EASTCHESTER ZBA - 4/13/21

we now will be meeting May and June, there will be no meeting for new matters in July. As part of the terms and conditions of applications, new applications are not decided the first night that they are heard. They are deliberated. So any new matter tonight will not be decided; the earliest would be May.

Actually, before I go to any roll, I do have a motion to approve the minutes from the March 9th, 2021 ZBA meeting; is there a second?

MR. CAHALIN: I'll second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(AYE)

THE CHAIRMAN: So we have one matter on for Resolution, we have an old business matter that has a public meeting that is open, and we have two new business matters. So just to let the public know and the applicants know, on the new business matters, procedurally what will happen is you will make your presentation, for the new matters, those matters have been marked submitted and your documents are all in order.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

welcome to the Eastchester Town Zoning Board of Appeals meeting for April, this is April 13th, 2021. What I usually do at this point in our meeting is go over some of the basic ground rules.

Firstly, tonight's meeting is virtual or remote, we're doing it via Zoom, it's not in person, so some of the ordinary and customary things that we do in a meeting like the Pledge and roll call are dispensed with for obvious reasons.

To let the public know, we are observing and being governed by Robert's Rules of Parliamentary order. What the public needs to know is that you can speak when you're recognized.

Also, if anyone is contemplating an application, as I mention at every meeting, our calendar year is printed usually about a year in advance, we meet once a month except for August, and the months of July and December are for Resolution only. So if you're contemplating something that is time sensitive,
EASTCHESTER ZBA - 4/13/21

THE CHAIRMAN: Mr. Nurzia. To the vote. Mr. Cahalin.

MR. CAHALIN: Yes.

THE CHAIRMAN: Mr. Miller.

MR. MILLER: Yes.

THE CHAIRMAN: Mr. Nurzia.

MR. NURZIA: Yes.

THE CHAIRMAN: Mr. DeMarco.

MR. DE MARCO: Yes.

THE CHAIRMAN: And I vote yes. The application is approved five to zero.

Next item under old business is Item 2, 23 Club Way. If the applicant would like to un-mute and perhaps give a brief synopsis of her presentation from the last meeting.

MS. UHLE: Hold on just one minute, I made a mistake here. I need to promote the right person.

THE CHAIRMAN: That will be the first time Mrs. Uhle has ever made a mistake.

MR. VILLANI: Good evening. Can everybody hear me?

MS. UHLE: Yes. We're all set now.

MR. VILLANI: Good evening, everyone.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

My name is Jonathan Villani, representing Annunziata Villani Design Consultants for the owners of 23 Club Way for a proposed two story addition to a one family dwelling.

I'm sure you're all familiar with the project. We presented at the last Zoning Board meeting. We're requesting a side yard setback of 8 feet as opposed to 12 and an increase in the rear yard setback. We discussed it in length the degrees of the variance and the mitigations that could be taken place to help reduce the impact.

Since then, we've presented drawings and submitted drawings that show a set of several Arborvitae, I believe eight or nine of them. I would like to share my screen because I'll just go through the drawings real quick.

This is the existing site plan where this side yard setback is 16.9 and 16.93 in the rear. The proposed site plan 15.83 rear yard setback and an 8 foot side setback with a planting bed and one, two, three giant Arborvitae planted along the property line to help to reduce the impact of the proposed addition to the neighbor.

At the last meeting, there was a discussion of reducing the addition by a foot, but after several discussions, we decided this house is not a large house, it's a very small house, and every inch counts. So we decided not to reduce the addition by a foot and present it in conjunction with the five principal points of impact on the neighborhood, adverse effect, characteristics. We looked at all the five principal points and decided that the proposed addition wasn't as impactful to the relative neighbors, as we discussed in our last meeting.

Let me just put up another drawing.

This is the proposed Arborvitaes along the proposed side elevation, as well as a photo in the rendering, as well as several examples of properties that have less than an 8 foot setback or an 8 foot setback that are immediately across the street. They are in a different zone, but they are in direct relationship to the subject property.

So we did do the mitigation that was

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

MR. VILLANI: That's why we took that into account. On my drawings it does indicated they will be purchased somewhere around 8 foot 6 at planting, and they would grow from there.

THE CHAIRMAN: Great. Thank you for that clarification. Let me open it up to the board for questions or comments. Mr. Cahalin?

MR. CAHALIN: Yes. I mean, the applicant, you know, did point out that -- they're trying to make the point that there are other 8 foot setbacks, but really he's talking about two different zones. We're talking the R75 versus the 5. For us, if this application is approved, we're setting, in my mind, a very slippery slope for people. We're setting a precedent that, why have zones. We have zones for a reason. We have setbacks for a reason. So if you try and slip in an 8 foot setback and say that it's the same for others in the area when other zones are different, that's not really a good argument in my mind. I understand it's a small house, and I understand they want to optimize, you know, everything, but I think, you know, a

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

33 percent variance is a substantial variance. I understand they have the right to do this and I just can't get behind it. I don't see, you know, asking for a foot doesn't all change that much in my mind. That's where I'm at with it. I'm just not there on this with this.

THE CHAIRMAN: Okay.

MR. VILLANI: Could I respond?

THE CHAIRMAN: Actually, I would ask that you hold for a moment.

Is there anything further; Mr. Cahalin?

MR. CAHALIN: No.

THE CHAIRMAN: Mr. Miller, any questions or comments?

MR. MILLER: None at this time.

THE CHAIRMAN: Mr. Nurzia, questions or comments?

MR. NURZIA: My comment is just echoing Mr. Cahalin's comments regarding the precedence. That was it.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: Nothing.

THE CHAIRMAN: I don't have anything

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

1. has some unique characteristics, including the fact that it's an undersized lot, which limits
2. the building envelope overall under any circumstances, including the fact, again, that
3. it's adjacent to only one other R75.
4. Again, Mr. Nurzia and Mr. Cahalin could disagree with that and the neighbors at 17 Club Way could disagree with that, but with regard to the concern for precedent, I think you're not setting a precedent if your findings discuss why, under these circumstances, the variance is appropriate.

MR. CAHALIN: And, Margaret, I --

THE CHAIRMAN: Hold on a minute before we go back and forth. Thank you, Mrs. Uhle.

Mr. Cahalin, do you have anything further?

MR. CAHALIN: I understand what Mrs. Uhle is saying, and I don't like to disagree with her, but on this case I feel very strongly.

The problem we're having all over town is, everybody thinks, well, it's not this and it's not that, but we keep seeing more and more of these applications. So at some point when

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1. are we responsible? We suggested that we take a foot to make it a 25 percent variance. We've had other applications and other applicants have come in and done much more, and that's their choice. It's their property, they could do what they want, but they're here now.

Unfortunately, I can't agree with Mrs. Uhle on this. I think that the precedent is important. I think just because it's an odd sized lot, it doesn't matter. They're getting a 36 percent variance in the back because they are at the end of the street on a golf course and the back lot doesn't have much to do with the neighbor, thank God, just because of the way it lines up, but again, it's a substantial variance. 36 percent is a substantial variance. I'm sorry, but I can't agree with Mrs. Uhle tonight on this.

MRS. UHLE: Well -- Alan, I just want to say one --

THE CHAIRMAN: Mrs. Uhle, hold on one second.

MRS. ULE: Okay.

THE CHAIRPERSON: One second. Mr.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

2. Cahalin, you're a voting member of the board and your opinion is on the record. You don't have to either defend your opinion, and Mrs. Uhle was just making commentary about the application. Again, I'm going to reserve my comments until after the public, other than I -- and again, reasonable minds differ, that's what makes up the board -- I see that this is absolutely well within the character of the neighborhood. I don't see it outside the character at all. As a matter of fact, I don't think anyone would even know a variance was granted once it's constructed. So --

MR. CAHALIN: I --

THE CHAIRMAN: I'll recognize you in a moment. I'm making a comment. My comment is, you don't need to defend your rational and your reasoning, but it's also not -- no one is going to win this argument, it's just there are five voting members here. So I don't want it to become and evolve into a cage match between board member. You stated your opinion, your opinion is very reasonable, there's a rationale behind it, and that is it.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

2. Mrs. Uhle, did you want to make a comment?

MS. UHLE: Yes, I'm going to make two quick comments. You sort of said what I was planning to say. My intent was not to agree or disagree with any board members, my intent was to say I think that board members, if they felt comfortable, could feel comfortable making a finding where they did not feel like they were setting a precedent. It was not intended to be a disagreement with any board member, it was just pointing that out.

I think when you do finish polling the board members, I can see that the applicant herself is very anxious to participate as well.

THE CHAIRMAN: Yes. I think that would be fantastic. Because the public hearing is still open on this, I would like to see if anyone from the public wants be heard because I think it would give the applicant an ability to reply to everything on a wholistic basis rather than have to go back and forth, unless the applicant wants to speak now.

MS. MASTANDREA: I can wait.

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

THE CHAIRMAN: Having heard that, the public hearing has been left open on this, so, Mr. Tudisco, can you check to see if anyone from the public would like to be heard on this application?

MR. TUDISCO: I’m looking now, Mr. Chairman. Is there any member of the public that wishes to address the board on this application? Please use your raise your hand feature and I will invite you to un-mute yourself. There is a hand raised from Mr. Schultz. Mr. Schultz, if you want to un-mute yourself, please address the board and identify yourself by your name and address for the record.


First, I want to thank everyone for our letters that you’ve read and taken into account our considerations.

Just a few comments that I wanted to make in terms of the uniqueness. The one thing that I just want to bring up, and again, DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

talking about, you know, communicating and talking about ideas, if you go back to the letter that we put in on March 8th and setting a precedent, if you go back and look at 1 Club Way, 5 Club Way, 9 Club Way and 17 Club Way, all of those properties that are in this district, okay, all have what I believe you would call -- I’m not an expert, but I’ve learned a lot from this process -- they all have what I would call conforming setbacks, and that was addressed in our original letter back on March 8th. So about precedent, I think one of the things that I would bring up as a topic for discussion or for consideration, would be, you know, wouldn’t that open up like -- having this happen at 23, wouldn’t this obviously then open that up for 1,5, 9, 17, and even myself to ask for the same type of variance that’s being discussed here for 23. Then if it happens for those houses on Club Way, does it not creep up the block to Park Drive either way. That’s just one of the things I wanted to bring up.

Just, you know, to keep it brief because I know you guys have a lot on your DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

plate, the other thing that I just want to make sure you guys understand is that, you know, we stand behind our original letter that we sent out on March 8th, and we stand behind the letter that we sent out and gave to Margaret on Monday, which was dated April 12th. Again, the whole idea of not discussing, you know, feasible alternatives, the whole idea of the variance being substantial, and the creation, obviously, of like this zoning issue being self-created. So I just wanted to share that with you guys. I know that you guys are in the midst of making a decision. I wanted to thank you for your time and your consideration.

THE CHAIRMAN: Thank you, Mr. Schultz.

MR. SCHULTZ: You’re welcome.

THE CHAIRMAN: Mr. Tudisco, is there anyone else who would like to be heard on this application?

MR. TUDISCO: One moment. Is there anyone else from the public that would like to address the board on this application?

Mr. Chairman, I do not see any hands raised at this time. Therefore, it does not DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

us. We have looked into the options of moving,
and a four bedroom house in Eastchester, as I
said in the last meeting, is a million dollars,
now it's a million two. It just keeps going
up. It's not an option for us to move.

All we're trying to do improve our
living space. I now work from home full-time.
We have one shower in our entire house. If we
lose the foot, it really hurts us in trying to
make the powder room downstairs a full
bathroom. I'm just trying to explain, we're
not trying to disadvantage anyone, I'm not
blocking anybody's view. We're making a 1600
square foot house -- we're trying to make it
maybe 2,000 square feet. I don't think we're
asking for a lot.

It's not going to disrupt anybody.
We'll put the Arborvitae up. We really just
want to do the best that we can with the
property that we have. All the houses across
the street from us directly across are an 8
foot setback. It's just for the needs of our
family, and this is the most affordable way
that we can expand right now instead of moving.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

In order for us to change all the plans right
now to reduce 1 foot is just going to give us
more cost architecturally. We spoke to a few
contractors, it's really not going to make a
difference on the price. We would be paying
the same price and not be able to expand the
bathroom. It just might not be worth it for us
in the end, even though we would get another
small bedroom. We just want to make our girls
be able to have their own space, and for us,
you know, to be able to live a little more bit
more comfortably in maybe a 2,000-square foot
house.

I really appreciate everybody's time
on this. It's been a lot on my family back and
forth with the architect and the meetings, and
I really appreciate the time that you're
putting into this and hope that you will let us
do this. Thank you.

THE CHAIRMAN: Thank you for your
presentation and for supplementing it as well.
Okay. So let me go back to the board
one more time for any comments or questions.
I'll start on the other side. Mr. DeMarco?

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

a minor expansion.
If I can share my screen, I would like to do so. I have an overlay survey.

THE CHAIRMAN: Please.

MR. BERINO: Are you able to see?

MS. UHLE: Not yet, no.

THE CHAIRMAN: Not yet. Okay, there you go.

MR. BERINO: I'll zoom in for you.
The deck is in the rear yard right up against the golf course. What we're proposing to do -- I'll zoom in a little bit more -- the existing deck is in this outline here and with this little bump out on the side. So we're going to take out the existing stair, and we're going to take out the side portion that bumps in the right hand side. A portion of that is actually encroaching into the set back. So what we're planning to do is -- the hatched areas here where this little bay bump out is -- we want to fill that in. So what we're asking for is a 10 foot setback in the rear yard.

Let me go to the drawings. So we're going to take the existing stair that

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21
encroaches actually even further into the setback and put it on the left-hand side here so it comes down into the patio. We're not going any closer to the rear yard than the existing deck is.

I'm going to show you some pictures. So we have some mature evergreens along the right-hand side of the home and the rear and a fence to the left-hand side.

Let me just share again here. Can you see this picture? Do you have a good view?

THE CHAIRMAN: Yes.

MR. BERINO: There's some existing screening here, so we wouldn't need to plant any, and this shows the existing deck. So where this bay bump out is, is where we want to square out the deck.

We have owner support on 64 Vernon Drive to left, and then to the right. We have two notarized letters in favor of the deck. We feel that the deck is similar to the existing. It won't have any adverse effects on the neighborhood. In fact, the deck has been there for many years. We're going to change the

DINA M. MORGAN, REPORTER
any members of the public wish to address the board on this application.

THE CHAIRMAN: Okay. I make a motion to close the public hearing on this matter; is there a second?

MR. CAHALIN: I'll second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(AYE)

THE CHAIRMAN: Back to the board. We'll go in the other direction. Mr. DeMarco, anything?

MR. DE MARCO: Nothing.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No, sir.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Cahalin?

MR. CAHALIN: No.

THE CHAIRMAN: My only comment is, that the request is, in my estimation, di minimus, and you've certainly answered the five part test to my satisfaction.

I make a motion to adjourn this

DINA M. MORGAN, REPORTER

resolution at the next meet; is there a second?

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(AYE)

THE CHAIRMAN: Thank you for your application.

MR. BERINO: Thank you so much for your time.

THE CHAIRMAN: Final item on the calendar is 189 - 191 Brook Street, Kidz Korner.

If the applicant could come forward, state your name and address for the record, and if you could synopsitize your presentation, please.

DR. RENTZ: I'm sorry, I didn't know what happened, it just disappeared.

MS. UHLE: I think that is everyone on your team now, Ivy.

DR. RENTZ: Good evening. Thank you all for having us here this evening. My name is Dr. Ivy Rentz. I am the owner of Kidz Korner. We are currently operating at 777

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

out. So we're looking somewhere between 50 to
54 once the state comes in and does their final
measurements.

So I'm coming before the Zoning Board
seeking, first, a special permit to operate a
child daycare center at this location.

Secondly, because we are seeking variances.

Amongst the variances, there are five.

One, is to permit a lot of
5,000 square feet where we have a minimum of
15,000 square feet required, and then a rear
setback of 13 feet whereas we're required a
minimum of 30. The first, left side yard
setback of 5 feet where we're required 10, and
then a second right side setback of 5 feet
where we're required 10 again. Then lastly,
the parking. We're required to a minimum of 20
parking spaces based on the Eastchester code.

Currently, we're proposing 3 on the site.

Right now, if you look at the site --
I'm going to bring this back to the picture --
what we're proposing would provide, especially
on that left side if I'm looking directly at
the site, it's within 3 feet of the adjacent
DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

structure, there's no way to get in between to
landscape, we're proposing to move the building
back so that we are also not interfering with
the light and the air of the adjacent building,
clean up that vacant lot that's just been
sitting there as an eyesore, and also provide a
building that is aesthetically pleasing, I
think, to the community. It looks more like
the residential properties that move alongside
Brook Street as you west.

Additionally, Eastchester requires,
with the parking, that we have 13, one for each
staff person, and 1 per 500 square feet of
gross floor area, which would require us to
have approximately 7 spaces, so the total would
be 20. Right now, more than half the staff
either takes the bus or they're dropped off to
the facility. So now we would only require 6
parking spaces. We are proposing that 2 of
them be on the site in the parking lot in the
front, and we've obtained two permit parking
spaces adjacent to the CVS parking lots. We
are proposing that 2 additional permitted
parking spaces be allowed in the parking lot
DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

directly across the street from CVS.

In addition to that parking
requirement, Eastchester also requires that we
have a designated drop off and pick up area.

Let me get down to where that picture is.
Sorry, it's moving a little slow. I'm going to
blow it up a little bit. So what we're
proposing -- right now our parents arrive
between 7 and 10 a.m. in the morning. We
currently have 54 children. We are licensed to
have 74 children at the current facility.

Actually, we'll be reducing the number of
children once we move to the proposed site.

What we're proposing is, on this east side of
the proposed project, that we would have the
limited parking time or even the space -- this
space number 3, space number 2, and space
number 1 would be the driveway for the proposed
site where we would cone it off in the mornings
and in the afternoons to allow parents
traveling east to just pull into this space and
get out of their car, park and go into the
facility. We've kind of changed our drop off
procedures because of Covid, so parents are not
DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

allowed into the building unless they make an
appointment. That's just for safety reasons
and to control contact with people outside of
the facility. Typically, we have 2, 3 parents
drop off every 10 minutes. If you look at --
Carlito will get more into this as we get
further in, but I'm just going to give you an
idea. Typically, we have about 8 to 9 families
that have more than 1 child at the center. So
the yellow highlighted areas are drop off that
contain 2 children from 1 family. So if you
look at like 7 o'clock in the morning, from 7
to 10 we have 3 children being dropped off but
only 2 families doing the drop off. So that
we'll have enough parking spaces. Same thing
if we go down to 7:20 where you see 4
highlighted spaces, that means there are 2
families dropping off 4 children. So we'll
still have an available parking space at that
time. As you could see where this dash is, is
where we don't have parents dropping off
typically in that spot. So typically we have 2
to 3 parents every 10 minutes. It's the same
with the pick up schedule, it's very similar to
DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

the morning. If parents are dropping off at
different times, it's because of like a
doctor's appointment or whatever, and they tell
us in advance either via phone or they tell us
through our App. We have an App that parents
can put in vacation time or any notes for us
that pop up first thing in the morning when we
open, so each classroom teacher sees what's
going on with the kids before their arrival.
We also don't get a lot of parents traveling
from that west end. I'm trying to pull it up.
This would be coming from the west coming up
Brook Street. We don't get a lot of parents
from that location. Currently, we have two
parents traveling from that direction, and
we're proposing that those parents would make
left on Dunwoody and come up Summerfield
Street, and then come around onto White Plains
Road, and then make that right turn right into
the proposed parking in front of the site.
That's historically been our case. Most of our
parents come from the Eastchester side of
Eastchester and the east of Scarsdale,
Tuckahoe, White Plains, north end of the New
DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

Rochelle, and that's consistent throughout the
10 years we've been there. I think it's
primarily because when you go towards the west,
there are two other daycare centers that would
kind of cover some of that population, so we
don't really get a lot of those kids from that
direction.

The other thing is, we are one of two
programs in the area that take infants. So
most of our parents come in at younger ages and
they stay until the children are older. So on
average, we have a parent from three to five
years, depending on how young the child is when
they come in.

I will pass this over to Theresa, who
is our architect. Let me move the slides back
up so she can continue. Let me just move it to
the beginning, Theresa. I'm not sure where
you're going to start. It's big file, I'm
sorry, it takes awhile. All right, Theresa, if
you want to start with our project description.
Theresa, are you there? Hold on, I can't see
everybody because I'm sharing. Theresa?
You're on mute, Theresa.
DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

exception for, among other things, institution
type, which is what a day care is. So
you come into a foyer, we have simple hall, two
rooms in the back, one in the front, two
handicapped toilets on the ground floor.

When we go upstairs, we have the pre-K
rooms and the office for the adults where there
will also probably be a lounge and equipment,
and the kids's closet and the children's bathroom.
The pre-K kids are the only one's that will
actually use the bathroom. The babies and
toddlers are obviously are either getting
changed or using potties, so we don't need a
bathroom for them downstairs.

That's really pretty much it for the
plan. It's very simple. We made it as small
as we could and still, you know, have enough
kids to make it worthwhile to build. It's kind
of a funny situation where the lots are really
too small for one, but that's about it in terms
of that.

I'm just looking to see if there was
anything else about the special permits. As
Ivy said, there's a playground in the back.

DINA M. MORGAN, REPORTER

---

EASTCHESTER ZBA - 4/13/21

The rule about the playground is that it has to
be as big as your biggest classroom. So that's
what we provided, which determined how big we
could make the parking lot. Also, you know, we
were trying to provide a balance between
providing as much parking as possible, but also
providing as many setbacks as possible.

I think Ivy has addressed the other
10 things. All the details of the state
inspections and things, they will walk through,
and as Ivy sort of intimated, they have a
tendency to look at the furniture and how the
kids actually walk and say, you say, you say we
have 11 kids here, but we're only going to let
you have 9. She's anticipating that, but we
never know for sure what the actual number is
going to be until the fire marshal from the
state comes through. It isn't really done
by -- the rules are not clear in terms of how
he measures.

DR. RENTZ: He really takes into
account safety considerations in terms of
exiting the building. When there's a question,
he airs on the side of caution, which is less

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

1 temporary pick up and drop off during those
time periods during the day having an impact
upon residents or other commercial properties
in the area. Most of the commercial properties
6 are already served by off-street parking and
7 they really peak more in the evening or weekend
8 hours when the day center isn't in operation.
9 So I think this plan as presented with the pick
10 up and drop off is one that should work safely
11 and efficiently, and allow for an operation for
12 a day care center to exist at this location.
13 THE CHAIRMAN: Thank you. Is there
14 anything further from the applicant?
15 DR. RENTZ: No.
16 THE CHAIRMAN: Okay. So thank you for
17 your presentation. As I always mention on
18 every new application, the documents have all
19 been marked submitted and they are part of the
20 public record and have been reviewed by the
21 board.
22 At this time, I'm going to open it to
23 the board for comments or questions. Mr.
24 Cahalin?
25 MR. CAHALIN: None.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1 town, they don't need your services anymore, if
2 I called up and said, listen, I need day care
3 services, am I only -- is the only available
4 slot the one that is no longer using you? How
5 does that work?
6 DR. RENTZ: This is what is currently
7 happening, right, which is very consistent to
8 what we're proposing. It's not much different.
9 If you look at the actual grid -- if I can go
10 back to that, hold on. If you go back to the
11 grid -- hold on let me get where the grid is.
12 I'm sorry. If you look at the grid, there are
13 dashes there where you see that there is nobody
14 in those slots. So that means that no one
15 is -- all of these are available for drop off
16 and there's a lot. It's starting from 7:50 in
17 the morning all the way to 10:00 where you have
18 extra slots.
19 MR. NURZIA: If, let's say, I call up
20 or any potential client and they say, the only
21 available time I could drop off my kid or kids
22 is at 8:30 --
23 DR. RENTZ: It's still the same thing
24 as if a parent calls and says, I need Monday,
25 as a parent calls and says, I need Monday,

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1 Wednesday, Friday, and we don't have Monday,
2 Wednesday, Friday available because we have
3 parents that bring kids two days a week, three
4 days a week, four days a week, it's what we
5 have available. It is what it is.
6 MR. NURZIA: So conceivably if you're
7 overbooked you have certain time slots and
8 there's no availability --
9 DR. RENTZ: We can't overbook because
10 we can't have kids out of ratio. There's
11 another component to this where our staff has
12 to be there at a certain time, we have to have
13 a certain number, we could never be out of
14 ration. I can't overbook a parent and say, oh
15 well, you need Wednesday, I can just add an
16 extra kid. It doesn't work like that. We're
17 going to get shut down.
18 MR. NURZIA: The follow-up question
19 is, obviously you have this tight schedule with
20 these 10 minute blocks, but what happens is if,
21 you know, you're backlogged or parents are
22 showing up earlier or what? How do you enforce
23 that, to make sure they're going to show up on
24 time and leave on time?

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

DR. RENTZ: What you're looking at right now is what's actually happening right now. We typically don't have this conversion of parents. Our parents are very considerate, especially during Covid. They have been very compliant with calling, giving us a five minute lead time to let us know to have the kid ready. We bring the kid to the door, we take their temperature when they exit and when they come in so we know that we gave back a healthy child. It is very streamlined. It's a little bit different than we used to do when parents came in the building and picked their own kid up, and that could take a lot more time. This is very streamlined. The kid is at the door, someone is stationed at the door at all times during these pick up and drop off times.

MR. NURZIA: Okay. But my concern is, if you have somebody, for whatever reason, they're either 15 or 20 minutes early, 15 or 20 minutes late, so you have multiple families dropping off within a certain time frame, what do you do for that person who is consistently late or early? I'm sure you're eventually --

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

DR. RENTZ: We do have a late policy that we charge a hundred dollars. I have, in 10 years, never collected a late fee. I'm telling you, I don't. Parents are very, very -- I mean, they're very consistent, a lot of my parents. I made it a hundred dollars because I don't want a late fee. I want parents to either pick up their child or one of those three people that are on that emergency list to come and get the child at the scheduled time. They have to provide us with three people. Have we had emergencies? Yes. There was a huge emergency a couple of years ago in October when we were all stranded in the day care. Parents couldn't get to us and we couldn't leave because of the way everything worked with the storm. We were just stuck there. I mean, we all stayed there. I was there until 11:00 at night until the last kid left. I mean, that's kind of what happened. That's an extreme case. Typically, our parents are very respectful because our employees have to catch that last bus, and they need to get to the bus stop by 6:40, otherwise it's going to

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

MR. TUDISCO: Yes. There's a Ms. Patricia Gabriele. I'm going to invite you to un-mute yourself. Just please identify yourself for the board by name and address.

Ms. Gabriele: Hi. Pat Gabriele, 5 Ray Place. Actually, Mr. Pilla kind of made the comment before. I just want to be clear, you're saying that two of the parking spots on Brook Street will now be dedicated to your school three hours in the morning and three hours in the afternoon; is that correct?

The Chairman: If you would like to answer that, you may.

Dr. Rentz: Okay. I wasn't sure if I could answer that.

The Chairman: I appreciate that. I like to avoid the crosstalk, but I would like that clarification as well if you don't mind.

Dr. Rentz: So the two parking spaces directly in front of the proposed site, I'm asking for those limited 15 minute minimum parking between those times to allow parents to safely drop off. They are directly in front of our site.

Dina M. Morgan, Reporter

EASTCHESTER ZBA - 4/13/21

Ms. Gabriele: Because I think that's quite -- three hours in the morning and three hours in the afternoon is taking parking from area businesses and area residents. There's not that much parking for people who come to visit people who live here. I think that's unfair that one business has dedicated parking six hours of the day. So Alan kind of talked about that a little bit, that you can't compare where you are now.

The other thing is -- I lost my train of thought.

The Chairman: Don't be nervous. Speak freely.

Ms. Gabriele: You can't say -- what happens if a parent hits traffic? So what happens if a parent is late? Even though they're very dedicated and they try to get there on time, for something out of their control, what happens if they're late? Your whole schedule gets thrown off. There's not a lot of areas where people could wait. I mentioned this in the last meeting, I guess it was the Planning Board meeting, where I've

Dina M. Morgan, Reporter
never run into an issue where there's crowding
at the door or anything like that. I'm often
the only person picking up or dropping off at a
given moment. When I'm leaving or coming, I
don't really see anybody else coming or going,
and I pick up and drop off at pretty typical
times. I'm there between usually 8:30 and 9 in
the morning to drop off, and then pick up is
usually between 3:30 and 4. I don't think
those are unusual times or anything like that.
Again, I'm rarely anything more than the only
person there picking up and dropping off. So
that's all I have to say.

THE CHAIRMAN: Thank you for your
input, Mr. Hanna.
MR. HANNA: You're welcome.
THE CHAIRMAN: Mr. Tudisco.
MR. TUDISCO: Yes, there is another.
Mr. Dalio, I'm going to invite you to
un-mute yourself and address the board. Please
identify yourself fully by name and address.
MR. DALIO: Yes, good evening.
Thank you, board members. My name is Anthony
Daloisio. I live at 53 Oakland Avenue. I've
DINA M. MORGAN, REPORTER

been a resident of Eastchester all my life, the
last 35 years.
My kids have been part of Kidz Korner.
My oldest daughter started in April of 2016 and
finished August of 2020. She's now a in
kindergarten at the Waverly School District.
My son started Kidz Korner in January of 2019
and is currently still enrolled in Kidz Korner.
So at a given point, I had two kids at Kidz
Korner. I typically was responsible for
dropping off both kids and picking them up
around typical morning hours, usually between 7
and 8 in the morning, and then picking up
between 5 and 5:30 in the evening. Most of the
time, I was the only parent, maybe another
family at most, but there has never been an
issue with pick up.
I know there is concern about the
current location -- the proposed location and
the parking, but Ivy and her team have been
very organized. I've been, you know, with Kidz
Korner for years now, and I would never
consider, you know, leaving Kidz Korner for how
organized they are.

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

to be dropped off across the street on Brook Street and have to cross the street, you know, sometimes there's cars racing where they come through the light from 22, and, you know, they're going to the Bronx River Parkway because Brook Street and Harney Road is the main thoroughfare that goes to the Bronx River Parkway and Route 22. So if they're coming up the other way from going west/east going Route 22, there are issues where cars are speeding to get to the light, sometimes trying to beat the light. So, you know, when you have little kids trying to cross the street and there's a lot of activity, it could be a little dangerous for them.

So I just think where this location -- this is a great idea, I just think this location here is too close to the light at 22, and being sometimes this road is very busy, also with the new traffic from DeCicco's as well, you know, there's more cars coming in this area.

So that's really about it. Thank you, Margaret. Thank you, members of the board.

DINA M. MORGAN, REPORTER

---

EASTCHESTER ZBA - 4/13/21

having a situation. Well, I think he mentioned he drops off the child at 8:30 to 9:00. Well, what's the traffic really like at 8:30 and 9:00, what's it look like at 7 in the morning, somewhere in that vicinity? A little different. How about picking up 3:30 to possibly 5:00? 5:00 you're going to see a lot of traffic, but 3:30, what do you think? Kids are going to be out of school, so maybe not so much. So it's not really the person -- if you want to make an evaluation of what the traffic is really going to be like, this is not the ideal person.

It's a great business, service to the community, poor location. You're going to have people -- we all have children, we're all parents, and we know no that although in your heart you know you have to be someplace, but sometimes things happen with kids, you can't get out when you think you're going to get out, you know. You could see all the formulas presented to us tonight, but the reality of life is, what are you going to do if it's not?

You're going to say, okay, you can't operate

DINA M. MORGAN, REPORTER
your business anymore? I don't think so.
This is a bad location for this type
of business, and I hope that all you board
members realize the difference between the
current location on 777 and here on Brook
Street. Which one is the better one and why
would you want to approve something with so
many variances on it? Thank you again.

THE CHAIRMAN: Thank you Mr. Galanek.
Mr. Tudisco, anybody else?

MR. TUDISCO: One moment.

THE CHAIRMAN: Well, Mr. Tudisco, what
I'm going to do --

MR. TUDISCO: It looks like -- are
there any other members of the public that wish
to address the board on this application?

THE CHAIRMAN: Mr. Tudisco, I'm not
going to close the public hearing at this
moment any way, but I think what I would like
to do is take an opportunity to have our
traffic expert, Mr. Grealy speak on the
application. The public hearing will be open,
so if anyone else wants to comment -- I wanted
to get all the comments in before Mr. Grealy

DINA M. MORGAN, REPORTER

spoke, but, Mr. Grealy, would you like to
present on this, please?

MR. GREALY: Yes, Mr. Chairman.
Philip Grealy, Colliers Engineering and Design.
Just a little background history. Mr. Carlito
didn't get into some of it. The applicant had
prepared a traffic study last September,
September 2020. We had commented on that in a
memo in October 2020, had about a dozen
comments. They ranged from additional
information on accidents; from the time that
they did their study DeCicco's had opened, so
we asked for some updated information on
DeCicco's traffic relative to Ray Place; asked
for some input from Westchester County because
Brook Street is a county road; talked about our
concerns about the potential for people to have
to cross Brook Street if they were coming from
the west, and asked the applicant to come up
with a plan so that that would not occur, they
would have a designated plan for drop off.
Some other information relative to traffic on
Brook Street and White Plains Road; additional
information on parking; and some further

DINA M. MORGAN, REPORTER

clarifications on how they expected this pick
up drop off area to work. So we had outlined
all those comments. Also, you know, how
vehicles would get in and out of the driveway.
This driveway, as the chairman pointed out, is
directly across from Ray Place. We wanted to
see turning tracks of how you could get in and
out of the parking spaces. The driveway is
only a 16 foot wide driveway, so we wanted to
see how vehicles could enter and exit. Again,
there's only three parking spaces there. Then
also, some additional information on how their
current pick up and drop offs occur by time of
day. The applicant's engineer had done
projections of trip generation, etcetera, based
on standards, and then it, you know, was
supported by the data of the current operation.

So that was just a little bit of the
background of what we asked to be looked at and
to be analyzed; to analyze the traffic
movements at Ray Place and Brook Street.
Because their study was done during the
pandemic, they had used reference to previous
data that had been collected pre-pandemic both

DINA M. MORGAN, REPORTER

for the 5 Ray Place project and other projects
in the area. So we felt that they had a good
background data base, with the exception of the
fact that they were working with projections
for DeCicco's, but they subsequently did do new
counts to get the turning movements coming in
and out of Ray Place with DeCicco's operating.
What those counts showed, that the volumes were
slightly higher than the previous projections.
The traffic on Brook Street, because we're
still in the pandemic, was down lower in the
peak hours, but they were able to adjust that
based on the historical data.

So their report that Mr. Carlito
summarized tonight was presented in a report
March 30th, and that responded to each of our
12 comments. They have addressed each of those
comments. However, I would like to give kind
of the summary points.

Number 1 and 2 both relate to parking.
So relative to their staff parking, they had
identified in their report that they need
parking for six staff members. They have two
on site. They made arrangements with the town

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

1 to have two permit parking spaces. So that
covers four. So they still have two employees
that need to park, that don't have a place to
park at the current time. They are going to
request from the Town Board to free up some of
the other spaces in the lot just to the south
of CVS that are underutilized, to request that
they be made into permit spaces, and then they
would secure those permit spaces. So that's
dependent on the Town Board's decision. Their
study shows that they would have at least a
shortfall of two spaces for their employees.

In terms of the drop off procedures,
the plan that Mr. Carlito Holt showed, it
indicates that anybody coming from the west
would be directed to turn on to either
Summerfield or Dunwoodie, and then up
Summerfield, so that they would be on the
correct side of Brook Street to drop off the
students and not have to cross Brook Street.
That was one of our major concerns, but there
is an option, and they defined how they would
instruct parents. But again, that requires
those spaces in front of the building to be

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1 open, and, you know, the volumes were slightly
higher, but they did analyze that. Their
driveway would basically be the fourth leg of
that intersection. They analyzed it according
to procedures. It shows that it would
function. But again, the key here is the pick
up, drop off. I think the public has raised
those questions. They're dependent on the Town
Board action for that to be put in place.

Other than that, we had some other
comments in our April 9th summary. As I said,
the applicant's engineer addressed each of the
items. We would still like some more input
from Westchester County. This is a county
road. They would need a permit for the
driveway. We had some concerns on site
distances, which they addressed, but we want to
make sure that the county is on board with it,
and that may even require a removal of a
parking space on Brook Street.

So those are our quick comments.
They're outlined in our memo. There is a
little bit more history of the studies that the
applicant had undertaken. They've worked very

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1 available. Those spaces are metered spaces. I
believe they're two hour spaces, if my memory
is correct. So their proposal is to modify
those spaces, the two metered spaces, plus the
space in front of their driveway to during
those three hours in the morning, three hours
in the afternoon to be a limited duration space
so that people are not parking there for two
hours and they're not available. So again,
that requires a Town Board action to make that
change. Our concern is that, number 1, if the
Town Board isn't agreeable to that, there is
not an adequate space to drop off and pick up
the students. Even with a limited duration,
that doesn't guarantee that those spaces are
always available. In general, in the morning
hours, there's more availability of spaces
further to the west, so that may not be as much
of a concern, but in the afternoon when the
commercial uses and other uses there are
busier, if those spaces aren't available, we're
concerned with that pick up, drop off.

As I said, they did analyze the
traffic coming from Ray Place with DeCicco's

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

1 hard to be responsive to our original comments,
but, you know, there are still some concerns
because of the fact that those spaces are not
earmarked only for this use. Even if it's
limited duration in the afternoon, you could
have somebody stop there and go into the
pharmacy or one of the other businesses, and,
you know, we would be fighting for spaces. So
that was our real big concern there.

THE CHAIRMAN: Thank you, Mr. Grealy.

So I think at this time, because a lot of
material has come from Mr. Grealy and the
public, if the applicant would like to reply,
and Mr. Holt as well, to what seems to be the
major focus of the application, the parking.

MR. HOLT: Sure. Just one point of
clarification. I wasn't saying that the actual
vehicular traffic parents are similar to where
the day care is located today. My point being,
that the staff members and the enrollment is
existing. We know what the enrollment is going
to be, what staff members need parking, and
that's what I was saying is similar. I
recognize it's not apples to apples with the

DINA M. MORGAN, REPORTER
EASTCHESTER ZBA - 4/13/21

vehicular traffic pattern. I wanted to clarify that.

We acknowledge that what we're proposing is going to require Town Board approval, you know, for allowance of two metered parking spaces in the lot. Actually, we were proposing in the lot across from CVS there is metered parking, we would propose two spaces there to be permit parking from 8 a.m. to 5 p.m., and then it could go back to metered parking at all other times. We think that the Town Board would look favorably upon this because it could be a revenue generator for the town where you get two spaces now that are generating revenue from the permits when they would have otherwise been underutilized. We fully acknowledge that that requires Town Board approval.

With respect to conversion of the on-street parking spaces in front of the site, and that Town Board approval and acknowledging Mr. Grealy's comments that there could still be cars parked there during a pick up or drop off time, based upon our observations of the area.

DINA M. MORGAN, REPORTER

EASTCHESTER ZBA - 4/13/21

I think what we've presented and having worked with the town's traffic consultant, we came up with the most safe and efficient pick up and drop off operation we could within the constraints of the site, and acknowledging that it's also relying on the Town Board approval of these conversions of current metered parking.

THE CHAIRMAN: Thank you.

MR. HOLT: I just would add, one of the other questions that kept coming up is, what happens if someone is stuck in traffic. We acknowledge, you know, ideally parent A, B and C are going to arrive in this 10 minute period, etcetera, but if you look at that chart, half of the times there's less than three pick up or drop offs. There's flexibility there if someone was arriving or departing a little later or earlier, it would still fold into the three vehicle parameter.

THE CHAIRMAN: Thank you, Mr. Holt.

DR. RENTZ: I would also like to address a couple of the questions that were posed.

THE CHAIRMAN: Please do.

DR. RENTZ: I know Margaret is aware I've come down quite a few times because we had our own challenges in the shopping center that we've been there 10 years. If you come into the shopping mall, you will see that they had put a sign one way because parents -- not parents -- people in the shopping mall go the wrong direction all the time. Instead of coming around, they're going in and going around, which we can't control that because I don't know who these people are. They're not my parents.

One of the public speakers talked about people pulling up in front of the day care and, you know, dropping off stuff. That's another problem. We can't control the other businesses. People pull up to go to the physical therapy, people pull up to go get their Chinese food. I mean, there's not much we can control regarding that.

Right now in that parking lot if you come any time during the day, you will see it's

DINA M. MORGAN, REPORTER
very busy after 9:00 in the morning. In the
morning early it's not that much, but as we get
closer to 9:00, it gets very busy in there.
Our parents don't have a designated place to
park. Sometimes they have to park well on the
other side where there's a small parking lot,
park there, get out, walk through the parking
lot and come into the center. There's
challenges within that parking lot because it's
so huge. The landlord has also put cameras
because we suspect that people are parking
there that are not using some of the
businesses.

We try to be really on top of all of
that, but it presents a whole another challenge
in trying to control traffic in a parking lot
that I don't particularly own or manage. It's
not without its own challenges. It's not as
simple. It would be nice if we had parking
spots right in the front. Unfortunately,
because of the physical therapy place, those
parking spots are designated for people who are
handicapped so they could get into the physical
therapy. So, I mean, they need to get into the

DINA M. MORGAN, REPORTER

I want to also address that parents
walk their kids. They're not kind of letting
them run through the street. I think most
parents have good judgment, that they would not
be crossing in the middle of traffic. These
are small children, these are not school-age
children. These are not children that can walk
by themselves. Most of them are babies and
they're being carried in car seats and
strollers. We also have parents that walk
through the community to our facility.

There's a lot of different variables
that present challenges, even in the location
that we're in now.

THE CHAIRMAN: Thank you. Would you
like to add anything else in the your
application? Supplement?

DR. RENTZ: I don't know if Greg has
anything to say, but I'm done.

THE CHAIRMAN: Counselor, do you have
anything?

MR. VARIAN: This is maybe one
occasion where the attorney isn't going to

DINA M. MORGAN, REPORTER
81

EASTCHESTER ZBA - 4/13/21
1 harping on the question of what time the
2 parents drop off. You had two clients who
3 spoke glowingly of your services, but when they
4 were talking, they all mentioned that they
5 showed up between like 8 and 9 and not a 10
6 minute block. So at your current location, do
7 you have that grid they follow or not?
8
9 DR. RENTZ: So the current location,
10 we put the times that the parent are arriving
11 based on a couple of months of data when
12 they're coming in, and that was kind of the
13 grid we came up with. We never really looked
14 at actually how they were arriving, we just
15 know there are never a lot of parents, more
16 than two or three parents outside the door,
17 especially since the pandemic started.
18 Carlito, I gave him all the data not just from
19 this center but I also have centers in
20 Mamaroneck in a residential area, I gave him
21 the data for that too, it facilitates that drop
22 off and pick up schedule. So part of what
23 we're saying is, that we will now have to
24 require that to try to ensure that we don't
25 have all of this overlap if there is potential

DINA M. MORGAN, REPORTER

82

EASTCHESTER ZBA - 4/13/21
1 room for overlap, so that we know ahead of time
2 who is supposed to be here and why, and we can
3 intercept problems if they arise. I'm not
4 saying that there won't be problems because you
5 never know, life is life.
6
7 THE CHAIRMAN: Anything further, Mr.
8 Nurzia?
9
10 MR. NURZIA: No, that's it.
11 THE CHAIRMAN: Mr. DeMarco?
12 MR. DE MARCO: Nothing, thanks.
13 THE CHAIRMAN: So that I'm clear on
14 something, Mr. Grealy, are we waiting for the
15 county opine on the curb cut and you mentioned
16 something about an opinion on sight lines?
17 MR. GREALY: Yes. So the applicant
18 has had some conversations with the county.
19 It's our understanding that's what they
20 presented in their report. We would like to,
21 you know, get copies of any written
22 correspondence and if they could further that
23 input just to make sure that the county doesn't
24 come back with something that hasn't been
25 addressed. So, yes, we would like to see that,

DINA M. MORGAN, REPORTER

83

EASTCHESTER ZBA - 4/13/21
1 applicant in their report or their March 30th
2 memorandum indicates that they've discussed it,
3 but we haven't really gotten the details of
4 that. So we would like that, yes.
5
6 Again, the two issues relative to the
7 Town Board, I think, are significant. The
8 other items that we asked for are really some
9 clarifications and really giving an
10 understanding. So, for example, the number of
11 trips that they're generating are, you know,
12 reasonable, but we would like to see that --
13 for example, to show that there is no impact at
14 Route 22 and Brook Street, to show that level
15 of volume versus what's being generated by this
16 project just so that the board has a better
17 understanding. Are we talking about 20 trips
18 out of 1500 trips that are already there? I
19 think it's just some clean up items, but we
20 would like the county's input. The critical
21 items are really dependent on the Town Board
22 because if we can't get those spaces
23 redesignated in front of the building, there is
24 no guarantee, and, you know, the applicant is
25 going to have to make arrangements for their

DINA M. MORGAN, REPORTER

84

EASTCHESTER ZBA - 4/13/21
1 staff parking, but the spaces on the street are
2 critical.
3
4 THE CHAIRMAN: Thank you, Mr. Grealy.
5 Actually, that was one of my concerns and why
6 the application and public hearing will remain
7 open. There are certain assumptions that the
8 application is based on, that, unfortunately,
9 cannot be answered, and that is that although
10 maybe some employees now take the bus, really
11 what you're doing is providing for each
12 employee to be able to park. Right now, that's
13 based on assumptions that the town will issue
14 these and will be doing certain things, that,
15 as Mr. Grealy said, we're going to need to know
16 more about at the next meeting. I would like
17 to hear more about the curb cut and sight lines
18 and these other things that we discussed.
19
20 The other issue, and Mr. Nurzia has
21 raised this, to this moment I'm still not clear
22 on traffic flow. I'm hearing a number as far
23 as what enrollees or students or whatever we're
24 calling them, children are, but the numbers
25 don't seem to jive with what's being dropped

DINA M. MORGAN, REPORTER
85

1  EASTCHESTER ZBA - 4/13/21
2  understand really how it functions. It seems 86
3  very mysterious. I think maybe if you could be 4  EASTCHESTER ZBA - 4/13/21
5  clearer with that, that would help. These are 6  reaching out to the Town Board. As Mr. Grealy
7  all factors in mitigating what is a very large 8  said, the full analysis was submitted to us at
9  variance for parking in, again, that T 10  the end of March, so it’s relatively recently
11  intersection on a busy street. 12  that we had sufficient information to present
13  Again, the other assumptions 14  to the Town Board. I think we have sufficient
15  unfortunately are not solvable, and that is 16  information now to give them the full picture,
17  what the chaos theory says, what parents are 18  and I will coordinate with the applicant as
19  going to do and where they’re coming from. You 20  soon as possible so they get a better
21  could direct them, but we are going to be 22  understanding of how amenable the board will be
23  considering some factor of non-compliance. 24  to some of these issues prior to the May
25  It’s part of life. It doesn’t mean it’s fatal 26  meeting.
27  to your application, but full compliance is not 28  THE CHAIRMAN: Okay. Anyone further?
29  realistic. 30  (No comments.)
31  I will just say one thing. There’s an 31  THE CHAIRMAN: So I make a motion to
32  old maxim in variance applications, that is you 32  adjourn the April meeting; is there a second to
33  judge the application and not the applicant. I 33  my motion?
34  have to tell you that the applicant, it should 34  MR. CAHALIN: Second.
35  be noted, is a valued member of the community 35  THE CHAIRMAN: Mr. Cahalin. All in
36  and has a sterling reputation with the Building 36  favor.
37  Department. So when I say that some of your 37  (AYE)
38  assumptions are not guaranteed going forward, 38  THE CHAIRMAN: See you in May.
39  it’s certainly not to critique your reputation 39  DR. RENTZ: Thank you, everyone. I
40  DINA M. MORGAN, REPORTER 40  appreciate your time tonight.
87

1  EASTCHESTER ZBA - 4/13/21
2  because you’ve been before this board and what 88
3  you’ve done with the -- I guess we’ll call it 1  EASTCHESTER ZBA - 4/13/21
4  the parking jungle gym type thing, and what 2  CERTIFICATION
5  you’ve done with the community, again, no one 3
6  has a bad word to say about your operation. So 4
7  every applicant gets the same courtesy, but 5  STATE OF NEW YORK )
8  certainly you’re not going to get less, let’s 6 ) SS.
9  put it that way. 7  COUNTY OF WESTCHESTER)
10  I would say at this point now I’m 8  I, DINA M. MORGAN, Court Reporter and
11  going to adjourn the application for further 9  Notary Public within and for the County of
12  information and further hearing in the May 10  Westchester, State of New York, do hereby
13  meeting; is there a second to my application? 11  certify:
14  MR. CAHALIN: Second. 12  That the above transcript was taken from
15  THE CHAIRMAN: Mr. Cahalin. All in 13  a video of the Zoom hearing. I was not present
14  favor. 14  for such hearing. The video was taken and
15  (AYE) 15  transcribed by me to the best of my ability.
16  THE CHAIRMAN: Mr. Grealy, I 16  And, I further certify that I am not
17  appreciate your input, and I hope you will be 17  related to any of the parties to this action by
18  available for the May meeting to give us a 18  blood or marriage, and that I am in no way
19  synopsis of what’s been provided to you. 19  interested in the outcome of this matter.
20  MR. GREALY: Yes. 20  IN WITNESS WHEREOF, I have hereunto set
21  THE CHAIRMAN: Mrs. Uhle. 21  my hand this 13th day of May, 2021.
22  MS. UHLE: Alan, I’ll just say, I’ll 22  DINA M. MORGAN
23  coordinate with the applicant with regard to 23  Court Reporter
24  DINA M. MORGAN, REPORTER 24
25

DINA M. MORGAN, REPORTER