

## TOWN OF EASTCHESTER

BUILDING AND PLANNING DEPARTMENT

TRANSCRIPT OF

TOWN OF EASTCHESTER  
ARCHITECTURAL REVIEW BOARD MEETING

MAY 5, 2016

RECEIVED

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

## BOARD MEMBERS IN ATTENDANCE:

LAURA RAFFIANI, CHAIRPERSON  
ENDA MCINTYRE, MEMBER  
SILVIO LUCA, MEMBER

## EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING  
MICHAEL VERNON, ASSISTANT PLANNERDina M. Morgan, Reporter  
25 Colonial Road  
Bronxville, New York 10708  
(914) 469-6353

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

MR. IANNACITO: Good evening. My name is John Iannacito. I'm an architect, and I'm representing Mr. and Mrs. William McCarthy this evening, the owners of the subject property. We're proposing additions and alterations to the existing residence located at 41 Rose Avenue.

The proposed scope of work will include a two story addition at the front of the existing residence, a new entry portico at the front of the existing residence, and site alterations.

The proposed site alterations will include removal of paved areas at the rear and at the side of the property, and it will result in a net decrease to the overall coverage on this property.

This application was presented to the Zoning Board and two area variances were granted on April 12th. The first was for a front yard setback to the principal building and the second was for a front yard setback to the new portico, which is shown on the site plan.

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THE CHAIRPERSON: Good evening, everyone. Welcome to the May 5th Architectural Review Board meeting.

Margaret, would you call the roll, please.

MS. UHLE: Sure. Enda McIntyre.

MR. MCINTYRE: Here.

MS. UHLE: Laura Raffiani.

THE CHAIRPERSON: Here.

MS. UHLE: Silvio Luca.

MR. LUCA: Here.

THE CHAIRPERSON: Would everyone rise to say the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was said.)

THE CHAIRPERSON: The minutes I don't think we have the proper quorum.

MS. UHLE: No. So we'll hold them to the next meeting, and it's only one set, that's pretty good.

THE CHAIRPERSON: Not bad. We caught up and then we're behind again.

First item on the agenda is Application 16-11, 41 Rose Avenue.

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## EASTCHESTER ARB - 5/5/16

The floor plans: On the first floor, the addition will consist of an expansion of the existing dining room and expansion of the entrance hall, and then on the second floor the addition consists of an expansion of the master suite, a bedroom, sitting room, and master bathroom.

Elevations: This is the front elevation with the two story addition and the new portico. The left side elevation showing a two story addition tied into an existing dormer here between the two gables and the new front portico. At the rear, you're not really going to see much of the addition, it's just the roof further beyond, and then on the right side here's the two story addition with the portico.

On the proposed materials -- I brought a photograph of the existing residence -- all materials will match existing. On the siding, we will have vinyl siding to match existing in a cream color. The roof will be asphalt to match existing in a gray finish. The shutters and front door will be blue to match existing. All the trim will be AZEK in a white finish to

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## EASTCHESTER ARB - 5/5/16

1 match. The railings will also be white vinyl  
2 to match.

3 That's pretty much it. Thank you and  
4 I'm happy to answer any questions you have.

5 THE CHAIRPERSON: I notice that you  
6 kind of -- the previous front of the facade  
7 kind of went with the line of the street, I  
8 guess, the property line more in the direction  
9 of the street?

10 MR. MCINTYRE: I think that just  
11 the --

12 MR. IANNACITO: That dotted line is  
13 the setback line. The angle of the facade  
14 didn't change. It's still the same.

15 THE CHAIRPERSON: Oh, okay.

16 MR. MCINTYRE: So is all of the home  
17 getting re-wrapped in vinyl siding, because I  
18 know you're doing some window work on the left  
19 side elevation also?

20 MR. IANNACITO: We will do some on the  
21 dormer here. The existing siding wasn't done  
22 that long ago, so it should match up pretty  
23 good.

24 THE CHAIRPERSON: I would like to make  
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## EASTCHESTER ARB - 5/5/16

1 a motion to open Application 16-11 to the  
2 public, if there is anyone here.

3 MR. MCINTYRE: Second.

4 THE CHAIRPERSON: All in favor.  
5 (All aye.)

6 MR. MCINTYRE: Anybody here?

7 THE CHAIRPERSON: Anybody here? No?  
8 (No comments.)

9 THE CHAIRPERSON: I make a motion to  
10 close Application 16-11 for the public hearing.

11 MR. MCINTYRE: Second.

12 THE CHAIRPERSON: All in favor.  
13 (All aye.)

14 MR. MCINTYRE: Any sort of exterior  
15 lighting?

16 MR. IANNACITO: We'll have one hanging  
17 fixture here at the portico. It's going to  
18 match -- I don't know if you could see it.  
19 I'll give you this photo.

20 THE CHAIRPERSON: I think we have  
21 that photo.

22 MR. IANNACITO: It's larger than the  
23 one that's there but similar in style.

24 MR. MCINTYRE: Nothing near the side  
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## EASTCHESTER ARB - 5/5/16

1 of the garage or anything?

2 MR. IANNACITO: The garage is at the  
3 back of the house and we're not doing anything  
4 back there.

5 THE CHAIRPERSON: Will they have to  
6 put any additional like AC units or anything  
7 like that?

8 MR. MCINTYRE: There is no air  
9 conditioning in the house right now, and we're  
10 not proposing to add air conditioning.

11 THE CHAIRPERSON: I guess that's it.  
12 Pretty straightforward. Any other comments,  
13 anybody?

14 (No comments.)

15 THE CHAIRPERSON: Then I would like to  
16 make a motion to pass along Application 16-11  
17 along to the Planning Board with a  
18 recommendation for approval.

19 MR. MCINTYRE: Second that.

20 THE CHAIRPERSON: All in favor.  
21 (All aye.)

22 MR. MCINTYRE: Thank you.

23 MR. IANNACITO: Thanks.

24 THE CHAIRPERSON: Thank you and good  
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## EASTCHESTER ARB - 5/5/16

1 evening.

2 Next up is Application 13-36, 504 New  
3 Rochelle Road. Good evening.

4 MS. MARTIN: Good evening, everyone.  
5 My name is Jillian Martin. I'm the  
6 construction manager for Chestnut Petroleum,  
7 the applicant on this application.

8 First off, I'm just going to hand in  
9 the receipts from the mailing. So I know I  
10 submitted quite a lot of information to you  
11 all, so I'm just going to give a brief  
12 overview, then I'm happy to answer any  
13 questions on any of the documentation I  
14 submitted, as this is a resubmission.

15 So the project at hand is at 504 New  
16 Rochelle Road. It is currently a gas station  
17 with a small convenience store and a currently  
18 abandoned maintenance bay function. The  
19 proposal is to remove the maintenance function  
20 from the site, put on a slight addition, and  
21 develop a larger convenience store within the  
22 existing structure, maintaining the gasoline  
23 service with no changes to that, and adding  
24 quite a bit of site improvement including

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## EASTCHESTER ARB - 5/5/16

1 landscaping, delineation of parking, some  
2 pedestrian safety measures, and some site  
3 lighting.

4 I have the site plan up on the screen  
5 here.

6 MR. MCINTYRE: Do you have the color  
7 rendition?

8 MS. MARTIN: I have the landscaping  
9 plan, is that what you're looking for?

10 MS. UHLE: She's just showing existing  
11 conditions now, and then I think she's going to  
12 move on.

13 MR. MCINTYRE: Okay.

14 MS. MARTIN: This is the proposed  
15 landscape plan. I'm happy to show that.

16 MR. MCINTYRE: Can that be blown up at  
17 all? Can you expand that?

18 MS. MARTIN: Yes, I can.

19 MR. MCINTYRE: So maybe for  
20 everybody's benefit maybe you could kind of  
21 just sort of talk us through -- because I know  
22 there are some members of the community here --  
23 and just sort of highlight existing structure,  
24 existing foliage, existing parking spots, so

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## EASTCHESTER ARB - 5/5/16

1 that everybody could kind of visually  
2 understand what's there and what you're  
3 proposing.

4 MS. MARTIN: I would be happy to, and  
5 actually I think what might help is we do have  
6 an existing rendition of this as well.

7 So this is what currently exists on  
8 the site. As you can see, this is the current  
9 outline of the building. That outline will  
10 remain moving forward with a slight addition  
11 which takes over this area back here that  
12 currently has a trailer in it. The gasoline  
13 function remains the same. The function within  
14 this building will alter, but the structure  
15 itself will remain.

16 Currently, there are no parking spots  
17 delineated and the overall traffic flow is a  
18 little haphazard. So our plan is to clean that  
19 up and put some function to it. We are looking  
20 to increase the landscaping. What is here is  
21 currently a little overgrown and unkept. We  
22 are maintaining the price sign in this corner  
23 here, but it will get some landscaping and some  
24 curbing around that. The parking will be

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## EASTCHESTER ARB - 5/5/16

1 delineated here and the crosswalk will be  
2 moving to aid in pedestrian safety.

3 This is the proposed plan --

4 MS. UHLE: Can you go back to the  
5 existing --

6 MS. MARTIN: Sure.

7 MS. UHLE: -- I just wanted to point  
8 out a couple of things.

9 MS. MARTIN: Please.

10 MS. UHLE: You can see in the back --  
11 because I know there were questions about the  
12 landscaping at the rear of the property -- in  
13 the back where it's vegetated, that's kind of a  
14 wooded slope, and then you could see right now  
15 in back of the building there's a large area of  
16 asphalt pavement, a trailer, and then some kind  
17 of concrete pad. I just wanted you to see that  
18 in relationship to what's proposed.

19 Also, with regard to the curb cuts,  
20 they're really not defined curb cuts at this  
21 point. They're just sort of dropped curbs for  
22 significant portions of the site. Go ahead,  
23 Jillian.

24 MS. MARTIN: Correct. So as we move  
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## EASTCHESTER ARB - 5/5/16

1 forward, you could see that there is a more  
2 delineated in and out function with curbing and  
3 landscaping to go along with those curb cuts.

4 Like I said, the addition is shown here in the  
5 darker brown color. Behind the building, there  
6 no longer will be that trailer. There is  
7 currently proposed some mechanical equipment  
8 here, which is surrounded by the wooded area as  
9 well as has a gate on it on the end of the  
10 building. There is a enclosure for the  
11 dumpsters proposed here, delineated parking for  
12 six of the -- six spots here, and the air and  
13 the vacuum machines are remaining. There is  
14 some exterior lighting as well, and as you can  
15 see, quite a bit of landscaping to try to get  
16 the most of the small site that we have here.

17 MR. MCINTYRE: In terms of the  
18 hard-scape, are you doing anything to the  
19 service area?

20 MS. MARTIN: It would get re-paved  
21 during the process of the renovation.

22 MR. MCINTYRE: Okay. With what?

23 MS. MARTIN: It would be an asphalt  
24 pavement. The area directly under the canopy  
25

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## EASTCHESTER ARB - 5/5/16

1 is a concrete pad, that would remain, it's the  
2 nature of gas stations, but the remaining area  
3 would be asphalt and striping.

4 MR. MCINTYRE: Again, to sort of just  
5 bring everybody up to speed, the existing means  
6 of entry and egress to the gas station, they  
7 remain unchanged?

8 MS. MARTIN: As you go see here, we  
9 have a specific in here, as well as an in and  
10 out here. If I remember correctly from our  
11 traffic discussions, this is no longer an out,  
12 it is an in only.

13 MS. UHLE: Again, these were gone  
14 over, this same plan, but I think it's really  
15 here for the aesthetic review, and it was a  
16 public hearing a number of times this very plan  
17 explained. Plus, it may be modified more  
18 during site plan approval. I know the traffic  
19 engineer will continue to be involved. Right  
20 now that's based on the Zoning Board's analysis  
21 and the traffic engineer's analysis what the  
22 circulation is on site.

23 THE CHAIRPERSON: So then  
24 aesthetically as far as the elevations are

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## EASTCHESTER ARB - 5/5/16

1 concerned?

2 MS. UHLE: This the Zoning Board  
3 didn't look at at all.

4 MS. MARTIN: So here is what we are  
5 proposing aesthetically. We are, you know,  
6 adding on here in this section, which is  
7 primarily cooler space in the back of the  
8 building. The building would obviously get a  
9 new roof and a face lift, large storefront  
10 windows in the front there. It's a Hardie  
11 Board siding. I do have samples of the colors  
12 that we typically go with, if you would like to  
13 see them.

14 (Whereupon, Ms. Martin handed the  
15 Board samples.)

16 MS. MARTIN: So what I've provided is  
17 our typical heather moss Hardie Board siding  
18 and the Hardie Board trim in the off-white that  
19 we typically go with, as well as the asphalt  
20 shingle, the standing seam green meadow roof,  
21 there's a piece of that, there's a piece of the  
22 stockade fencing, which I know was discussed  
23 the last time we came around to the ARB, as  
24 well as a piece of the storefront.

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## EASTCHESTER ARB - 5/5/16

1 THE CHAIRPERSON: That stockade  
2 fencing goes along --

3 MS. MARTIN: That would be around the  
4 dumpster enclosure, part of it at least. It  
5 would be the front of the dumpster enclosure.  
6 We have walls around the back with bollards to  
7 prevent the garbage truck from moving anything  
8 inadvertently, and it would also be along the  
9 back of the building to the wooded area to  
10 enclose the condensers and the mechanical  
11 equipment.

12 THE CHAIRPERSON: Is there anything  
13 happening to the canopy?

14 MS. MARTIN: It would get a facelift.  
15 We would do some aesthetics to it, but it would  
16 remain in it's shape and size and location.

17 MR. MCINTYRE: What's the roofing  
18 material on the canopy right now?

19 MS. MARTIN: It would be a metal roof.  
20 I could put up a picture for everyone, I  
21 believe. We would while doing the renovation  
22 obviously make sure that there's no leaking  
23 going on on the roof and we would do some  
24 maintenance to it while we were in the middle

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## EASTCHESTER ARB - 5/5/16

1 of doing all the other maintenance. Whatever  
2 it needs to get it back up to snuff. I believe  
3 it would also be getting some updated LED light  
4 fixtures. They should be on your lighting  
5 plan, that very colorful, very large plan. I  
6 could bring them up on the screen if that's  
7 easier.

8 Something else that this picture  
9 reminds me of is obviously as we remove the  
10 maintenance function, the maintenance bay doors  
11 are coming out, and we would have the single  
12 unified look along the front with the  
13 storefront windows.

14 THE CHAIRPERSON: On the landscaping  
15 plan, the roof is noted in a different color  
16 but really it will just be -- the addition is  
17 noted in a different color but --

18 MS. MARTIN: No, no. That was just to  
19 show in plan view the differentiation between  
20 existing versus addition. No, the entire roof  
21 would have a single color. It would that  
22 asphalt, typically our asphalt shingle that I  
23 submitted. As you can see, we're adding this  
24 front piece here, but we're keeping the major

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EASTCHESTER ARB - 5/5/16

1 roof line and extending it over the addition  
2 and keeping the tower.

3 THE CHAIRPERSON: I would like to make  
4 a motion to open up Application 13-36 for the  
5 public hearing.

6 MR. MCINTYRE: I second that.

7 THE CHAIRPERSON: All in favor.

8 (All aye.)

9 THE CHAIRPERSON: Anyone here from the  
10 community that would like to -- please come to  
11 the mic and say your name and address.

12 MS. MARTIN: Is there a particular  
13 document that would be best to have up for you  
14 at this point?

15 THE CHAIRPERSON: I 'm not really sure  
16 because I'm not really sure what --

17 MS. UHLE: Maybe the elevations at  
18 least to start with and then maybe you could  
19 flip back to the plan.

20 MS. MARTIN: Sure.

21 MS. URBINA: Hi. Good evening,  
22 everyone. I'm Katherine Urbina. I live at 19  
23 Hillcrest Road, which is directly behind this  
24 location. I very much appreciate the

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EASTCHESTER ARB - 5/5/16

1 opportunity to be heard this evening.

2 So the site landscaping plan is a bit  
3 deceiving. It appears that the wooded area  
4 behind the gas station on the south side is  
5 dense. The rendering gives that idea and it's  
6 far from it. We can see everything that's  
7 there and happens around that area right from  
8 our kitchen window. For example, aside from  
9 the garbage, you know, we frequently have  
10 snapped photos of people who urinate back that.  
11 So we could see everything. It's not dense  
12 foliage whatsoever. The pictures that we've  
13 submitted prior of the garbage issue back  
14 there, which is frequent and draws in a lot of  
15 raccoons and other vermin.

16 THE CHAIRPERSON: I don't mean to  
17 interrupt, but I know the fence you spoke  
18 about, the fence around the garbage, is that  
19 something that doesn't exist now?

20 MS. MARTIN: Correct.

21 THE CHAIRPERSON: So it's a new thing  
22 that it will be fenced in?

23 MS. MARTIN: Yes. There will dumpster  
24 garbage specific enclosure with the renovation

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EASTCHESTER ARB - 5/5/16

1 that is not existing.

2 THE CHAIRPERSON: Thank you.

3 MS. URBINA: No problem. It is our  
4 suggestion the highest fence permitted should  
5 be required and the existing fence be replaced  
6 because, like I said, we could see everything,  
7 especially in the wintertime.

8 We also seriously suggest that the  
9 condenser units and the mechanicals be placed  
10 on the west wall facing the restaurant rather  
11 than facing our home. They look like they're a  
12 pretty substantial size, and I'm sure that they  
13 will be very noisy. This one little change  
14 could, perhaps, go a long way in minimizing the  
15 noise that we'll be exposed to in our home.

16 Lastly, my last comment is we would  
17 like to ensure that the existing hedge on  
18 Hillcrest Road please be replaced and be pruned  
19 in such a way to increase the line of site.  
20 What's currently there now, not only is it  
21 visually -- where is the picture -- right  
22 here -- not only is it just visually horrible  
23 looking, but I can tell you from living there  
24 20 years this summer, that there's way too many

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EASTCHESTER ARB - 5/5/16

1 close calls. Cars exit there and they don't  
2 see kids, and we do have some elderly  
3 neighbors, several that are in like sort of an  
4 electric wheelchair coming down that sidewalk  
5 and there's just too many close calls that  
6 we've witnessed and called the police about to  
7 leave things as is. For example, although  
8 they've attempted to improve the traffic flow  
9 down New Rochelle Road, frequently people will  
10 edge their way in to make three lanes and when  
11 they get stopped at the light, they'll cut  
12 through the deli and the gas station and zoom  
13 out onto New Rochelle Road. We would hate for  
14 something like to happen, because we even  
15 requested that the bus stop for the school be  
16 moved and they wouldn't move it. So kids have  
17 to wait on that corner and they come right down  
18 that sidewalk. So that's really a safety  
19 issue. So we ask that there be something that  
20 increases the line of sight.

21 I thank you very much for listening.

22 MS. UHLE: Could I make a couple of  
23 comments?

24 THE CHAIRPERSON: Sure.

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## EASTCHESTER ARB - 5/5/16

1 MS. UHLE: I agree with a lot of your  
2 comments with regard to the landscaping  
3 especially. I know the applicant did hire a  
4 landscape architect to do this plan. I think  
5 that we did talk to them initially about  
6 looking at what I'm calling the "wooded" area  
7 to the back there about both cleaning it up and  
8 potentially supplementing it or putting in the  
9 fence. I agree with you about the hedge on  
10 Hillcrest Road, just even the condition of the  
11 hedge, and then the traffic engineer that  
12 worked with the Zoning Board called me after  
13 the last meeting before the Zoning Board and  
14 said when it gets to the Planning Board he's  
15 going to reevaluate that intersection there  
16 because there were some further concerns that  
17 were raised at the meeting. I just wanted you  
18 to know I agree with you on most of these, and  
19 I think they're things that can be addressed.

21 MR. MCINTYRE: Yes, absolutely. Let's  
22 give everybody the opportunity to speak, and  
23 then we could have the applicant come up and  
24 maybe address some of the concerns that have  
25 been aired.

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## EASTCHESTER ARB - 5/5/16

2 MS. URBINA: Thank you again. I  
3 appreciate it.

4 MR. DECHANCE: Good evening. My name  
5 is Mike DeChance. I live at 17 Alta Drive, and  
6 my property also borders the rear of this  
7 property. As Kate said, I have a lot of  
8 concerns as well because as I go out my back  
9 yard, I look straight down onto this property,  
10 and I have many of the concerns Kate has.

11 That back area, that wooded area has  
12 not been cleaned for years. What we see back  
13 there is garbage, compound buckets, plastic  
14 planters, and anything anybody felt like  
15 throwing back there for years is still there  
16 and it has not been cleaned.

17 The shrubs on Hillcrest, as Kate said,  
18 you know, is a real danger for people who are  
19 walking in that area, as well as children  
20 getting off the bus because in the summer they  
21 don't cut them. So they grow out now and  
22 you're walking in the street to get by.

23 There are dead branches that are  
24 hanging over our properties. There's one in  
25 particular. It's a small tree, but it's

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## EASTCHESTER ARB - 5/5/16

2 leaning like this towards my property and it  
3 would take out my fence. So a lot of the dead  
4 branches and trees that are in that wooded area  
5 need to be looked at and taken care of.

6 I, too, have a concern about those  
7 condenser motors. I brought it up at the  
8 Zoning Board meeting and I'm going to bring it  
9 up here tonight. I'm concerned about the  
10 placement. They're going to run 24/7 and  
11 Kate's going to hear them, I'm going to hear  
12 them as well. We asked for a change or  
13 something to be done about that, and I still  
14 haven't heard a remedy for that problem. It's  
15 going to affect only a few people, and we're  
16 the people that it's going to affect. So we  
17 have a real concern about that.

18 I would ask the board to really take a  
19 look at it and require the applicant to really  
20 clean that area up, do a thorough cleaning back  
21 there, require them, as I heard Margaret say  
22 it, about a fence, but the fence to go all the  
23 way around all four sides so that it borders  
24 the entire property not just one part. Require  
25 the applicant to maintain the rear property on

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## EASTCHESTER ARB - 5/5/16

2 a weekly basis. They want to be a good  
3 neighbor, we're asking them to keep the  
4 property clean. We keep our properties clean,  
5 I don't want to look over a fence and see  
6 garbage or people urinating or other things of  
7 that nature taking place.

8 I want to also look and ask the  
9 applicant to trim those dead branches down. I  
10 know there are some overhanging on my property,  
11 I know there's others in there, and there's  
12 been a few storms we hear a big crack and you  
13 look and you just see the branches coming down.  
14 I know Kate's shaking her head, because one  
15 time I thought one fell right on her house. It  
16 fell right next to the fence. If you go back  
17 there, it's still laying there and you'll see  
18 that. But really they need to maintain the  
19 existing property in a clean fashion.

20 Also, I'm not sure if the board, this  
21 board or the Planning Board where you make  
22 recommendations about operational hours. We're  
23 real concerned as a community about the  
24 operational hours of this proposed project.  
25 Chester Heights is a family area. Our lights

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## EASTCHESTER ARB - 5/5/16

1 go off 9:30, 10:00 at night and all the  
2 businesses in that area close 9:30, 10. The  
3 existing, you know, petroleum station now stays  
4 open until 11. We're asking that if the other  
5 businesses close between 9:30 and 10, that they  
6 be restricted to operation hours no later than  
7 10 p.m. as well.

8 Those are my concerns. I want to  
9 thank you tonight for hearing them.

10 THE CHAIRPERSON: Thank you for  
11 coming. I think that some of the points that  
12 you make are more Planning Board, but I  
13 understand that, you know, you come here to be  
14 heard, but they are things that the Planning  
15 Board can do something about. We're really  
16 more concerned about aesthetics than anything  
17 else, the Architectural Review Board, but we  
18 welcome your comments.

19 MS. UHLE: And it allows the applicant  
20 when they do come before the Planning Board to  
21 be prepared to hopefully illustrate a lot of  
22 these things.

23 THE CHAIRPERSON: So that would give  
24 them a chance to make those changes if anything

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## EASTCHESTER ARB - 5/5/16

1 could be done.

2 MS. ROSAMONDA: Hi. My name is Pat  
3 Rosamonda and I live at 215 Hillcrest Road.  
4 Although my address is the first home in Mount  
5 Vernon, I am no more than 400 feet from the  
6 proposed site.

7 I concur with everything that my  
8 neighbors have previously mentioned. The  
9 condition of the gas station -- I'm not really  
10 sure how long this owner has owned the gas  
11 station -- but it has never been kept  
12 aesthetically to go along with the  
13 neighborhood, except for within the last week  
14 some mulch and some little shrubbery has been  
15 added to the little mini island, but it really  
16 is basically an eyesore, as well as the fact of  
17 the hedges along Hillcrest Road. Yes, we do  
18 have a high population of walkers going up and  
19 down the street. The traffic situation is  
20 going to be difficult.

21 Now, I know you had mentioned that the  
22 crosswalk was one of the proposed things to be  
23 moved. You may wish to consider that that  
24 light where the crosswalk is going to be moved

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

1 closer to, if you have any idea of what New  
2 Rochelle Road is like, many drivers blow right  
3 past through that light. Sometimes the  
4 Eastchester Police will catch them, sometimes  
5 they don't. If you've got the pedestrian  
6 crosswalk right there, that's a tragedy waiting  
7 to happen, because the traffic impact at that  
8 corner is awful.

9 Now, when I go down Hillcrest Road to  
10 make the left onto New Rochelle Road, I have to  
11 deal with the Bee Line bus, a school bus, plus  
12 the traffic coming out of the gas station,  
13 which they are not cognisant of the fact that  
14 there is another car on that street. Also, as  
15 I had previously asked Margaret at the last  
16 Zoning Board meeting, this new plan seems to  
17 show all of the traffic exiting onto Hillcrest  
18 Road. The Mayor of Mount Vernon did write a  
19 letter, and I'm sure you've received it, that  
20 he was in opposition of this entire plan.

21 MS. UHLE: I've got to clarify. No,  
22 no, no. He did not write a letter indicating  
23 that he was in opposition. He wrote a letter  
24 asking about the notice, and I would be happy

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

1 to share that letter with you. It was actually  
2 inaccurate with regard to notice requirements,  
3 and the city of Mount Vernon was noticed and we  
4 have a record of that. He did not say that he  
5 was in opposition. I just wanted to make that  
6 clear. He had indicated that residents had  
7 approached him concerned about the notice  
8 requirements. So those are two different  
9 things.

10 By the way, I left a voicemail message  
11 for their Commissioner of Planning and two  
12 voicemail messages for their law department to  
13 discuss the application, and I have not  
14 received any calls back. I do want to make  
15 clear I followed up with Mount Vernon and we  
16 actually did notify Mount Vernon prior to  
17 hearing from the Mayor.

18 MS. ROSAMONDA: Yes. I saw that in  
19 the resolution, but at the time, because the  
20 plan was revised in February, when I approached  
21 the mayor, the new plan had been proposed that  
22 all of the traffic exit out onto Hillcrest  
23 Road. That is going to be a nightmare waiting  
24 to happen.

**DINA M. MORGAN, REPORTER**



## EASTCHESTER ARB - 5/5/16

1 Also, with regard to the hours, I  
2 agree with, again, my neighbors. CVS, the  
3 restaurants, Gordy's, Elia Taverna, all of  
4 those businesses shut down by 9:30, 10:00. CVS  
5 is essential merchant to the community. A  
6 convenience store is not. We do not want that  
7 convenience store open until 12:00 at night,  
8 because then I propose to you; is Eastchester  
9 Police Department prepared to add extra patrols  
10 to that portion of Hillcrest Road in light of  
11 the approval of this project?

12 Thank you very much.

13 THE CHAIRPERSON: Is there anyone else  
14 here tonight to voice any questions, opinions,  
15 or anything else? Maybe you can --

16 MS. URBINA: I'm sorry, I did forget  
17 something.

18 THE CHAIRPERSON: Sure.

19 MS. URBINA: Again, perhaps this is  
20 not for you guys but as far as aesthetics I  
21 would just like to, you know, full disclosure  
22 that about it being open until midnight, we'll  
23 be in that house right behind there for  
24 20 years, and I could name on one hand alone

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 even in the past six years that there have been  
2 armed attempted robbery attempts at the gas  
3 station so far as the police coming to us and  
4 then rummaging through our garden for discarded  
5 weapons. So I think that that makes that area  
6 with all the bright lights visually attractive  
7 to perhaps not the right crowd of people. So  
8 that's the other thing, that it could encourage  
9 crime. So thanks.

10 MS. MARTIN: I just want to try to  
11 address at least some of the comments, those  
12 are pertaining to the purview of this board. I  
13 do not believe the operation hours are the  
14 purview of ARB, but it is something that  
15 Margaret and I have discussed in the past and  
16 we will figure that out.

17 MS. UHLE: Just to clarify that, the  
18 applicant initially did indicate ideally they  
19 would like to be open 24 hours. The Zoning  
20 Board made it very clear that nobody would  
21 permit a 24-hour operation. I consulted with  
22 the police department as well and they said  
23 they would not sign off on a 24-hour operation.

24 Other than that, then the applicant

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 said, well, if we can't have the 24 hours, we  
2 would like to be open from six to midnight.  
3 That is something that they will have to broach  
4 before the Planning Board and it's certainly  
5 the Planning Board's determination and that  
6 will be subject to a public hearing as well.

7 So right now there really hasn't been  
8 a lot of discussion other than the Zoning Board  
9 saying, nobody is going to agree to the  
10 24 hours, we understand you're wanting six to  
11 midnight now, but we're going to defer to the  
12 Planning Board because they really have the  
13 authority to establish those hours of  
14 operation.

15 MS. MARTIN: So we will discuss that  
16 further at a later time.

17 As far as the fence, there is an  
18 existing fence line, which is probably a little  
19 bit difficult to see with the rendering, but  
20 it's a line with X's shown back here. I  
21 understand that it is in disrepair. We do plan  
22 to repair or replace as needed that existing  
23 chain link fence. If it is of a concern, we  
24 can certainly potentially put some privacy

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 weave in there or something like to help the  
2 buffer. We are open to that sort of  
3 accommodation to the neighbors behind us.

4 As far as the condensers are  
5 concerned, currently they are shown here. Part  
6 of the reason they are shown there is  
7 previously there was an increased addition on  
8 this portion of the building, which is no  
9 longer there. There is now some landscaping  
10 there. If that's something that would make  
11 everyone happier, it is possible for us to move  
12 the condensers there. Previously that wasn't  
13 an option because of where the building was  
14 situated. That's certainly something that  
15 we're open to.

16 MS. UHLE: We can also, and I think  
17 the Planning Board will ask for catalogue cut  
18 sheets with regard to decibel levels.

19 MS. MARTIN: They were actually  
20 submitted to the ARB already.

21 MR. MCINTYRE: I think to that  
22 point --

23 MS. MARTIN: Those are, of course, not  
24 fully designed yet given that we're still

DINA M. MORGAN, REPORTER



## EASTCHESTER ARB - 5/5/16

1 designing the building.

2 MR. MCINTYRE: I just think your north  
3 arrow on the plot plan is pointing the wrong  
4 way, because the particular individual who  
5 lives at 19 Hillcrest did make reference that  
6 they would like to see the condensers moved to  
7 the west side of the building and if you're  
8 looking at your north side, it should be  
9 pointing to the right.

10 MS. UHLE: I think it's correct on the  
11 larger scale plans. I think it's rendering.  
12 It looks like John Meyer Consulting just used  
13 the typical title block, unfortunately, with  
14 the north being up.

15 MS. MARTIN: Understood. Understood.  
16 On this plan I believe it is correct. If I  
17 need to submit that plan again, I will have  
18 that fixed, but that's certainly something that  
19 we're open to moving the condensers if that's  
20 something that's going to make everyone happy.  
21 That would, of course, change the landscaping  
22 in that area. As long as everyone is okay with  
23 that, that's fine by me.

24 As far as the operational aspect, I'm  
25 DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 not personally involved in the operational  
2 aspects, but I can certainly take those  
3 concerns to those who are. We have not owned  
4 it for the entire time that it has been here.  
5 We are relatively new owners of this site, and  
6 know that they have been making an effort, as  
7 you said there is some recent landscaping, but  
8 I will make sure that I mention that and try to  
9 keep those efforts up. Same with the dead  
10 branches and the pruning of the hedges, I will  
11 pass that information along.

12 The traffic concerns, again, those  
13 we'll wait for another time.

14 MS. UHLE: The traffic engineer -- I'm  
15 repeating myself a little bit -- but he will be  
16 at the Planning Board meeting and certain  
17 things like the relocation of the crosswalk was  
18 specifically to address pedestrian safety  
19 concerns and in his professional opinion that  
20 was a better location than where it is. He did  
21 tell me subsequent to the other meeting, that  
22 based on some of the comments about issues on  
23 Hillcrest Road that he thought there were  
24 modifications that could address that. So he

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 will still be involved in the process with the  
2 Planning Board.

3 MS. MARTIN: As far as the things that  
4 are of the purview of this board, I believe  
5 those are the main points that were addressed  
6 by the public, but I'm happy to answer any  
7 other questions.

8 MR. MCINTYRE: Again, because this is,  
9 you know, sort of right in the middle of sort  
10 of a residential area, I think basic sort of  
11 site maintenance and making sure the space is,  
12 you know, visually well kept and clean and  
13 just, you know, basic requirements that you  
14 would implement if you were a homeowner. This  
15 is kind of considered a home even though it's a  
16 place of business but it's surrounded by homes  
17 so I certainly think that's not a lot to ask  
18 for.

19 MS. MARTIN: I will certainly pass  
20 those requests on to those who have control  
21 over the day-to-day operations.

22 MR. MCINTYRE: Again, I respect that,  
23 but I'm not necessarily sure that that's the  
24 answer to the question we're looking for. If

DINA M. MORGAN, REPORTER

## EASTCHESTER ARB - 5/5/16

1 you're not in a position to sort of give us the  
2 answer, then we would certainly like  
3 somebody --

4 MS. MARTIN: I will make sure that it  
5 happens.

6 MR. MCINTYRE: Okay.

7 MS. UHLE: Also, a couple of things.  
8 One, until recently my department until the  
9 application came before the board, we hadn't  
10 received complaints about, you know, garbage  
11 behind the building or anything like that.  
12 Since the application has appeared before the  
13 board, we have a code enforcement officer  
14 that's been out there more often to check on  
15 things or to respond to complaints.

16 MS. MARTIN: I believe he came by the  
17 store yesterday and spoke with our area  
18 manager. We took down a sign that he had a  
19 problem with. So we're certainly being --

20 MS. UHLE: So one thing to do --  
21 unless you have called the department and not  
22 had luck with -- issues about just property  
23 maintenance under any circumstances people can  
24 call the Building Department now, but also I

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## EASTCHESTER ARB - 5/5/16

1 think as a condition of the Planning Board  
2 approval they could make it very clear that  
3 there could be significant consequences if the  
4 property is not maintained properly on a  
5 regular basis.

6 MR. DECHANCE: In the past, I've gone  
7 down to the station personally and spoken to  
8 the manager and he said they would take care of  
9 it. Margaret, before you got here, we went an  
10 nothing was ever done. You come to a point  
11 when you say --

12 MR. MCINTYRE: We're looking to put it  
13 in a place where it should be.

14 MS. UHLE: Also, if you ever hear that  
15 the Building Department is not responsive, give  
16 me a call. It's important that we are  
17 responsive. Years ago, the department did not  
18 have a code enforcement officer. Right now we  
19 have one, and he's a busy guy, but he's very  
20 responsive and he will go out there.

21 Unfortunately, unlike some other  
22 communities, we don't have code enforcement  
23 officers that are patrolling the streets  
24 looking for things so a lot of it is complaint

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

1 driven but if we receive a complaint, it's  
2 really important for us to be as responsive as  
3 possible. So feel free to call.

4 MR. MCINTYRE: Again, I'm only making  
5 comments based on a photograph of the back of  
6 the building that was submitted as part of your  
7 application, and it looks untidy to me.

8 MS. UHLE: It does.

9 MS. MARTIN: The plan is to clean that  
10 up and to keep it clean.

11 THE CHAIRPERSON: Then I know you  
12 mentioned something about a sign, but are you  
13 coming before the --

14 MS. MARTIN: No. The sign that exists  
15 is to remain. We are not changing the signage.

16 MS. UHLE: I think there was a  
17 complaint about a number of stores in that  
18 neighborhood putting up additional signage. So  
19 Steve went down there to make them take it  
20 down.

21 MS. MARTIN: It was a temporary sign  
22 that was like -- I think it was zip tied to the  
23 light pole or something like that. That's  
24 since been removed.

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

1 THE CHAIRPERSON: So this sign here  
2 that says, "food mart coffee shop," that's  
3 what's going to be there or that's there  
4 already?

5 MS. MARTIN: No, that is currently not  
6 there. The sign that is there that is to  
7 remain is the price sign on the corner of  
8 Hillcrest and New Rochelle. That sign is to  
9 remain.

10 THE CHAIRPERSON: The monument sign.  
11 Okay.

12 MS. MARTIN: The monument sign, yes.  
13 It will get some landscaping and lighting and  
14 things like that, but the sign itself will  
15 remain.

16 MS. UHLE: Then you would have to come  
17 in for a sign permit for anything that's going  
18 on the building.

19 MS. MARTIN: Correct. At this time,  
20 we show the sign on the architectural. Right  
21 now it is more of a placeholder because our  
22 actual design is not complete yet. So as it's  
23 built, that sign would not be put up without  
24 coming back for a sign permit and that's

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## EASTCHESTER ARB - 5/5/16

1 understood.

2 MR. MCINTYRE: I know we talked about  
3 it the last time also, but there is not any  
4 sort of neon or flashing sign inside on the  
5 windows?

6 MS. MARTIN: The most that they may  
7 put up is an "open" sign, and we could make  
8 sure it's one that does not flash if that is  
9 against your town code.

10 MS. UHLE: You're only permitted an  
11 "open" neon sign -- the only kind of neon sign  
12 you're permitted is one that says "open" and  
13 none of the signs are permitted to flash.

14 MS. MARTIN: Understood. Understood.

15 THE CHAIRPERSON: Any more comments  
16 from the public hearing?

17 MR. DECHANCE: I didn't hear anything  
18 about the trees being addressed, and if the  
19 mechanicals are going to be moved to the west  
20 side, can it be moved forward as much as  
21 possible toward New Rochelle Road away from the  
22 homes? And thirdly, that section there is no  
23 fence there, is there going to be shrubbery all  
24 along that area right there?

**DINA M. MORGAN, REPORTER**

EASTCHESTER ARB - 5/5/16

MS. MARTIN: Here, correct?

MR. DECHANCE: Yes. There is no fence there.

MS. MARTIN: We can certainly add the fence to go to where the shrubbery is here.

MR. DECHANCE: I'm talking in the back.

MS. MARTIN: Okay. Currently it's shown as an existing wooded area to be managed and maintained, but we will make sure that there is enough.

MS. UHLE: I think maybe what you could do for the next time, whether it's coming back to this board or the next board, maybe do a larger scale landscape plan and really detail it out with regard to where you're proposing fences, what the style of fence is, the height, the style, the location, if there's areas that -- you know, including things that are going to be screened from the rear of the building, or if there is any supplemental planting that will facilitate screening. I would just have a more detailed plan.

MS. ROSAMONDA: If I can address all  
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EASTCHESTER ARB - 5/5/16

that --

MR. MCINTYRE: We would ask you to come up to the microphone.

MS. ROSAMONDA: The pedestrian crosswalk that I am referring to, if you look at the picture, the bolded new pedestrian crosswalk is closer to the light that I am making reference to. We live in a very residential, very family oriented neighborhood. Many families use that crosswalk to cross over to the park that's over by the firehouse, okay. Again, that traffic light and the way the drivers come through that light, that's where my concern is that someone is going to be seriously injured or even worse fatally injured because of the move of that crosswalk. At least with the crosswalk the way it is now, there's enough footage should a car have to stop, but that is very, very close to that traffic light. So just as an extra precaution.

Also, I am very interested in knowing about the exit of all of that so-called convenience store traffic coming out onto Hillcrest Road. Thank you.

**DINA M. MORGAN, REPORTER**

EASTCHESTER ARB - 5/5/16

MS. URBINA: As you were explaining some of the details, so in the back currently there's a very large, square, white light that faces our house, perhaps that's an attempt to increase security back there, however, it is definitely not attractive and, you know, it's really bright. It shines right into our house and it's on all night. And again, yes, as far as the trees go or, you know, what you were mentioning that there's been an improvement in some of the way it looks visually, and pardon my cynicism but every time I've gone down there to be polite and appropriate, it has been met with doing nothing, including ten times this winter where I politely said, you need to shovel that walk.

MS. UHLE: And we did contact the police department about that. Again, so it needed to get to the point where the police department was contacted in order to tell them that they had to shovel the walk. So this is something I'm aware of as well.

MS. URBINA: Any aesthetic improvement there along the curb, what I noticed is someone  
**DINA M. MORGAN, REPORTER**

EASTCHESTER ARB - 5/5/16

just went in and chopped the bottom of those trees, which looks awful, and then to clean up the weeds and the dandelions or whatever debris, their leaf blower guy comes along and blows it up to our very nice, manicured garden. So frequently I sweep it up myself and I bring it down to him, which makes it pretty easy to deposit somewhere. However, it's not nice to have that not nice neighborly relationship. So we're a little cynical. So we would definitely like to be a part of the solution. Thanks.

MS. UHLE: Can I say one other thing? At the Zoning Board meeting and here at this meeting it seems like a lot of the concern about the project has been the owner or whoever is occupying the site right now just not being a good neighbor. I mean, that's probably delayed the project more than anything else at this point. I think you do need to express that that's a big issue.

MS. MARTIN: Not a problem. We can show the lighting plan if you do want to look at the lighting for the back of the building if that's something you like to be

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

1 seen.

3 MS. UHLE: Do you have any comments  
4 about the facade or the building material, the  
5 design?

6 MR. MCINTYRE: No.

7 MS. UHLE: It does seem like most of  
8 the issues are the landscaping, site features.

9 MR. MCINTYRE: Site maintenance, good  
10 housekeeping.

11 MS. UHLE: You may want to ask them to  
12 come back here with regard to the style of the  
13 proposed fencing, the height of the proposed  
14 fencing. Those are site plan issues but  
15 they're also ARB issues. I think that, again,  
16 the issues about the crosswalk, hours of  
17 operation, that kind of thing is really the  
18 Planning Board, but I do think it's fair to  
19 say, give us a much more detailed landscape  
20 plan at a larger scale that really shows some  
21 of the other site elements, the location of the  
22 proposed fencing, more detailed location of any  
23 proposed screening, the relocation of the  
24 condensers units, which may give you an  
25 opportunity to do something else at the back of

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

2 the building, to provide -- I don't know --  
3 reevaluating the hedge along Hillcrest Road.

4 MR. MCINTYRE: So do we want to --

5 THE CHAIRPERSON: Take a look at the  
6 lights.

7 MS. MARTIN: Yes. My apologies. We  
8 do have our photometric plan and lighting plan  
9 for this site. As I said earlier, we would be  
10 putting in new LED canopy lights just to  
11 freshen up the lights, and they're more energy  
12 efficient and better for the environment all  
13 around. You can see the site lights, which  
14 were positioned in accordance with the  
15 discussions as well. Along the building, we  
16 are currently showing four lights within the  
17 soffit above the front entrance and it looks  
18 like six wall pack fixtures along the exterior  
19 of the building. I'll give you a better idea  
20 of what those look like. These are the wall  
21 mounted fixtures that would be on the outside  
22 of the building, although they will be white.

23 MS. UHLE: Those are directed down?

24 MR. LUCA: Those are in a soffit?

25 MS. MARTIN: No, these are mounted off

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

2 the side.

3 MS. UHLE: So it's perpendicular to  
4 the building, is that how that's mounted? That  
5 image is kind of hard to see actually. Is it  
6 mounted perpendicular to the building so that  
7 the light is directed down?

8 MS. MARTIN: Correct.

9 MS. UHLE: That's something different  
10 than what's there now.

11 MS. MARTIN: Let me see, do I still  
12 have the photos? I'm not sure if you get a  
13 good view of that. Is the light you're  
14 concerned about on the other side of this  
15 trailer?

16 MS. UHLE: It looks like there is one  
17 on the right-hand corner too. Is that a light  
18 on the back?

19 MS. MARTIN: Is this it here?

20 MR. MCINTYRE: Right above the meter  
21 it's like a spotlight.

22 MS. MARTIN: This right here.

23 MS. UHLE: One thing that might be  
24 slightly beneficial to you is that if you see  
25 in the elevations that that wall is not going

**DINA M. MORGAN, REPORTER**

## EASTCHESTER ARB - 5/5/16

2 to be as high anymore.

3 MS. MARTIN: Correct. Because of the  
4 addition, this will come down further.

5 THE CHAIRPERSON: That brings the roof  
6 down.

7 MR. LUCA: The key is just to have the  
8 light illuminate what it needs to and not to go  
9 off the property --

10 MS. MARTIN: It will be shaded.

11 MR. LUCA: -- 47 feet from the back of  
12 the building.

13 MS. MARTIN: Yes.

14 MR. LUCA: It doesn't need to project  
15 47 feet.

16 MS. MARTIN: So this is where the  
17 current building ends. So the roof line will  
18 drop, which will help as well.

19 MS. UHLE: So the lights need to be  
20 directed down and shielded.

21 MS. MARTIN: Yes. I believe they  
22 already are shielded but, yes, I will confirm.  
23 There are some specifics on the lights here.  
24 Is there anything else that I can show you at  
25 this point in time?

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER ARB - 5/5/16

2 THE CHAIRPERSON: I'm sorry.

3 MS. MARTIN: Is there anything else  
4 that I could present to you that will help  
5 answer any questions that you have at this  
6 point in time?

7 THE CHAIRPERSON: I think that's about  
8 it.

9 MS. UHLE: Do you want them to come  
10 back with the details that we had talked about?

11 MR. MCINTYRE: Yes. I think there are  
12 enough items that we talked about tonight I  
13 think that would warrant a subsequent review  
14 with regard to the fencing at the back,  
15 possibly the addition of fencing on the west  
16 side of the property, the site maintenance that  
17 we talked about, the sort of demonstration by  
18 the operator possibly owner that they're going  
19 to be cognisant of their neighbors and their  
20 pretty basic request to maintain the property  
21 as it should be maintained.

22 MS. MARTIN: Understood.

23 MR. MCINTYRE: The addition of  
24 adequate landscaping to ensure that the  
25 adjacent neighbors' concerns have kind of been

**DINA M. MORGAN, REPORTER**

1 EASTCHESTER ARB - 5/5/16

2 heard and listened to. I certainly think that  
3 that's something we would like to see addressed  
4 and have some more specificity in terms of the  
5 type of fencing and the height of the fence.

6 MR. LUCA: A more solid fence. I know  
7 this is what you show but --

8 MS. MARTIN: That's specifically for  
9 the dumpster enclosure.

10 MR. LUCA: Okay. I think it would  
11 help also the homeowners -- it looks like their  
12 properties are higher -- if you draw a cross  
13 section so you could visually figure out how  
14 high the fence really should be. Maybe a 4  
15 foot fence -- visually they're looking down,  
16 the higher the fence --

17 MS. MARTIN: I'm just thinking off the  
18 top, is there a restriction on how high a fence  
19 can be?

20 MS. UHLE: There is. I believe 6 feet  
21 but confirm with me tomorrow. It's in our  
22 zoning law. It depends on which district  
23 you're in.

24 MR. MCINTYRE: Obviously you've been  
25 to the site; right?

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1 EASTCHESTER ARB - 5/5/16

2 MS. MARTIN: Yes.

3 MR. MCINTYRE: Have you walked up  
4 Hillcrest and sort of taken a look down?

5 MS. MARTIN: I'm going to be entirely  
6 honest with you, the last time I was there I  
7 was very large and pregnant and I didn't walk  
8 up it, but I will go back and revisit it.

9 MR. MCINTYRE: I just think that would  
10 be -- that would give you the perspective of  
11 some of the people that are here this evening,  
12 and I think you would be able to see exactly  
13 what their concerns are and how interested they  
14 are to have these concerns addressed as part of  
15 this application.

16 MS. UHLE: Jillian and the landscape  
17 architect and I did meet out there before they  
18 had prepared a landscape plan to talk about  
19 some of these concerns and then this is what  
20 was submitted. So that was sort of the next  
21 step.

22 MS. MARTIN: Yes, and we will follow  
23 along with that progression.

24 MR. MCINTYRE: So I think it's  
25 probably prudent to leave the public hearing

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1 EASTCHESTER ARB - 5/5/16

2 open at this juncture so that the public and  
3 the community's concerns, as aired this  
4 evening, you can feel that they have been  
5 addressed hopefully at the next meeting, and  
6 hopefully that will give you a sense that your  
7 voices have been heard.

8 MS. MARTIN: Something I do want to  
9 point out, with moving the condensers over to  
10 this area of the property, we will need to  
11 reevaluate the landscaping, because I want to  
12 make sure we have enough distance as far as  
13 leaves getting in the condensers and things  
14 like that. Like this larger tree may no  
15 longer --

16 MR. LUCA: You could create screening.  
17 I think the main thing is sound. I don't think  
18 they're really large units. They look like  
19 they're almost --

20 MS. MARTIN: They're pretty much  
21 residential.

22 MR. LUCA: They're 75 decibels and the  
23 seer is only 13. If you brought your seer up,  
24 the sound will go down and screening would help  
25 around the units.

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EASTCHESTER ARB - 5/5/16

MS. UHLE: So I think there's the two issues.

MS. MARTIN: If they get moved from behind this area, they would have their own enclosure.

MS. UHLE: I think it's up to you to come back to the board with a proposal and maybe more detailed explanation of what the consequences of that are.

MS. ROSAMONDA: May I just add one more thing?

MR. MCINTYRE: We would can you ask you to come up again because people at home might not necessarily hear you.

MS. ROSAMONDA: Thank you for recognizing our concerns and our opposition. With the previous -- and no disrespect intended -- with the previous Zoning Board of Appeals an entire community came out and spoke against this project, and it seems like because this gas station owner has endured hardship because of the situation with the gas station, he knew what he was getting into when he purchased it. So for an entire community to be

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EASTCHESTER ARB - 5/5/16

against this project and for it to be passed through, we appreciate the fact that you are at least listening and understanding our concerns and reconsidering many of the issues that we have. Thank you very much.

MR. MCINTYRE: So do you have any questions?

MS. MARTIN: Not at this time, no.

MR. MCINTYRE: Okay.

MS. MARTIN: Margaret and I will speak off line, and we'll be back with a new plan to address your concerns.

MR. MCINTYRE: So hopefully we'll see you back here as soon as possible with the answers and maybe some additional information that can address some of the things you've heard.

MS. UHLE: You can anticipate they'll be on the agenda in June. If for some reason they're not, it will be noted as adjourned and as you know I'll e-mail you and let you know. I'm assuming you're planning to be back in June?

MS. MARTIN: As long as we could make

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EASTCHESTER ARB - 5/5/16

the deadline, I would hope so, yes.

(Whereupon, Ms. Rosamonda was speaking from the audience.)

MS. UHLE: If you would like to follow-up with me tomorrow, I will let you know what I did.

MS. ROSAMONDA: Thank you, Margaret.

MS. UHLE: You're welcome.

THE CHAIRPERSON: I guess that's it. I would like to make a motion to adjourn the Architectural Review Board meeting.

MR. MCINTYRE: I second that.

THE CHAIRPERSON: All in favor.

(All aye.)

THE CHAIRPERSON: The meeting is adjourned. Thank you and good night.

(MEETING ADJOURNED.)

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# CERTIFICATION

STATE OF NEW YORK )

) Ss.

COUNTY OF WESTCHESTER)

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of May, 2016.

*Dina M. Morgan*

**DINA M. MORGAN**  
Court Reporter

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CORRECTION SHEET

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CORRECTION

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