were raised then. As
8 I mentioned, I'm the only board member who
9 would remember that. Chairman Jim Bonanno is
10 still on the board, and I would assume has a
11 pretty vivid recollection of it. It wasn't
12 that long ago that you were here. It was a
13 few years ago, two years ago that you were
14 last here, and we approved it. He's not here
15 today, but, you know, he will presumably be
16 here next time. But for the other three
17 members of the board, this is brand new, and
18 for Lukas it is.

19 MR. HERBERT: Actually, I worked for
20 the County Planning Board when this was
21 referred to the County Planning Board.

22 ACTING CHAIRMAN NEMECEK: Thanks,
23 Lukas. Thanks for making me look like I don't
24 know what I'm talking about. All right.

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1 Well, he wasn't wearing his Eastchester hat at
2 the time.

3 So can you give us just a little more
4 background on -- particularly for the other
5 members of the board here -- on the site, and,
6 you know, certainly, you know, you can give us
7 all the color that we need about, you know,
8 the prior application and how it was approved,
9 but, you know, what we would be going from
10 now, because nothing has been built, to, you
11 know, what you're now proposing, and how that
12 fits into the neighborhood in particular
13 because we did approve a four story building
14 but this is a six story. I remember there
15 was -- you know, I think you guys may have
16 been pushing for something bigger then.

17 MR. FREDA: Well, we were pushing
18 for -- actually what it was is, we were
19 pushing for a few feet more only to allow
20 larger size beam members in between the floor.

21 ACTING CHAIRMAN NEMECEK: But you made
22 clear this is 22 feet higher than what was
23 previously approved.

24 MR. FREDA: So we're --

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1 ACTING CHAIRMAN NEMECEK: But that's
2 still 22 feet, and they're aren't too many six
3 story buildings in the town of Eastchester.
4 Maybe some are missing. I know there is one
5 like right over here, but there aren't too
6 many.

7 MR. FREDA: So there is one, actually,
8 about a block away, which is almost seven
9 stories.

10 ACTING CHAIRMAN NEMECEK: The
11 senior --

12 MR. GIACOBBE: The senior building.

13 MR. FREDA: Then there are some around
14 the corner around the bend of Main Street.

15 ACTING CHAIRMAN NEMECEK: The senior
16 building, yes. There are a couple of
17 senior -- well, one is actually maybe in
18 Tuckahoe, but one is in Eastchester.

19 MR. AGOVINO: Angelo Agovino. How are
20 you doing? The building that's right to the
21 right of the firehouse -- so it's the building
22 that we're proposing, the firehouse, and then
23 the building to the right, it's a fairly large
24 building. You don't really see it there

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1 because there's a parking structure, and then
2 it steps back. That is fairly sizable. I
3 think it's about seven stories. It's going to
4 be part of our presentation in the coming
5 months to actually get the height, like we did
6 prior for this building, and go across. You
7 know, get into the nitty gritty with you guys.
8 I believe that building that's right to the
9 right of the firehouse is similar height.
10 Maybe a little bit less or maybe a little bit
11 more.

12
13 ACTING CHAIRMAN NEMECEK: Let me ask
14 the obvious question: What's motivating this?

15 MR. AGOVINO: The reason why this
16 building wasn't built yet, because we realized
17 once we went to Con Edison to get those power
18 lines put underground, it was going to be
19 minimum half a million dollars to put those
20 power lines underground. With the property
21 behind here, we're going to be proposing to
22 the Fire Department, which it falls into the
23 guidelines for the fire truck to access it
24 from the back there, but in order to pay for
25 the lot and, you know, to make the project

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1 make sense, we're trying to, you know, balance
2 everything and also make it profitable, if
3 possible.

4
5 ACTING CHAIRMAN NEMECEK: So it's
6 money. It's making something that works
7 financially.

8 MR. AGOVINO: Yes. I mean, in the
9 beginning when we talked to Con Edison, it was
10 around a hundred grand. Then we started
11 getting into the numbers, and then it was 250.
12 Then we needed another pole, and then they
13 needed this -- the reason is, the main feed
14 for Tuckahoe actually comes up -- which is
15 terrible luck that we have -- on the pole to
16 the left, it comes up the pole and feeds down
17 south on Main Street. So it comes in from the
18 sewer on the right, like a -- I guess from the
19 ground, and then goes across, up, under the
20 pole. So we would have to move that to a
21 different pole. It was just a lot with Con
22 Edison. Then you have to get Verizon and AT&T
23 and all those other companies too. So it
24 started getting between half a million
25 dollars, three quarters of a million dollars

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1 to do all that. We just couldn't build this
2 building with that. In order to build this
3 building or to keep this idea going, we would
4 need to do this. If not, then we would have
5 to structure it a different way or do
6 something else. But hopefully, you guys will
7 love it. We'll work hard with you guys.

8
9 ACTING CHAIRMAN NEMECEK: I can't
10 guarantee that, but that's why you come here.
11 Right now, you can't build the old building.
12 You would, at a minimum, have to come back to
13 us to get the approval extended. But that's
14 not what you're here for. You have a new
15 application, same site, a lot of the same
16 concepts, except you want to build it a little
17 bigger. Previously what was it; was it
18 15 units?

19 MR. AGOVINO: 15 units.

20 ACTING CHAIRMAN NEMECEK: So this is
21 what? It's 67 percent more. And what was the
22 breakdown in one bedroom, two bedroom?

23 MR. FREDA: 10, two bedrooms, and 15,
24 one bedrooms.

25 ACTING CHAIRMAN NEMECEK: What was it

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1 previously?

2 MR. AGOVINO: 9 and 6.

3
4 ACTING CHAIRMAN NEMECEK: 9 and 6. So
5 the proportions remain roughly the same.

6 MR. AGOVINO: Yes. It's five per
7 floor. There's three, one bedrooms, and two,
8 two bedrooms on each floor. It's a typical
9 floor that we just added two more --

10 MR. FREDA: Identical layout.

11 ACTING CHAIRMAN NEMECEK: Certainly,
12 one of the concerns that we went through last
13 time, and I'm sure we would go through again,
14 is the impact that it would have even on the
15 school system. You know, we address all kinds
16 of different concerns here. This is not --
17 there is no public hearing today, so the
18 benefit of this really is to -- I'll shut up,
19 although I really love to hear myself talk,
20 but I'll shut up, and I'll let you guys
21 present.

22 For the benefit, again, of the other
23 members of the board, just give us an overview
24 of what the site is and what you're proposing
25 now. If you want to mention what was

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2 previously approved, that's up to you to do
3 so. But for their purposes, for the purposes
4 of the other members of board, they don't have
5 the history, so they just want to know what do
6 you intend on building.

7 MR. AGOVINO: Before, we didn't ask
8 for a variance for height. The height was
9 as-of-right. We asked for a few very
10 variances, which were minor. I don't know
11 exactly which --

12 MR. FRED A: There was one side missing
13 six inches.

14 MR. AGOVINO: -- The backup width of a
15 couple of spots. Then over here, it was one
16 percent less. We didn't ask for many.

17 ACTING CHAIRMAN NEMECEK: They were
18 minor variances.

19 MR. FRED A: To be honest with you, I
20 don't remember that because we did resolve it.
21 We have five percent slope here, and we have
22 less than five percent -- we meet the slope
23 requirements all the around the site, so I
24 don't know why that was even required.

25 ACTING CHAIRMAN NEMECEK: Tell us
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2 about the property. Tell me about the new lot
3 that you've acquired.

4 MR. HERBERT: If I could just make a
5 quick clarification. All previous approvals
6 have expired.

7 ACTING CHAIRMAN NEMECEK: That's how I
8 encourage you to present, as if it's brand
9 new. The only reason I'm a little -- it's
10 triggering my memory, and I'm interested in
11 knowing because I did go through the process
12 of approving this one once, what's different.
13 The what's different is just really for me.
14 I'm less interested in it. I can figure it
15 out. Tell them what this application --

16 MR. RUBINO: If I could ask one
17 question before you start. Sorry. As far as
18 the sequence of this review today, has this
19 already been reviewed by Zoning or anything
20 like that?

21 MR. HERBERT: No. It's only been
22 reviewed by staff.

23 MR. RUBINO: Okay. Great. So this is
24 the first time you're presenting this new
25 change -- new application I should say?

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2 ACTING CHAIRMAN NEMECEK: Yes.

3 MR. TUDISCO: This is a preliminary
4 site plan approval -- application for site
5 plan approval. It's going to have to go to
6 Zoning because there's two variances. One of
7 them is parking -- at least two variances.
8 One of them is parking, and the other one is
9 the height and the scaling of the building
10 that the Zoning Board is going to have to
11 review.

12 MR. RUBINO: Okay.

13 MR. HERBERT: Also, just one other
14 thing. This is going to be an unlisted action
15 according to SEQRA. Either the Planning Board
16 or the Zoning Board will have to declare lead
17 agency, or it could be an uncoordinated
18 review. That won't be decided today.

19 ACTING CHAIRMAN NEMECEK: So the
20 sequence will be, initial presentation today,
21 and then they come back here again?

22 MR. HERBERT: They may be meeting with
23 staff first, and then we'll take it from
24 there.

25 ACTING CHAIRMAN NEMECEK: But they'll
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2 be back here at some point before it goes to
3 Zoning, and we'll have a public hearing;
4 right?

5 MR. HERBERT: It could go that way.
6 There's no set formula. They're here just to
7 present, and we'll kind of take it from there.

8 ACTING CHAIRMAN NEMECEK: So present
9 away.

10 MR. FRED A: So let's just say that you
11 saw this for the first time.

12 ACTING CHAIRMAN NEMECEK: Yes.

13 MR. FRED A: This is an entire lot on
14 its own here facing Main Street, and an entire
15 lot here facing New Street. There's an
16 existing two family house there with a garage,
17 and there's an existing two family here with a
18 garage in the back as well. Right now, it's
19 not used -- the building now, the two family
20 is vacant and abandoned. It's not usable.
21 It's pretty much just used for parking and
22 landscape trucks and so forth.

23 So going back to the issue with the
24 density that you were referring to, our
25 allowable density is 700 square feet per lot

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area one apartment. We are allowed with these two lots together, 30 units. We're not proposing 30, we're only proposing 25. I don't know if that makes a difference.

MR. TUDISCO: It's really up to the Zoning Board.

MR. FRED A: Okay. So that resolves that issue. This is just more of the same --

ACTING CHAIRMAN NEMECEK: Again, the fire station would be on bottom here; right?

MR. FRED A: Right here.

ACTING CHAIRMAN NEMECEK: It's the next building over; right?

MR. FRED A: Yes. There's a ramp going down here, and then there's the fire station, and then there's parking, and then there's ambulance parking in the back of that. We're adjacent to that.

ACTING CHAIRMAN NEMECEK: But you're not affecting that property otherwise?

MR. FRED A: No.

ACTING CHAIRMAN NEMECEK: You're just next to it.

MR. FRED A: Of course, there's a

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residential building here and a residential building here. This is facing New Street, and this is facing Main Street. Given that, what we're doing on this side of the street, which is more residential than this side, is just basically parking cars and putting vegetation. We're removing the structure that's there, of course, and that will be the end of that.

On this side, we're leveling this off in a certain way so it allows for access, again, for the five percent, you know, ramps coming in this way, going down a little bit more, then coming out this way, and also working out the parking so that we can go under the building from that side and this side.

Also, the other reason for doing all of that is to gain the average grade around the building so that we take our height from that point. You know, so you have difficulty when you have to conform with the ramps, the five percent ramp, and then also produce that average grade around the building, and then, you know, take your height from that point.

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So it all worked out perfectly at that time for this lot, and this is not really of any effect whatsoever because the slope from here to there is minimal. We have almost 130 feet or whatever it is. I'm not showing that right now, but it's almost 125 to 130 feet.

ACTING CHAIRMAN NEMECEK: That's the new lot?

MR. FRED A: The new lot. So we have more than enough to make a slope. It's probably even flat at that point.

So on this new proposal -- I say new because -- we have a building which has two big side yards of about 22 feet each.

Required is 10, 10 each, but because we're using this to access parking areas under the building and also to maneuver cars out of these parking spaces, we have to have a wide lot area there. So the building is sitting on this property with about 22 feet on each side, and the size of the building is -- the lot I should say is 101 feet wide. The back, we're providing the 30 foot rear yard that's required. In the front, we're providing more

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than the 10 foot that's required or 15. Then, of course, you have the open lot on the side, in the rear of the side.

What we have on this building is a turnaround which has to occur under the building, so we've cantilevered the upper floors above the parking. I'll go to side view of the building. Here we go. So you're coming in here from this side from Main Street, and then traveling -- these are the parking spaces -- and then traveling to the back, and then this is the portion of the building which is cantilevered above the backyard and a portion of the backyard. The parking is here, and the travel for vehicles is partially under the building and partially open in the open area.

So going back to the site, the access to the site is next to the fire station, which is to the north, and they travel around or down to the parking spaces if they're coming in this way, or they could come in from New Street on that side and then park here. Then when they come out, they'll come out this way

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 2 and out into Main Street again.
 3 ACTING CHAIRMAN NEMECEK: New Street
 4 is an entrance only; it's one way?
 5 MR. FREDa: One way and one way. Then
 6 this is the exit from the lot.
 7 When we got the variance for this side
 8 yard for the backup, we did a maneuvering
 9 diagram. I don't know if you remember that.
 10 We showed how cars would exit out of this spot
 11 because it had the 10 foot wide versus 9 foot
 12 wide parking space because that's what's
 13 required under the building, so that's what we
 14 have. So I think we took care of this. This
 15 we have enough -- we have the required
 16 maneuvering space here, but it was a variance
 17 here. Here we have all the maneuvering spaces
 18 that are required because we have parking
 19 spaces here and here. We have more than
 20 24 feet between them, and here we have 24 feet
 21 in this particular spot. So the only place
 22 that it's lacking a little bit of maneuvering
 23 space is on this side, and that's for four
 24 vehicles, four parking spaces only. We have
 25 two parking spaces on the side of the building

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 2 that are not within the required yard, they're
 3 outside, so those don't have any maneuvering
 4 problems whatsoever. Just park right in, go
 5 around, and park whatever which way that they
 6 can.

7 As far as the site, that's basically
 8 it. We have in the front of it a rock. From
 9 the sidewalk, the site slopes up steep. So
 10 what we need to do here is lower it down to a
 11 level, and then create a planted area that
 12 starts lower and then goes up high to where
 13 the walkway is in front of the building.

14 ACTING CHAIRMAN NEMECEK: Okay.

15 MR. FREDa: We can maybe show that in
 16 the front elevation. We don't have that
 17 particular one. We have another plan which we
 18 show --

19 ACTING CHAIRMAN NEMECEK: Do you have
 20 the front elevation?

21 MR. FREDa: It may be right here. We
 22 don't have that, but we have it on the -- the
 23 rendering will have it.

24 MR. AGOVINO: The next time for you
 25 guys we'll have the 3D.

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 2 MR. FREDa: This is a front elevation,
 3 so we really can't show the wall. Then it
 4 will be a different level of the building.
 5 It's in the front of the property.

6 Anyway, this is a wall, okay, and then
 7 behind it is planting. It's sloped up, and
 8 there's another landing here where a walkway
 9 exists. A handicapped ramp here, and it
 10 continues up, and then it goes into the
 11 building this way.

12 What we've done here to take care of
 13 garbage in the building is created a space
 14 where we have a hatch door that opens up with
 15 a conveyor belt, and it brings out, when
 16 required to take out the trash, to come out at
 17 this point, and then come out from the
 18 building at that point.

19 In the cellar of the building, we have
 20 a compactor. So on each floor trash can be
 21 thrown down the shoot, it goes into a
 22 compactor, and then we have all the space here
 23 in order to store the trash, and then this is
 24 a conveyor belt system that comes up to the
 25 sidewalk.

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 2 On this side, we have a recycling room
 3 for paper and bottles and plastic containers,
 4 and then all the meter rooms and so forth on
 5 this side. A small gym area, and some storage
 6 units for the tenants in the building.

7 On the first floor, basically a lobby,
 8 access from the front. This is the trash
 9 shoot opening here, and then the -- I'm sorry,
 10 the conveyor belt opening. Then the walkway,
 11 ramp, walkway, and then entrance to the
 12 building, meeting room, lobby, elevator. This
 13 is the trash room. So if they have trash on
 14 the first floor, it can go in here. Then an
 15 entrance out to the parking for handicap. So
 16 we have two accessible parking spaces which go
 17 directly into the building through a
 18 handicapped ramp area. Then there's an exit
 19 to the back of the building. So whoever is
 20 parking in the lot on New Street, and who's
 21 parking in all the other parking spaces in the
 22 rear yard and in the back of the building on
 23 the lower side, they could come in comfortably
 24 through here instead of traveling all the way
 25 to the front of the building, or even through

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the middle of the building here.

In this particular case, these parking spaces can access the building through the steps that are here, and then come up, and then come into the front of the building, or they can walk around. It's up to whoever is, you know, parking there.

ACTING CHAIRMAN NEMECEK: So it's a very truncated first floor. It's not anything close to the full width of the building because the parking is taking up a lot of it?

MR. FRED: Yes. Yes. This is basically the floor, you know, the first floor. Everything else is out in the open.

ACTING CHAIRMAN NEMECEK: Yes. Okay. Got it.

MR. FRED: So the upper floor now is extended 13 feet over. That's that cantilever that we spoke about before. So we have a central hallway here with the apartments coming off of it. The two bedrooms are here and here, and then these are all one bedroom units with some French balconies on the side yards, and in the front we have full

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balconies.

ACTING CHAIRMAN NEMECEK: So each floor has two, two --

MR. FRED: Two, two bedrooms.

ACTING CHAIRMAN NEMECEK: Two, two bedrooms and three --

MR. FRED: And three, one bedrooms.

ACTING CHAIRMAN NEMECEK: Okay.

MR. FRED: They're good size, you know, units. They're over 900 square feet.

ACTING CHAIRMAN NEMECEK: These would be rental units; right? Yes.

MR. FRED: Rental or condo.

ACTING CHAIRMAN NEMECEK: Or condo. Okay.

MR. FRED: Depending on what they finally do with the building. So that's it. That would be one, two, three, four, five floors up to the sixth floor.

Then the roof is pretty much just an open area with access by two bulkheads, the bulkhead for the elevator and for the trash shoot, and that's it. There's a parapet wall all the way around, so it will cover and

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protect the view from all the mechanical units that are up there. You need some mechanical units for the hallway air conditioning and heating and so forth.

So this is the front of the building. We basically didn't change the materials or elevation from the previous application.

MR. AGOVINO: It's going to be Hardie and like, you know, cement board.

MR. FRED: Cement board, yes. It's basically a cement siding, cement board siding, and brick on the first floor level. Full brick around the building at the first floor level because you have cars and more traffic and so forth.

MR. AGOVINO: These are walk out balconies.

ACTING CHAIRMAN NEMECEK: Each unit has a walk out balcony or just the two bedroom?

MR. FRED: There's only one unit that doesn't have it. The other ones have French balconies, and the front units have the walk out balcony.

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ACTING CHAIRMAN NEMECEK: Those are the two bedroom; right?

MR. AGOVINO: This is the one and this is the two. The two bedrooms are on this side of the building, and the one bedrooms are on this side.

ACTING CHAIRMAN NEMECEK: Got it.

MR. FRED: Then these windows are all in the hallway. So the central hallway is naturally, you know, lit from outside. It's natural lighting.

This is a side view on the north side or the right side of this lot on Main Street. The firehouse is on this side.

MR. AGOVINO: You look out here and you see the firehouse.

MR. FRED: This is access to the parking spaces.

ACTING CHAIRMAN NEMECEK: Got it.

MR. FRED: These are the balconies that are coming out. These are the French balconies. They're not actually extending out.

MR. AGOVINO: This is just like a

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1 railing screwed in. So you open the door, and
2 it's a Juliette.

3 MR. FRED: This is the back of the
4 building. No balconies here. You have access
5 to the parking from there. These are air
6 conditioning vents.

7 This is the other side of the building
8 where we have access to the parking here, and
9 then these are the steps that go up to the
10 front, that we mentioned before, to get into
11 the building from the side. Then this goes
12 down, the ramp goes down to Main Street this
13 way, and this continues over, and then there's
14 the sloping landscaped area that goes down
15 with a wall there.

16 MR. AGOVINO: There's a small stone
17 wall in the front there now.

18 MR. FRED: That is the elevation of
19 the bulkheads. That's it.

20 ACTING CHAIRMAN NEMECEK: Okay. I
21 think that gives us -- I mean, it's obviously
22 taller. It's a bigger massing than the prior
23 iteration. But, you know, as you said, you
24 held on to a lot of the same architectural

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1 features that I guess we had approved the last
2 time.

3 Any other members of the board have
4 any questions about this?

5 I mean, they'll be plenty of
6 opportunity to suss this out and see what --
7 certainly, the public will, I would think,
8 have some comments on it.

9 MR. FORTUNO: Just aside from like,
10 you know, when 21-17 proposed a six lot
11 subdivision, there was a lot of discourse
12 about the increase in traffic and water flow
13 and septic and all that stuff. So I'm sure my
14 concerns are the same as people in the
15 community with that with a unit so large.

16 MR. TUDISCO: There's going to be a
17 public hearing when you come back for actual
18 site plan approval after the pass at the
19 Zoning Board for the variances. So the public
20 will be able to address those issues or
21 concerns, and you'll hear from town experts
22 about, you know, the capacity of the storm
23 water and sanitary sewer, etcetera.

24 ACTING CHAIRMAN NEMECEK: I know you

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1 definitely are -- with the new lot as well,
2 that's going to be basically a parking lot --
3 you are unquestionably having even more
4 impervious surface than you had before. There
5 are ways to address that, and I'm sure we'll
6 hear from you about your plans to do so as we
7 move forward with this.

8 MR. RUBINO: On the first floor, do
9 you have a package room of any sort now that
10 you're increasing --

11 MR. FRED: I'm sorry, I couldn't
12 understand.

13 MR. RUBINO: On the first floor in the
14 lobby area, is it just mailboxes? Because
15 you're increasing the tenants, do you have
16 like a package room of some sort?

17 MR. FRED: We have the mailboxes
18 right in the front as you come in.

19 ACTING CHAIRMAN NEMECEK: Everyone
20 gets deliveries now.

21 MR. RUBINO: Yes. Just one thing to
22 keep in mind for the future presentations.

23 MR. FRED: Right here are the
24 mailboxes.

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1 MR. RUBINO: Okay. Just something to
2 consider with a lot of packages for the bigger
3 type of residences.

4 MR. AGOVINO: This room here -- I
5 understand what you mean because everybody is
6 ordering stuff online. I mean, essentially
7 this room would, I guess, be the overflow of
8 anything that's not delivered to the apartment
9 or, you know, just put in their mailboxes.
10 There's not a crazy amount of apartments, so
11 if it doesn't fit in their mailbox, it will
12 overflow into this room.

13 MR. FRED: It's a big enough lobby
14 that they could put it on the floor here or
15 here or anywhere.

16 MR. HERBERT: Well, with apartment
17 buildings -- I live in an apartment building
18 similar to this, and with package delivery, it
19 depends on the super of the building. The
20 question I would have is, is there going to be
21 a live-in super for the building? Is one
22 apartment going to be assigned to a
23 superintendent?

24 MR. AGOVINO: No. So this building

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1 will have fob access. I don't know if you
2 saw, but the newer buildings, they have the
3 screens. The type of system that I want to
4 put in here, you know, Amazon has access to
5 the building to come in, so no one can come
6 like across the street and take the package.
7 So it will be --

8 MR. RUBINO: That's what I would
9 recommend, some type of a virtual doorman
10 service.

11 MR. AGOVINO: -- Like a lobby there,
12 and they'll be able to put the packages --

13 MR. FRED A: Also, the new postal boxes
14 that are required by the United States Postal
15 Service, they have lock boxes integrated into
16 the postal boxes. So you'll take the key from
17 your postal box and open that cabinet.

18 MR. RUBINO: I'm assuming USPS would
19 review that.

20 MR. FRED A: USPS only I'm saying.
21 That's for them. A lot of times Amazon, if
22 they get in, they'll leave it on the floor.

23 MR. RUBINO: You just don't want to
24 leave them outside.

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1 MR. FRED A: Or you provide them with a
2 special box. I don't know if it's going to be
3 big enough.

4 ACTING CHAIRMAN NEMECEK: My bigger
5 concern is, I don't want to the Amazon truck
6 sitting outside making deliveries or sitting
7 on Main Street. It will come into the
8 property, I'm sure.

9 MR. FRED A: You have plenty of landing
10 area. Even a recessed area here.

11 ACTING CHAIRMAN NEMECEK: Okay.

12 MR. HERBERT: I mean, also, Amazon is
13 kind of a moving target in terms of how they
14 deliver items. I mean, by the time this gets
15 approved, they may be delivering with things
16 with drones. We don't know. They constantly
17 change.

18 ACTING CHAIRMAN NEMECEK: Are you
19 considering a drone heliport?

20 MR. AGOVINO: You know, I think the
21 packages will be secure. Once the delivery
22 guys kind of get used to the people that are
23 there, they'll figure it out. They could put
24 instructions like, leave mine to the left,

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1 leave yours to the right.

2 ACTING CHAIRMAN NEMECEK: Right. But
3 our concern is much less the delivery of
4 packages and more its effect on the general
5 neighborhood, you know, the increase in
6 traffic, you know, and alike.

7 MR. AGOVINO: I don't think they're
8 going to be stopping on Main Street there.

9 MR. RUBINO: That's what I was
10 referring to as far as traffic wise.

11 MR. AGOVINO: It's fairly large for
12 this building. So it's going to be -- it's
13 kind of like making them gravitate in there
14 instead of, you know -- they're not going to
15 want to carry it from the street. They're
16 going to want to pull up next to the door. So
17 they're going to pull up, jump out of the
18 truck, and go right to the front door.

19 ACTING CHAIRMAN NEMECEK: Yes. Okay.

20 MR. AGOVINO: It's a very -- it's not
21 really tight. This is designed to have a UPS
22 truck -- besides the Amazon truck, a big UPS
23 truck to make this turn.

24 MR. FRED A: Also, we have this door

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1 here, so if they stop on the driveway, they
2 could access it this way as well.

3 MR. AGOVINO: Those screens will be at
4 every door, so if Amazon needs access there,
5 their computer will be able to open the door.

6 ACTING CHAIRMAN NEMECEK: Tell me
7 again about the roof, the rooftop. I know you
8 have the bulkheads -- the two bulkheads, the
9 elevator and the trash compactor --

10 MR. FRED A: And stairs.

11 ACTING CHAIRMAN NEMECEK: And stairs.
12 That's right. Is there going to be
13 anything -- it's just a flat roof?

14 MR. AGOVINO: No amenities.

15 ACTING CHAIRMAN NEMECEK: Okay. Just
16 checking.

17 MR. FRED A: The only thing is, you
18 know, ventilators, but those would be, you
19 know, screened by the parapet wall.

20 ACTING CHAIRMAN NEMECEK: So there
21 isn't really going to be access to the roof
22 other than by maintenance people; right?

23 MR. AGOVINO: Just people working up
24 there. We have an emergency push stairs God

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2 forbid there's a fire.

3 ACTING CHAIRMAN NEMECEK: Yes. Yes.

4 The Amazon drones will come get them.

5 MR. RUBINO: Just keep in mind, to
6 that point, since you are higher, just making
7 sure the mechanical units are covered in some
8 way from a distance. I think you said you
9 have a parapet. I'm not sure how high the
10 parapet is. As far as that line of sight --

11 MR. FRED: The mechanical unit
12 proposed, because it's the logical location,
13 is on the top in the center.

14 MR. RUBINO: In the middle. Got it.

15 MR. FRED: We have the duct space
16 here for the --

17 MR. RUBINO: So it should be covered
18 from the parapet.

19 MR. FRED: You won't be able to see
20 it from the back or the front for sure. From
21 the side, you know, you would have to go far
22 way. I don't know how far.

23 ACTING CHAIRMAN NEMECEK: Okay.
24 Understood. Okay. I think unless we have any
25 further questions, I think you've satisfied

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2 exactly what I was hoping you would, which is
3 to make an initial presentation of what the
4 project is. We will certainly give it our
5 fullest consideration in the coming months.
6 So thank you very much. I don't know if you
7 have any further questions for us at this
8 point.

9 MR. AGOVINO: I just wanted to -- if
10 we can clarify the process, because I think
11 you guys are the board to -- you know, if we
12 can go for the variances and then -- you know,
13 the height variances and the parking, and then
14 come back to you guys with a full package, and
15 then go through, you know, the public hearing
16 and all that stuff.

17 MR. HERBERT: I can talk with you
18 about that, about how it gets sequenced.
19 There's a couple of ways you can -- you have
20 some ability to do it different ways.

21 MR. AGOVINO: Okay. I misunderstood
22 because I thought you said -- no problem.

23 MR. HERBERT: I could talk you through
24 it with the Building Inspector.

25 ACTING CHAIRMAN NEMECEK: It would be

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2 premature to send it there now, I guess that's
3 the point.

4 MR. HERBERT: It depends on whether
5 the SEQRA review is coordinated or
6 uncoordinated. There's different ways to do
7 it. There's benefits and -- but issues with
8 either method. We can go through that with
9 you at the staff level, and then we can bring
10 it back to the board.

11 MR. AGOVINO: No problem.

12 ACTING CHAIRMAN NEMECEK: Okay. So I
13 think we're -- there's no public hearing yet,
14 so I think let's wrap up this presentation,
15 and thank you for it.

16 MR. AGOVINO: Thank you guys for your
17 time. I appreciate it.

18 ACTING CHAIRMAN NEMECEK: Happy
19 Halloween. All right. So I think that's all
20 we have. We've done everything else, so I
21 make a motion to close the town of Eastchester
22 Planning Board meeting of October 26, 2023.

23 MR. GIACOBBE: Second.

24 ACTING CHAIRMAN NEMECEK: All in
25 favor.

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2 (AYE)

3 MR. HERBERT: The next meeting will be
4 on December 7th.

5 ACTING CHAIRMAN NEMECEK: December
6 7th. Pearl Harbor Day.

7 MR. TUDISCO: There's no --

8 MR. HERBERT: Thanksgiving. So you
9 get bumped to the first week of December
10 instead of the last week of --

11 ACTING CHAIRMAN NEMECEK: Okay. So
12 Happy Thanksgiving, everyone, as well as Happy
13 Halloween.

14 MR. TUDISCO: Goodnight.

15 ACTING CHAIRMAN NEMECEK: Again, kudos
16 to Lukas for his Halloween/Thanksgiving colors
17 today, fall colors.

18 MR. HERBERT: It's the one time of
19 year I get to wear this.

20 ACTING CHAIRMAN NEMECEK: Goodnight,
21 everyone.

22 MR. GIACOBBE: Goodnight, all.
23 (MEETING ADJOURNED.)

24

25

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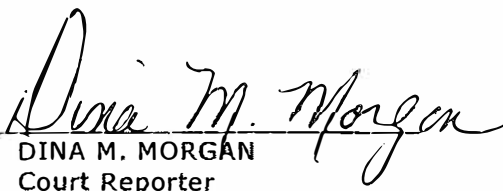
STATE OF NEW YORK)
) SS.
COUNTY OF WESTCHESTER)

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 2nd day of November, 2023.


DINA M. MORGAN
Court Reporter

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CORRECTION SHEET

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