

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1

***** X

TRANSCRIPT OF
TOWN OF EASTCHESTER PLANNING BOARD MEETING
JANUARY 28, 2016

***** X

HELD AT: Eastchester Town Hall
40 Mill Road
Eastchester, New York 10909
7:00 p.m.

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
ROBERT PULASKI, MEMBER
MARK CUNNINGHAM, MEMBER
MR. PHILIP NEMECEK, MEMBER
BILL WEST, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
JAY KING, BUILDING INSPECTOR
MICHAEL VERNON, ASSISTANT PLANNER

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

DINA M. MORGAN, REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EASTCHESTER PLANNING BOARD - 1/28/16

the minutes at the end of the meeting. There's one, two, three, four, five applications. It's a full agenda: 19 Hall Avenue, 675 White Plains Road, 89 Park Drive, 109 Siwanoy, and 783 White Plains Road. So we'll just get started.

The first application is Application 15-75, 19 Hall Avenue. We're going to have to adjust that.

MR. WEST: For the record, I have a business relationship with Mr. Salerno.

THE CHAIRMAN: Okay. Before you get started, could you just move that up a little bit somehow?

MR. SALERNO: This?

THE CHAIRMAN: Yes. Could you just raise it, and is there some way to adjust the height of it? We really can't see it. Great.

Thank you.

MR. SALERNO: Good evening, Mr. Chairman, members of the board. I'm Rocco Salerno, attorney for the applicant, Joseph Nannariello, who proposes a simple two lot subdivision of the property located at 19 Hall

DINA M. MORGAN, REPORTER

2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EASTCHESTER PLANNING BOARD - 1/28/16

THE CHAIRMAN: This is the town of Eastchester Planning Board meeting of January 28th, 2016. Please all rise for the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was said.)

MR. NEMECEK: Mr. Chairman, is that the right placement of the American flag? Should it be in the middle or --

THE CHAIRMAN: It's always been to the left. I like it there. We'll leave it.

The full board is here tonight, so you're lucky. We'll do attendance. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here. Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham.

MR. CUNNINGHAM: Present.

THE CHAIRMAN: Great. We'll approve

DINA M. MORGAN, REPORTER

4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EASTCHESTER PLANNING BOARD - 1/28/16

Avenue.

The property is located in an R-3 zone, consists of approximately 9,769 square feet, and is presently improved by a legal two family dwelling and detached garage. If approved, the proposed subdivision will result in one lot consisting of 6,000 square feet on which the existing two family residence is located, and a second vacant land lot non-buildable parcel consisting of 3,769 square feet. It is the applicant's intention to merge this newly created vacant lot with an adjacent lot fronting on Morgan Street to create a -- suitable for a new two family dwelling.

THE CHAIRMAN: Okay.

MR. SALERNO: Very simple. That's what this is all about.

THE CHAIRMAN: Could you just trace what you just said on the lot on the survey and summarize pointing it out to us and grab the mic too.

MR. SALERNO: This is the existing parcel.

MR. NEMECEK: If you could grab the

DINA M. MORGAN, REPORTER

5

1 EASTCHESTER PLANNING BOARD - 1/28/16

2 mic as well. Grab the mic.

3 MR. SALERNO: Okay. This is the

4 existing parcel here, and what we're proposing

5 to do is to subdivide it right here. Again,

6 this will be a 6,000 square foot lot with the

7 existing house and detached garage, and parcel

8 B will be the vacant, landlocked parcel, which

9 again is not a buildable lot, consisting of

10 3,769 square feet.

11 THE CHAIRMAN: Great. You also said

12 the builder is proposing to merge that with

13 another lot in the future, but that's not

14 really part of this application; correct?

15 MR. SALERNO: No, it is not part of

16 the application. The applicant does not own

17 the adjoining parcel. The applicant intends to

18 either purchase that parcel or sell this newly

19 subdivided lot to the owner of that parcel.

20 THE CHAIRMAN: Right. So just for the

21 record, as you said, what you just stated has

22 nothing to do with the application in front of

23 us?

24 MR. SALERNO: That's correct.

25 THE CHAIRMAN: Good. Okay. Any

DINA M. MORGAN, REPORTER

6

1 EASTCHESTER PLANNING BOARD - 1/28/16

2 questions?

3 MR. PULASKI: Very straightforward.

4 THE CHAIRMAN: Straightforward. So

5 we'll open the public hearing.

6 I'm going to make a motion to open the

7 public hearing on 15-75, 19 Hall.

8 MR. PULASKI: Second.

9 THE CHAIRMAN: All in favor.

10 (All aye.)

11 (No comments.)

12 THE CHAIRMAN: Seeing there's no

13 comments, motion to close the public hearing on

14 Application 15-75, 19 Hall Avenue.

15 MR. PULASKI: Second.

16 THE CHAIRMAN: All in favor.

17 (All aye.)

18 THE CHAIRMAN: Seems pretty benign to

19 me. Unless there's comments from the board --

20 there is a comment from Margaret.

21 MS. UHLE: I just have one comment.

22 The subdivision regulations say that for any

23 newly created lot -- and it actually does not

24 say building lot -- for any newly created lot

25 an applicant has to either provide suitable

DINA M. MORGAN, REPORTER

7

1 EASTCHESTER PLANNING BOARD - 1/28/16

2 recreation space or the board has to find that

3 it's not -- you know can't be accommodated on

4 the site, and therefore, refer to the Town

5 Board for an assessment of recreation fees. So

6 if you do approve it, if you could also

7 incorporate into your approval that you will be

8 referring it to the Town Board for an

9 assessment of recreation fees, and the

10 applicant is aware of that.

11 MR. SALERNO: Yes, that's understood

12 correct.

13 THE CHAIRMAN: That's planting trees

14 or --

15 MS. UHLE: No. It's a fee in lieu of

16 providing park land.

17 THE CHAIRMAN: Okay. Cool. So then I

18 make a motion to approve Application 15-75, 19

19 Hall Avenue --

20 MR. NEMECEK: If I could just ask a

21 couple of questions. The proposed new

22 subdivided lot, is it complete -- there's

23 nothing built on it right now?

24 MR. SALERNO: No. There's remnants of

25 like a fireplace or something that's in ruins.

DINA M. MORGAN, REPORTER

8

1 EASTCHESTER PLANNING BOARD - 1/28/16

2 If the board requires that to be removed,

3 that's not an issue. There's nothing on it

4 that's usable.

5 MR. NEMECEK: Basically with this

6 proposed subdivision, if approved, there will

7 be no change in the use of the lot at present?

8 MR. SALERNO: That's correct.

9 MS. UHLE: Actually, if they were

10 received subdivision approval and then say were

11 to build a garage or a structure, they would

12 actual automatically remerge that lot, because

13 as soon as they start utilizing it for anything

14 other than just open space, the lot would be

15 automatically merged.

16 MR. NEMECEK: Automatically?

17 MS. UHLE: Automatically, yes. So if

18 anything is constructed on that property with a

19 permanent foundation, it's automatically

20 merged. And then of course if they do merge

21 with the lot on Morgan Street, that would come

22 before you for site plan approval.

23 MR. NEMECEK: Correct. So if there is

24 the remnant of a foundation there now, that

25 doesn't --

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

MS. UHLE: That's okay. But if they were to put a swimming pool there or to put even a shed with a permanent foundation, that automatically merges the lot.

MR. NEMECEK: It reverts back by operation of law?

MS. UHLE: Yes.

THE CHAIRMAN: Regardless if they appear here again or not, I guess. You could put a pool without coming back to the Planning Board.

MS. UHLE: They could put a pool without coming back to the Planning Board, but the subdivision would be nul and void.

THE CHAIRMAN: Nul and void. I understand. So then --

MR. PULASKI: At present is there a fence that goes around this whole property?

MR. SALERNO: Is there what?

MR. PULASKI: A fence that goes around the whole property?

MR. SALERNO: Let me take a look at the survey. Yes, there is a fence, a chain link fence, there's a stockade fence around the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

entire rear of the existing property.

MR. PULASKI: What my concern was when you mentioned that there were "remnants" of a previous structure there, once that property gets broken off, it kind of floats. It doesn't have some owner -- right now it has an owner that can look back in his yard and make a decision, do I want to look at those remnants or do I want to spend some money and remove them. Relative to other property owners if he has a fence, he's kind of hiding that from the other property owners. Once that gets spun off, so-to-speak, there's really nothing driving maintaining that.

MR. NEMECEK: It's still owned by the same owner, though.

MR. SALERNO: It's still the same owner, and it's the still the applicant's backyard. So I don't think it's a question that he's going to let it go.

MR. NEMECEK: It's kind of an artificial subdivision at this point. It's an invisible dotted line.

MR. SALERNO: It's a paper

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

subdivision, correct. We're just creating a new tax lot, but the applicant would still own the entire parcel.

MR. PULASKI: That's right. That's right. I see that point now.

MR. NEMECEK: So I guess if we memorize that language as to --

THE CHAIRMAN: I forgot it already. I'm going to ask Margaret. Being there were no comments last time I asked if there were comments, anymore comments?

(No comments.)

THE CHAIRMAN: Then I make a motion to approve Application 15-75, 19 Hall Avenue subject to referral of the application for a recreation fee to the Town Board.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

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

MR. SALERNO: Thank you.

THE CHAIRMAN: Next application is 15-55, 675 White Plains Road.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

MR. ABILLAMA: Good evening. My name is Tom Abillama, architect for the applicant. This application is in regards to a one family dwelling on 575 (sic) White Plains Road. It's a vacant lot.

MR. NEMECEK: What's going on there right now, Mr. Abillama?

MR. ABILLAMA: What's happening right now is --

MR. NEMECEK: It's not quite vacant. There's a crane on it.

MR. ABILLAMA: They were allowed to do some excavation. No foundation permit has been issued so far.

MR. NEMECEK: Okay. Got it. Just excavation right now?

MR. ABILLAMA: Just excavation, yes.

MR. NEMECEK: Good.

MR. ABILLAMA: The engineering plans for the storm water, we're proposing ten rechargers, 330 extra large HD rechargers, and to my understanding Mr. Pilch has approved these plans so far. We have a landscaping plan illustrating the new shrubberies, and there's

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 some Maple trees and Dogwood, flowering
2 Dogwoods, and we have Arborvitae all around the
3 property.

4 The application here indicates that
5 there is a driveway proposed that would pitch
6 down to basement one car garage, and then from
7 that driveway there's a pitch up towards the
8 direct side of the property.

9 I would like to run you through the
10 floor plans. This is the first floor plan here
11 showing the foyer with an open living/great
12 room space including the kitchen and a dining
13 room on the side. They'll be four bedrooms on
14 the second floor.

15 So the house consists of -- in the
16 front -- of stone veneer with a one car garage
17 at the basement and some stucco gables in the
18 front and sort of a Palladian window in the
19 middle with a bay window on the side. The rest
20 of the house is all stucco.

21 These are the typical sections. This
22 is the composite view with the existing house
23 on the left side and the other house on the
24 right side. This is a nice house, actually, on
25

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 the left side. It was approved by this board.
2 These are the adjacent houses here all along
3 White Plains Road. Across the street,
4 obviously, it's a commercial zone. It's the --
5 there's the 700 White Plains Road shopping
6 center and a portion of Lake Isle.

7 These are the materials. We have
8 stone, and we have in this picture here there's
9 a balcony -- sort of a balcony on top of the
10 portico, which is similar to this one, and the
11 rest of the materials all around.

12 THE CHAIRMAN: Stay on that one.

13 MR. ABILLAMA: I'm sorry.

14 THE CHAIRMAN: Could you go back to
15 the material?

16 MR. ABILLAMA: Sure.

17 THE CHAIRMAN: I'm just trying to
18 understand the colors. So the stone is
19 cultured stone, I guess, and it's going to be
20 the tan color that's pointing to it?

21 MR. ABILLAMA: Really, it's going to
22 be a 3 inch veneer stone, stone veneer, and
23 this is the sample.

24 THE CHAIRMAN: So the stone that's
25

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 shown, it's going to be a mixture of this and
2 the lighter?

3 MR. ABILLAMA: Yes.

4 THE CHAIRMAN: The same thing, a
5 natural stone?

6 MR. ABILLAMA: Natural stone.

7 THE CHAIRMAN: And the other color --
8 this is the darker -- the lighter one is going
9 to be -- what's --

10 MR. ABILLAMA: Actually the lighter
11 one is going to be this. Actually, I can show
12 you --

13 THE CHAIRMAN: It's all this or
14 it's --

15 MR. ABILLAMA: It varies.

16 THE CHAIRMAN: Okay. So that's what
17 that's representing, because it looks like some
18 is lighter some is darker.

19 MR. ABILLAMA: The rest is AZEK trim
20 by the bay window and on the fixtures and we
21 have the black iron wrought iron railing, and
22 the weathered wood by Certainteed the asphalt
23 shingle. That's the stucco on the sides.

24 MR. NEMECEK: Mr. Abillama, one
25

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 concern I have, maybe you can explain this for
2 me, is with respect to the one car garage,
3 which is, as you said, at basement level, it
4 looks like it's three quarters below grade, and
5 I assume there's a slope going up to White
6 Plains Road from there?

7 MR. ABILLAMA: Well, let me explain
8 what's happening.

9 MR. NEMECEK: I don't see any
10 particular diagram of the site, whole site.

11 MR. ABILLAMA: Well, we have a profile
12 showing how the driveway -- we have to go up 5
13 inches to the sidewalk level, then from there
14 we pitch down about 15 feet -- I'm sorry, about
15 10 feet with a 5 percent pitch. The code
16 requires from the curb to a certain point
17 15 feet away to have 5 percent pitch, then from
18 there on you can go down up to 14 percent. We
19 didn't go that much. We only went to 9
20 percent. So really it's a basement level, but
21 the house is buried sort of about 6 feet in the
22 back. So I'm going to have the first floor
23 indicating -- showing the garage in the front
24 in the basement, but at this point here we
25

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 don't have -- and also the code requires not to
2 have more than a 3 foot exposure for the
3 foundation.

4 MR. NEMECEK: I see here on the site
5 plan -- I missed it before -- that these are
6 all pavers in front of the -- between the
7 street and the garage?

8 MR. ABILLAMA: Yes.

9 MR. NEMECEK: That's sufficient space
10 for a car to turn around in?

11 MR. ABILLAMA: Yes. That's why we're
12 trying to accomplish some kind of a K turn in
13 here. Obviously if you go any further, we risk
14 the fact that we might be asking for another
15 parking space. So we just want to go this
16 much, and then we could go out straight to
17 White Plains Road.

18 MR. NEMECEK: Yes, because my concern
19 would be if you're parking a car by going
20 straight in and going down and then you have to
21 back up to get it out, you have horrible
22 visibility problems and you're creating a
23 danger, but that should be alleviated by the
24 fact that you could back out and turn and then

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 come out of the driveway front forward.

2 Are there any -- did you have to
3 appear before the Zoning Board for any
4 variances on this?

5 MR. ABILLAMA: No.

6 MR. NEMECEK: No.

7 MR. ABILLAMA: Let me take this back.

8 Prior to our office getting involved, there was
9 an application for a zoning variance. The lot
10 is undersized, it's not 5,000 square feet it's
11 4,500 square feet because of the depth, and
12 they received a variance and we're okay.

13 MR. NEMECEK: Okay.

14 THE CHAIRMAN: The ARB reviewed all of
15 this?

16 MR. ABILLAMA: Yes. There was one
17 issue with the ARB that they didn't like the
18 skylight. There was a proposed skylight in the
19 front. They requested that we consider
20 removing it, and we did remove it. I think
21 that's the only condition.

22 THE CHAIRMAN: It's very handsome.

23 MR. CUNNINGHAM: You've been in
24 contact with the utility companies already; I

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 see there's a pole --

2 MR. ABILLAMA: I'm sorry.

3 MR. CUNNINGHAM: There's a pole,
4 utility pole in front of the driveway.

5 MR. ABILLAMA: So that we have applied
6 with Con Ed. to get it removed, and they're in
7 the process of taking it out. That pole is
8 really holding up another pole.

9 MR. CUNNINGHAM: Okay.

10 MR. ABILLAMA: So it can be resolved
11 very quickly.

12 MR. CUNNINGHAM: I hope so.

13 THE CHAIRMAN: If you just hang on,
14 we'll do the public hearing. So I make a
15 motion to open the public hearing on
16 Application 15-55, 675 White Plains Road.

17 MR. NEMECEK: Second.

18 THE CHAIRMAN: All in favor.

19 (All aye.)

20 (No comments.)

21 THE CHAIRMAN: No comments. Motion to
22 close the hearing on Application 15-55, 675
23 White Plains Road.

24 MR. NEMECEK: Second.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: All in favor.

2 (All aye.)

3 THE CHAIRMAN: Where are the
4 rechargers going to end up?

5 MR. ABILLAMA: There will be four of
6 them in the back and six in the front. I'll
7 show you. Four in the rear and one, two,
8 three, four, five, six in the front. They'll
9 be an overflow from the last one into a catch
10 basin that we have right in front of our
11 property.

12 THE CHAIRMAN: Directly into the catch
13 basin?

14 MR. ABILLAMA: Yes.

15 THE CHAIRMAN: Okay. Any more
16 comments? Just one more: The landscaping, all
17 of those are arborvitaes and -- what height do
18 they end up being? On the landscape plan?

19 MR. ABILLAMA: Well, right now they're
20 probably about 4 feet high.

21 THE CHAIRMAN: So they're all
22 existing?

23 MR. ABILLAMA: No, they're proposed.

24 MS. UHLE: They're proposed to be

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 planted between 5 and 7 feet, which is a pretty
2 good to start.

3 THE CHAIRMAN: Okay, and they're
4 ringing the whole site. They grow and have to
5 be trimmed. All right, if there's no more
6 comments from the board --

7 MS. UHLE: I have three comments.
8 Sorry.

9 MR. NEMECEK: Margaret, we can't
10 impose the recreation tax.

11 MS. UHLE: This is just as conditions
12 of approval. I do believe that Alan Pilch has
13 reviewed the storm water management plan, but
14 still as a condition of approval we'll just ask
15 for his final confirmation of that. Also, I
16 was just going to point out that we need the
17 Highway Department to sign off on some of the
18 landscaping that's proposed within the
19 right-of-way. So that looks great and I'm
20 certain they won't have a problem with that,
21 but we would need permission from the Highway
22 Department. Then as we've been with all single
23 family homes before we issue the Certificate of
24 Occupancy, we'll ask for a letter from a

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 landscape architect saying that the landscape
2 plan has been installed according to the
3 proposed plan.

4 THE CHAIRMAN: I guess the curb cut
5 that's existing remains exactly as it is;
6 correct?

7 MR. ABILLAMA: I'm sorry, the
8 existing --

9 THE CHAIRMAN: The curb cut that's
10 shown there is the same curb cut that's
11 existing at the site right now; correct?

12 MS. UHLE: No.

13 MR. ABILLAMA: There is no curb cut.

14 MS. UHLE: There is no curb cut. It's
15 a vacant lot. That's what he was saying, that
16 the pole is being removed. The highway always
17 has to issue a highway permit for a new curb
18 cut.

19 MR. ABILLAMA: By the way, we received
20 the DOT approval on the curb cut.

21 THE CHAIRMAN: Okay. So then I'm not
22 going to repeat Margaret's three conditions,
23 but with those three conditions applicable I'll
24 make a motion to approve Application 15-55, 675

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 White Plains Road.

2 MR. NEMECEK: Second.

3 THE CHAIRMAN: All in favor.
4 (All aye.)

5 THE CHAIRMAN: Great. Thank you.

6 MR. ABILLAMA: Thank you.

7 THE CHAIRMAN: The next application is
8 15-67, 89 Park Drive.

9 MR. ABILLAMA: My name is Tom
10 Abillama, architect for the applicant.

11 This application is regards to an
12 existing house that we're intending to have an
13 addition in the back and on the left side of
14 the property. The white portion, the light
15 portion, is the existing house, and the darker,
16 hatched area is the proposed house. At
17 present, the existing driveway is along here
18 and we're proposing to have a new driveway, new
19 curb cut along this side here. We're proposing
20 for some landscaping all around that's
21 illustrated in this legend. This is the storm
22 water calculations here for the additional
23 impervious surface, which requires four plus
24 one in the front.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 So this is the existing house here,
2 and we shoved out a piece of it for the
3 portico. The issue is that the house itself is
4 only 25 feet, roughly, from the property line.
5 The required front yard is 30 feet. So any new
6 construction would not start from any point
7 beyond the 30 foot setback.

8 So we have the open floor area in the
9 back, open floor plan, and we have a mudroom on
10 the side with a one and a half car garage,
11 so-to-speak, and this is the existing basement
12 with an unexcavated portion for the garage,
13 which is on the first floor, and then we have a
14 playroom in the back.

15 The second floor will consist of four
16 bedrooms with two baths. The design in the
17 front is with -- on the first floor having
18 stone veneer, natural stone veneer, and then a
19 roof going back 5 feet to the second floor
20 where we have cedar shingles, and we have the
21 Tudor half timber design, and the HardiePlank
22 all around the back and -- the sides and the
23 back.

24 That's the composite elevation, the
25 **DINA M. MORGAN, REPORTER**

EASTCHESTER PLANNING BOARD - 1/28/16

1 two houses here, and that's the existing house
2 with the driveway on this side and we're
3 expanding on the left, and these are the side
4 and rear elevations and these are the views of
5 the existing homes. That's the framing plan.
6 That's a cross section here. This is also the
7 material sheet showing the stone veneer and the
8 HardiePlank on the side. We have the cedar
9 shingle, stucco at the gable at the pediments,
10 and this is the roof. This is the railing. We
11 have a balcony here with a railing. This is
12 the AZEK, emulation of AZEK, and the garage
13 doors.

14 THE CHAIRMAN: Also very handsome.
15 What's the finish on the chimney; is that
16 brick?

17 MR. ABILLAMA: That's composite brick
18 and stone.

19 THE CHAIRMAN: And the actual cap on
20 the chimney, what's that?

21 MR. ABILLAMA: That's a terra cotta
22 cap.

23 THE CHAIRMAN: Oh, it's terra cotta.

24 MR. NEMECEK: Is the existing chimney

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 being removed?

2 MR. ABILLAMA: Yes.

3 THE CHAIRMAN: You were so kind to
4 bring samples for the other project, do you
5 have any for this?

6 MR. ABILLAMA: Yes.

7 THE CHAIRMAN: Great. Thank you.

8 MR. ABILLAMA: This is the AZEK trim,
9 shingles, HardiePlank, this brick is on the
10 chimney as well as the soldier course.

11 THE CHAIRMAN: Got it. What are the
12 finishes for the gables and the gables on top
13 of the front entrance?

14 MR. ABILLAMA: I'm sorry.

15 THE CHAIRMAN: The gables on top of
16 the windows, what's their finish going to be;
17 the HardiePlank?

18 MR. ABILLAMA: They'll be an AZEK trim
19 emulating the half timber and some stucco in
20 between.

21 THE CHAIRMAN: Oh, stucco. At each of
22 them? At all one, two, three, four locations?

23 MR. ABILLAMA: Yes.

24 THE CHAIRMAN: Same at the entrance,

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 right, stucco with whatever the AZEK is? Got
2 it. The door is?

3 MR. ABILLAMA: The door is a mahogany
4 look door by Thermatru, and the garage doors
5 will be the Clopay doors also emulating wood.

6 THE CHAIRMAN: Okay. Great. ARB.

7 MR. ABILLAMA: ARB, they loved it.

8 THE CHAIRMAN: They loved it. Of
9 course.

10 MR. ABILLAMA: I think they
11 requested -- I had a sample for the stone that
12 was more rectangular, and they requested to
13 have more round edge stone, which we acquiesced
14 by.

15 THE CHAIRMAN: Okay. Any comments?

16 MR. WEST: I like it.

17 THE CHAIRMAN: That's an applicable
18 comment.

19 MR. CUNNINGHAM: I think it's a nice
20 proposal.

21 THE CHAIRMAN: Great. I know you have
22 comments, Phil, we'll just do the public
23 hearing first. So I'll make a motion to open
24 the public hearing on Application 15-67, 89

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 Park Drive.

2 MR. PULASKI: Second.

3 THE CHAIRMAN: All in favor.

4 (All aye.)

5 THE CHAIRMAN: Comments?

6 (No comments.)

7 THE CHAIRMAN: Motion to close the
8 public hearing on the same application, 15-67,
9 89 Park Drive.

10 MR. PULASKI: Second.

11 THE CHAIRMAN: All in favor.

12 (All aye.)

13 THE CHAIRMAN: No comments.

14 MR. WEST: No comments. They knew
15 Phil was here.

16 MR. NEMECEK: My comment is: I got
17 the American flag right behind me, I really
18 look more America than the rest of you guys.
19 When I suggested moving the flag before,
20 disregard it.

21 THE CHAIRMAN: We'll leave it there
22 because you are the most patriotic.

23 MR. NEMECEK: It's a sizeable --
24 you're more than doubling the size of the

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 house, the square footage of the house, but it
2 abuts on the golf course on the rear?

3 MR. ABILLAMA: Yes.

4 MR. NEMECEK: It doesn't look out of
5 place proportionately. I think it's certainly
6 an improvement.

7 THE CHAIRMAN: To what's there.

8 MR. NEMECEK: It certainly makes it a
9 lot larger house.

10 THE CHAIRMAN: I know you must have
11 something to say, Margaret.

12 MS. UHLE: No. Surprisingly not on
13 this one, no.

14 MR. NEMECEK: What conditions;
15 landscape plan?

16 MS. UHLE: Not for an addition or
17 alteration.

18 MR. NEMECEK: Even if it's more than
19 double?

20 MS. UHLE: If even if it's more than
21 double.

22 THE CHAIRPERSON: So then not to keep
23 you any longer, we will or will make a motion
24 to approve this application, 15-67, 89 Park

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 Drive.

2 MR. PULASKI: Second.

3 THE CHAIRMAN: All in favor.
4 (All aye.)

5 MR. CUNNINGHAM: Good luck. It looks
6 good.

7 THE CHAIRMAN: Congratulations. The
8 next application is 15-81, 109 Siwanoy
9 Boulevard.

10 MS. MARRONE: Good evening. I'm
11 Maggie Marrone. I'm the architect for Mr. and
12 Mrs. Bogetti at 109 Siwanoy.

13 They would like to convert their
14 existing garage, which you could see the
15 picture, into a family room, and then add on a
16 new two car garage to the side of the house.

17 All the materials are matching
18 existing, asphalt shingle roof, they're filling
19 in the brick. It's actually brick front
20 painted white in the front. They would fill in
21 here and use vinyl siding around the new
22 dormers and around the back of the house.

23 So there are no zoning issues, and the
24 new addition we would get rid of the existing

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 driveway and add a new driveway along the
2 perimeter of the property 5 feet in with
3 turning space on the side, and there's a
4 mudroom in the back of the garage. We are
5 adding dry wells. So they'll have two 330
6 CULTECs in the front for the new driveway and
7 the new addition. The second story is just
8 going to be storage. We're putting in the
9 dormers just really for aesthetics. This is
10 also a new dormer at the existing master
11 bedroom upstairs. The windows are matching
12 existing. It's really in keeping with the
13 style of the existing house.

14 MR. PULASKI: So is the entire house
15 being re-sided?

16 MS. MARRONE: No. We're only doing
17 just the new addition and where we're filling
18 in where the brick is here where the garage
19 door was.

20 THE CHAIRMAN: So that piece is going
21 to be stone; correct?

22 MS. MARRONE: That will be brick
23 painted white.

24 THE CHAIRMAN: And on both sides it's
25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 white vinyl?

2 MS. MARRONE: This is brick existing.
3 This we would like to actually do in brick.
4 It's a question of money at this point and
5 whether it would be brick or the white vinyl to
6 match the upstairs.

7 MR. PULASKI: It would be nice in
8 brick.

9 THE CHAIRMAN: What's on the side
10 elevation?

11 MS. MARRONE: So the side elevation is
12 a one car garage with a mudroom in the back of
13 the house.

14 THE CHAIRMAN: So that's new; right?

15 MS. MARRONE: That's new.

16 THE CHAIRMAN: That's the white vinyl
17 that's being proposed?

18 MS. MARRONE: It's going to be white
19 vinyl. The rear of the house right now is all
20 white vinyl and the side right now, both sides.

21 THE CHAIRMAN: Got it. What's the
22 trim, the roof trim; white AZEK?

23 MS. MARRONE: Yes, it's going to be
24 white AZEK.

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: That's what's there
2 now. Okay.

4 MS. MARRONE: The roof is asphalt
5 shingle. I have a sample. It's what's on the
6 house now. The bottom. This piece.

7 THE CHAIRMAN: So with the driveway
8 gone, that's going to be re-planted as grass?

9 MS. MARRONE: That's going to be
10 grass, exactly, yes.

11 THE CHAIRMAN: Just all the way over
12 to the new driveway I guess?

13 MS. MARRONE: Yes.

14 THE CHAIRMAN: Comments, guys?

15 MR. WEST: The existing garage is just
16 going to be re-built into family room space,
17 you're knocking it down --

18 MS. MARRONE: We're not knocking it
19 down. We're actually just raising the floor
20 about 9 inches. It's got a high ceiling right
21 now, so it's just going to be a family room.

22 MR. NEMECEK: That's just going to be
23 a single story?

24 MS. MARRONE: You're talking about the
25 family room?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MR. NEMECEK: What's now the garage.

3 MS. MARRONE: There's a master bedroom
4 upstairs over that right now, and that's going
5 to stay the master bedroom. We're adding the
6 dormer because there is no dormer currently
7 right here. So we're going to mimic these two
8 dormers here and here.

9 MR. NEMECEK: The setback from the
10 main portion of the building -- the existing
11 house right now, from the existing house
12 there's a slight setback to what's the current
13 garage that would be the -- would now be living
14 space, and then there's a further setback --

15 MS. MARRONE: Yes. This is about 3
16 feet and it's only going to be about a foot
17 from the existing garage to the new garage.

18 MR. PULASKI: Margaret, this addition
19 requires an increase in the dry well?

20 MS. UHLE: Yes, because she's
21 increasing the impervious surface.

22 MR. PULASKI: Okay. All of that has
23 been reviewed and accepted?

24 MS. UHLE: For additions and
25 alterations, that's reviewed as part of the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 building permitting process. We get Alan
2 involved on the bigger, new construction.

4 MS. MARRONE: We actually had the
5 plans approved by the Building Department.

6 MS. UHLE: For the storm water
7 management.

8 MR. PULASKI: Okay.

9 MR. NEMECEK: You said you're
10 installing two CULTEC units?

11 MS. MARRONE: Uh-huh.

12 MR. NEMECEK: And right now you said
13 there were none?

14 MS. MARRONE: None that we know of.

15 THE CHAIRMAN: The driveway material,
16 that's just going to be blacktop?

17 MS. MARRONE: Excuse me.

18 THE CHAIRMAN: The driveway material;
19 the new driveway.

20 MS. MARRONE: Blacktop.

21 THE CHAIRMAN: Blacktop. I guess it
22 pitches towards the street; right?

23 MS. MARRONE: There's going to be a
24 trench drain -- there will actually be two
25 trench drains, one near the street to take the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 water to the dry well and one --

3 THE CHAIRMAN: By the garage?

4 MS. MARRONE: Right at the outside of
5 the garage doors.

6 THE CHAIRMAN: Got it.

7 MR. WEST: What's the difference
8 between the corner of the new garage and the
9 property line?

10 MS. MARRONE: 16 feet. It's 16 feet
11 to the new -- the property line. 16 feet.

12 MR. WEST: 16 feet?

13 MS. MARRONE: Yes.

14 THE CHAIRMAN: The driveway is set
15 back 5 feet from the property line?

16 MS. MARRONE: Yes.

17 MR. CUNNINGHAM: Is there any
18 screening required along there?

19 MS. MARRONE: No. We're going to do
20 low --

21 THE CHAIRMAN: I'm sorry.

22 MS. MARRONE: We're going to do low
23 Boxwoods along the property line.

24 THE CHAIRMAN: Right, between the
25 driveway and the property line.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

MS. MARRONE: Right.

THE CHAIRMAN: You're going to edge the driveway with block; is that right? I see the detail.

MS. MARRONE: What?

THE CHAIRMAN: You're going to edge the driveway with the block?

MS. MARRONE: Yes.

THE CHAIRMAN: Very nice. Okay. Any more comments or if there are let's do it after the public hearing. So I make a motion to open the public hearing on Application 15-81, 109 Siwanoy Boulevard.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.
(All aye.)

THE CHAIRMAN: Please, could you come up.

MR. HAFNER: Good evening. My name is Thomas Hafner, and I live right next door to the property in question at 115 Siwanoy Boulevard. My house sits -- it doesn't sit square to the street, it sits on an angle, and with this addition -- I don't have any problems

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

with the addition. I know he has a young family, a growing family, and I wish him all the luck in the world with the addition. However, I have a big issue with the driveway. The driveway is -- like I said, my house sits on an angle, and I just don't see how there is going to be room for the automobiles. They're going to be right practically in my backyard. They're going to be right -- the driveway will be right on the property line with the house, and it's just going to hurt my property value tremendously, because right outside -- right outside of my kitchen and my dining room are going to be automobiles lined up and parked, whereas it wasn't like that before.

I was hoping that my neighbors would reconsider and put the garage doors in the front of the house instead of on the side, which would have made this a non-issue for me. But it's going to -- and I know you have plans, but if you came out and looked at it from my angle, I believe you wouldn't see how it could possibly fit.

I'm going to have exhaust fumes. The

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

last meeting they said there's going to be a light on the side of the garage facing my house, which means my bedroom, my dining room, everything else would be lit up on or off or however it would be. I just don't see how this could possibly fit with the addition. I don't have any issue with the addition at all but I do with the driveway.

MR. CUNNINGHAM: I have a question for you: So your house is basically in this picture right there?

MR. HAFNER: Yes. If you're looking at the house, it's on the right-hand side, yes.

MR. CUNNINGHAM: My first impression of it was exactly what you just said, the extension looks really nice --

MR. HAFNER: I'm sorry.

MR. CUNNINGHAM: I said my impression of it when I looked at it was pretty much exactly what you just said. I didn't know that was your house, but when I looked at it the driveway is 5 feet away from the property line, It seems like it's squeezing over onto, but I asked Margaret and she said it's all within

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

zoning. I think a fair tradeoff may be to have screening there, for one. I mean, it just seems like they're right on top of you with the driveway. So, like I said, the extension looks nice --

MR. HAFNER: Right on top is an understatement. My parents had put a porch on the side of the house back in the 1950's, which I use a lot --

MR. CUNNINGHAM: Yes, I see it.

MR. HAFNER: -- And I'm going to be looking at the roof of automobiles. I mean, it's going to diminish my quality of life a little bit. I mean, you know, but I know you have the plans, but I just don't see how it could fit. Like I said, I was hoping it could have went the other way, but that wasn't -- that's it.

MR. NEMECEK: How many cars do your neighbors have? Have you lived in that house for much of your life?

MR. HAFNER: Yes, I have. My parents since 1954. Yes. I've been a lifelong resident of Eastchester, and I hope to stay

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 here. Like I said, gentlemen, if you could --
 2 I mean, a picture is worth a thousand words,
 3 and I wish you really -- I mean, you're welcome
 4 to come to my house and take a look. Like I
 5 said, it goes back and the property next to me,
 6 and it narrows down, and I just don't see how
 7 it could possibly fit.

8 MR. NEMECEK: I think this --

9 MR. HAFNER: Yes, that's my property
 10 on the right.

11 MR. NEMECEK: Is that on your
 12 property?

13 MR. HAFNER: It's his. Most of it is
 14 his or it's his. I have to go out now and get
 15 a surveyor. I have to wait until the snow
 16 clears. You could see how it goes back on an
 17 angle.

18 MR. WEST: What's the benefit of
 19 having the garage entry from the side of the
 20 house instead of just moving the front?

21 MS. MARRONE: Well, basically it gives
 22 them an area to have just a little more
 23 turnaround space and get to the mudroom, which
 24 is in the back of the garage. So when they

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 pull in, they park --

2 MR. BOGETTI: When you --

3 MR. NEMECEK: Please identify yourself
 4 for the record.

5 MR. BOGETTI: Scott Bogetti. That's
 6 my home. So if you look at the plans, right,
 7 the mudroom -- the mudroom is on the back,
 8 right. So if I pull in to here, right, we have
 9 to come through the garage. The point of
 10 having the mudroom is to enter the mudroom.
 11 You could pull the cars here, you enter into
 12 the mudroom and then enter the family room.
 13 From here I would have to rearrange the whole
 14 design of the house. If it's not on the
 15 property line -- I can't fit a mudroom in
 16 between because that would put this over. You
 17 don't want to put a mudroom in front of your
 18 garage. I don't have the ability to put it on
 19 this. I mean, I own two cars. I hear Tom's
 20 point. I keep one truck and that's it. I
 21 mean, I'll put up tall trees if he likes. I'm
 22 going to put Boxwoods. Right now I have nice
 23 Boxwoods going across the front of the house.
 24 Landscaping wise, I'll do whatever he wants.

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 To rearrange the garage now to the front,
 2 there's no point.

3 THE CHAIRMAN: Okay. We got your
 4 point.

5 MR. HAFNER: Thank you very much.

6 THE CHAIRMAN: Thank you. So what
 7 could we do besides increasing the screening?

8 I mean, I imagine if you had to you could
 9 rearrange the mudroom such that you would be
 10 able to put something in the garage and take up
 11 part of the garage to have space to do it. It
 12 wouldn't be as generous as this, though. It
 13 changes the design. It changes the intent.

14 MR. BOGETTI: Right. So I'm going
 15 from then call it a one and a half car garage
 16 to a one car garage, which I have two car -- a
 17 one and a half now. So I'm losing -- so by
 18 doing an addition and upping the value of my
 19 home, I'm losing space.

20 MR. WEST: Yeah, but you're giving up
 21 pavement to get --

22 MR. BOGETTI: I have a big garage now,
 23 so why would I go to a lesser garage than what
 24 I have?

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MR. WEST: I don't think you have to
 2 go lesser.

3 MR. BOGETTI: I have a family of five.
 4 I don't know any new houses with a family of
 5 five that have a one car garage being built in
 6 this town right now.

7 MR. WEST: I don't think you have to
 8 give up a two car garage. You could just go
 9 wider, because you've given up --

10 MR. BOGETTI: So if I go wider, you're
 11 going to be pushing that -- you're going to be
 12 pushing back more over to the property. You're
 13 back at the same point. Now you're still back
 14 at a structure going --

15 MR. WEST: If you're pulling two cars
 16 in this way, there's not too much difference
 17 from you pulling two cars in this way.

18 MR. BOGETTI: So where do you want me
 19 to put the mudroom then?

20 MR. WEST: Back of the garage.

21 MR. CUNNINGHAM: Why couldn't the
 22 mudroom stay right where it is? If there's a
 23 door for the back of the garage, you walk into
 24 the mudroom and you walk in --

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

MR. BOGETTI: Here's the thing: If I'm within the zoning, why -- if I'm within the zoning, am I breaking zoning laws?

MR. CUNNINGHAM: No, no. Honestly, my first impression was it's a beautiful design, I think the house looks fantastic, but I think it definitely impedes your neighbor. So that's probably why this board is here just --

MR. BOGETTI: It's not a structure that we're looking at, it's a driveway. It's low to the ground.

MR. CUNNINGHAM: I understand, but it's still --

MR. BOGETTI: So the screened-in porch, right, there's not -- you still have your line of sight. It's not like I'm putting up monster trees blocking it. I'll put Boxwoods. The cars are going to be pushed up, right. His porch is here, right. Who parks their cars here? We park our cars here. So how is this impeding line of sight?

MR. CUNNINGHAM: Well, you're driving right along the property line.

MR. BOGETTI: It's the driveway. He

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

was -- his complaint was fumes, line of sight, and looking at cars. Cars are going to be here. His porch is here. So this driveway is flush with the ground. We're not obstructing anyone's sight.

THE CHAIRMAN: To his point, at any time you could park your car wherever you want and he has not control over that.

MR. BOGETTI: Right. So if I have guests coming, so probably every holiday, three times a year. My wife comes in with groceries and three kids --

MR. WEST: You don't have any friends that come more than three times a year you're telling me? We'll get you some friends and then you could have a party.

THE CHAIRMAN: We're going to come and visit you.

MR. CUNNINGHAM: You have more friends than that.

MR. BOGETTI: We're talking the family living here, the cars will be in front of the garage.

THE CHAIRMAN: I mean, not to diminish

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

his argument. You're making yours, he's entitled to make his.

MR. BOGETTI: Listen, if I was breaking zoning laws --

THE CHAIRMAN: No, we understand.

MR. TUDISCO: I want to clarify that, Mr. Chairman, because if there are people at home that are watching --

MR. NEMECEK: A substantial viewing audience.

MR. TUDISCO: Correct. I think that the comment that was made that if I'm not breaking any zoning laws I could do whatever I want, the reason we have a Planning Board is because they have the ability to approve what your design is. So they do have the authority to review it and to consider what comes out at the public hearing and any other impacts to the community. So that's the whole reason for a Planning Board. I just want to clarify the record so that anyone watching at home knows that.

MR. NEMECEK: If it was just a matter of building within the zoning, then this board

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

wouldn't need to exist.

MR. BOGETTI: I think aesthetically I think the addition -- I think the driveway I'm trying to maximize my lawn, okay, because, otherwise, you're back to a driveway in the front of the house and you still have a mudroom issue and a design issue. So the best way to build this addition was to move the driveway within my property line and if we -- I'm just trying to think if there is any other way to lay it out, but when you have a mudroom -- otherwise you're pushing the garage way over, right, if you're going to have a mudroom between them.

MS. UHLE: The only point I'm going to make, if you look at the elevation of 115 Siwanoy, the head-on elevation, just to be clear, typically driveways could be within 3 feet of the property line. If you're looking at houses that are all parallel to each other along the street, it's pretty common to have driveways within 3 feet of the property line. This is a little bit of a different situation because the applicant's property is kind of a

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 unique configuration. So their side property
2 line is at a different kind of angle, but --

3 MR. HAFNER: Can I say one other
4 thing?

5 THE CHAIRMAN: You have to come back.

6 MR. HAFNER: I'm just going to repeat
7 myself: I have an open invitation for you to
8 come over and look. I'll even make you a cup
9 of coffee. If you look, the addition is going
10 to be set back from the original house, which
11 is going to make that corridor even narrower.
12 It's even going to have less space. I don't
13 believe that -- from the drawings -- I don't
14 believe there's room for the driveway, I really
15 don't. With the addition to the house and then
16 the driveway and then you're saying a 5 feet
17 barrier, there's no way.

18 MR. WEST: It's measured. It's
19 surveyed. There is room. It's just the
20 aesthetics and if we think it fits.

21 MR. HAFNER: Okay.

22 THE CHAIRMAN: What's your
23 building's -- you porch setback from property
24 line?

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MR. HAFNER: I'm sorry.

2 THE CHAIRMAN: If you were to measure
3 your setback from property line.

4 MR. NEMECEK: Of the porch.

5 THE CHAIRMAN: Of the porch. How much
6 distance is there?

7 MR. HAFNER: I think from my house --
8 I have a small piece of property. I think from
9 the corner of the house I think it's like
10 20 feet or 19 and a half feet. Again, I'm
11 going to have somebody survey it to the
12 property line. -

13 THE CHAIRMAN: Can you give us a
14 better idea?

15 MS. MARRONE: It's approximately
16 20 feet. This is an elevation from the street
17 of the new house and his neighbor's house, and
18 the property line is here, somewhere over here.

19 THE CHAIRMAN: Right. So the distance
20 from that property line to the face of the
21 porch, what's that?

22 MS. MARRONE: So the houses are going
23 to be about 40 feet away.

24 THE CHAIRMAN: No, I'm not saying

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 that. I'm saying just from the property line
2 of your site to this gentleman's porch, what do
3 you think that distance is? They're you go.
4 You drew it by hand.

5 MR. PULASKI: This is it.

6 MR. HAFNER: If the garage doors were
7 in the front, he could have made the house --
8 made the addition even bigger, but that's
9 neither here nor there.

10 MS. MARRONE: It's about 16 feet to
11 the property line.

12 THE CHAIRMAN: Plus an additional 5.

13 MS. MARRONE: This is 26 feet plus or
14 minus.

15 THE CHAIRMAN: What's the 26 to the
16 edge of the driveway?

17 MS. MARRONE: From this house to the
18 property line.

19 MR. HAFNER: Is that going from the
20 front of my house or back? Like I said, it
21 goes back and it cuts off.

22 MS. MARRONE: At this point we're
23 closer.

24 MR. HAFNER: If you're measuring it

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 from the front of my house, but, like I said,
2 the property goes like this and then his goes
3 like this and it becomes a triangle.

4 MS. MARRONE: The closest point is
5 16 feet to the property line, but that's on an
6 angle.

7 THE CHAIRMAN: So it's 16 feet to the
8 property line and then we said you measured --

9 MR. NEMECEK: At the front of the
10 proposed new addition, it's 24 feet to the
11 property line, right, that's what you're
12 telling me?

13 MS. MARRONE: Right. The front is
14 40 feet. At this line across it's 40 feet.
15 It's 20 feet here.

16 MS. UHLE: Jim, you have this in your
17 package too, which is the elevation.

18 (Discussion among board members.)

19 THE CHAIRMAN: Any suggestions from
20 the board? What's the height of his addition;
21 what do you think that is? Since you scaled
22 that, what do you think -- how tall do you
23 think his --

24 MS. MARRONE: The height of the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 addition?

2 THE CHAIRMAN: Not your addition, the
3 gentleman next door, his back porch. Can you
4 measure that on the elevation that you drew?

5 MS. MARRONE: I'm sorry.

6 THE CHAIRMAN: That addition, if you
7 were to scale from ground to top, his peak.

8 MS. MARRONE: About 18 feet.

9 THE CHAIRMAN: It's 18 feet. Right,
10 so his window is probably 10 feet; right? I'm
11 just trying to figure out what the gentleman's
12 line of sight is. I mean, is it really down on
13 the driveway? If you were to put up 12 foot
14 arborvitaes, you wouldn't see a thing, would
15 you, out of his window? I mean, how tall is
16 the tree that you drew there?

17 MS. MARRONE: About 16.

18 THE CHAIRMAN: You can't see through
19 that; right?

20 MS. MARRONE: (Indicating.)

21 THE CHAIRMAN: My neighbor has huge
22 trees in his backyard that blocks off our yard
23 from his yard. They're big, they're trim,
24 they're beautiful, and I can't see a thing

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 through them.

2 MR. PULASKI: I think that would be a
3 good compromise.

4 THE CHAIRMAN: Hold on, we're like in
5 the middle of -- let us --

6 MR. WEST: With the flood lights going
7 down, no flood lights going out, provisions
8 like that, trees like we did for the other
9 places.

10 MR. CUNNINGHAM: The design of the
11 house is really nice. It's encroaching on the
12 property next door, make a compromise, put a
13 line of trees down it.

14 THE CHAIRMAN: Do you have outside
15 lighting shown anywhere?

16 MS. MARRONE: Just lights on the
17 garage.

18 THE CHAIRMAN: But obviously they're
19 not shining anywhere but down; right?

20 MS. MARRONE: Just one light here.

21 THE CHAIRMAN: That's nothing. So,
22 Margaret, how would we go about making
23 plantings --

24 MS. UHLE: Make it a condition that

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 they put a row of -- I would say starting off
2 with 6 to 8 foot high evergreens because they
3 grow over time and they acclimate better.

4 MR. NEMECEK: Whose property do you
5 want to put them on?

6 THE CHAIRMAN: Well, they have to be
7 on the --

8 MS. UHLE: On the applicant's
9 property.

10 THE CHAIRMAN: -- Applicant's
11 property.

12 MR. NEMECEK: Could we make the
13 applicant put them on the neighbor's property
14 so they become the neighbor's trees? -

15 THE CHAIRMAN: Then he'll have to
16 maintain them.

17 MS. UHLE: Then the neighbor would be
18 required to maintain them. Put it this way,
19 the neighbor always has the option to put trees
20 on his property, his own property, but I think
21 the condition has to be tied to the applicant's
22 property.

23 MR. NEMECEK: Because the applicant
24 can remove them after putting them in at any

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 point; correct? There is no way of policing
2 it.

3 MS. UHLE: Well, a couple of things.
4 You could, I guess, require it in perpetuity
5 and hope that everyone remembers that. I think
6 very few people go to the time and expense of
7 installing an evergreen hedge like that only to
8 remove it. I don't know why the applicant
9 would have any incentive to remove plants once
10 he's installed them.

11 That being said too, you could approve
12 a driveway in a different location and they
13 could come back in a year and ask for this very
14 driveway and we would have no discretion to
15 deny it unless you made it a condition in
16 perpetuity that they couldn't do that.

17 Did I answer your question? In the
18 past, you have required evergreen screening,
19 but, you're right, technically that could be
20 removed down the road.

21 MR. NEMECEK: Yes. I'm just -- I
22 don't know if the neighbor would be agreeable
23 to that, but I know, personally, I put
24 arborvitaes on my neighbor's property and I

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 paid for them. Thankfully, my new neighbors
2 who moved in liked them.

3 MR. CUNNINGHAM: We did this at
4 Nature's Cradle and then he took the trees
5 down. I don't see why he would honestly want
6 to do that.

7 MS. UHLE: Also, I think there's a big
8 difference between you coming to an
9 understanding with your neighbor and the
10 Planning Board imposing that.

11 MR. NEMECEK: We can broker a deal,
12 any deal we want; right? If the applicant will
13 agree to plant them on the neighbor's and the
14 neighbor agrees that that will be fine, they
15 become the neighbor's trees. I don't see how
16 that --

17 MR. TUDISCO: Part of the problem --
18 legally part of the problem is that you are
19 then requiring the next door neighbor to lose a
20 couple of feet of his property line and --

21 MR. NEMECEK: He may not want that.
22 But what if he was agreeable to that?

23 MR. TUDISCO: What I would say is that
24 the applicant is the one making an application

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 with respect to his property, I think you can
2 impose whatever conditions with respect to the
3 site plan of his property, which really I think
4 it would be a safer place to do it that way.

5 THE CHAIRMAN: Yes.

6 MR. HAFNER: I think it kind of went
7 off track with the trees. I mean, I believe
8 there's not enough room, period, trees or no
9 trees. I don't believe there's enough room.
10 We went from cement, now we're in the forest
11 with the trees. I don't believe there's enough
12 space for the driveway --

13 MR. NEMECEK: I believe the writing on
14 the wall here is the driveway is going to stay.

15 MR. HAFNER: I don't want to look at a
16 bunch of trees. I sit on my porch. It's solar
17 heated. I made my own panels up. I sit out
18 there. Today it was a hundred degrees on my
19 porch. I sit out there in the wintertime. I
20 can't sit out there at night because it's not
21 heated. Put up trees, I lose that. I lose
22 that if the trees are up there.

23 MR. NEMECEK: We're talking
24 arborvitae.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MR. HAFNER: See, I get the sun. I
2 get the exposed morning, noon, and afternoon
3 sun. With trees up, I won't be able to -- I
4 lose that too.

5 MR. CUNNINGHAM: They're 6 foot high
6 trees.

7 MR. NEMECEK: Or 10 maybe.

8 THE CHAIRMAN: They will be bigger at
9 some point.

10 MR. HAFNER: Like I said, then I get
11 to look at a bunch of automobiles. I just
12 wanted to say that trees won't solve the
13 problem here I don't think. Thank you. Thank
14 you for your time.

15 MR. PULASKI: I think a complication
16 that we so often run into is where you have a
17 buildable lot next to a house that hasn't been
18 there since neighbors moved in, grew up and
19 whatever, and now somebody puts a house in and
20 you bring it within 7 feet of the property
21 line. It has impact. This has a particular
22 unusual example of -- because the property
23 lines are askew to the house. I suppose we
24 could ask for a layout of the property lines

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 and go out there and look at it and let this
2 roll over to another meeting. I think that
3 trying to place some arborvitae in a 5 foot
4 setback, once that arborvitae gets a little bit
5 of shoulder width, it's going to impinge on the
6 driveway or overhang on the neighbor's
7 property, and then you also have the root
8 system, how all the root system takes hold
9 because those roots want to spread along the
10 surface and the surface on one side is all
11 asphalt so it's not going to get rain.

12 MS. UHLE: You're right, it's tight.
13 You could also require a 4 foot fence or just
14 approve it as is.

15 THE CHAIRMAN: So your point about the
16 5 foot space between property line and the
17 driveway, if we were to get a few more feet to
18 allow more room for the plant to grow, that
19 would cut into the driveway. You're 16 foot
20 driveway would become a smaller, more narrow
21 driveway but allow a bigger planting bed.

22 MR. PULASKI: The applicant's comment,
23 what I'm visualizing on his driveway is he's
24 looking at his swing. Otherwise, he could take

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 his driveway and just do this, but then that
2 makes that a very tight turn there. I think
3 his position is it's a nice shape.

4 MR. WEST: Exactly. He needs the
5 swing.

6 MR. PULASKI: But I thought another --
7 but we could get his opinion without a doubt,
8 it's his house -- I think another thing is we
9 could ask him if he would put some lamps on the
10 side of the house as opposed to the spotlight.
11 Maybe even keep the spotlight, he may want it
12 at times, but he could turn on lamps which will
13 give you a more of an gentle glow as opposed to
14 a spotlight and maybe that could suit his needs
15 most of the time, and then that might soothe
16 the situation a little bit. Maybe even spot
17 another light more out towards the mudroom and
18 the property line so that if somebody wants to
19 walk at night, it looks like they're back from
20 the street a bit so they're not going to get
21 the light from the street, there is some more
22 localized light like almost like a landscaping
23 light that comes on.

24 THE CHAIRMAN: I'm just trying to
25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 think if there's a way you can work with the
2 outline of the driveway such that we move it a
3 little bit further away from the property line
4 to get a few more feet there for trees to grow.

5 MR. NEMECEK: I don't think the idea
6 of trees was well received.

7 THE CHAIRMAN: I would love to ask the
8 applicant to change the driveway, but I think
9 that might be doing them a disservice too. I
10 mean, it's their property, you know, they have
11 an idea. I mean, we have to defend everyone
12 here. Anyone have any ideas other than that?

13 MR. NEMECEK: It seems to me that the
14 best we can do is to offer some form of
15 screening, you know, whether it be a fence or
16 some form of arborvitae or some other type of
17 evergreen plant, small tree that will take up a
18 relatively modest amount of space, because
19 there isn't a lot of space there, but will
20 provide a shield.

21 THE CHAIRMAN: Okay.

22 MR. NEMECEK: The fence, I guess, is a
23 virtue of shielding the headlights but
24 otherwise won't do a whole lot.

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: You have to
2 maintain it.

3 MR. NEMECEK: The fence I'm saying.

4 THE CHAIRMAN: I mean, putting up a
5 tall 8 foot fence is probably less work --

6 MR. NEMECEK: You can't put up an 8
7 foot fence.

8 MS. UHLE: You're not allowed to. You
9 can only have a six at the back.

10 THE CHAIRMAN: I don't think the fence
11 works.

12 MS. UHLE: Again, I want to be careful
13 what I say, but you have driveway after
14 driveway after driveway after driveway that's
15 only 3 feet from the property line.

16 MR. CUNNINGHAM: There's not many in
17 Eastchester, though, that are on top of each
18 other like that.

19 MS. UHLE: Oh, I would say the
20 majority are. The majority are within 3 feet
21 of the property line. Again, I think part of
22 the issue with this particular property is that
23 it's an oversized lot where people are
24 accustomed to seeing open space, but if these

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 lots were contiguous -- if the houses were
2 parallel to each other, you would have two
3 driveways parallel, and I would say majority of
4 driveways in town are within a few feet of the
5 property line. I don't want to sound like I'm
6 not sympathetic to the neighbor's concerns, but
7 I just think part of it is being accustomed to
8 having a pretty large open space there.

9 MR. PULASKI: We looked at the one
10 plan that said there was a 20 foot setback, but
11 the property line goes askew so it's hard to do
12 a perspective of the reality of what that
13 20 foot is, but 20 foot is quite a bit of
14 setback.

15 MR. NEMECEK: I think the architect
16 said that it was 14 feet from the edge of the
17 porch to the property line.

18 MR. PULASKI: Even 14 is enough.

19 MR. NEMECEK: And another 5 feet to
20 the driveway.

21 THE CHAIRMAN: That's the dimension
22 from the neighbor's porch to the property line.

23 MR. PULASKI: If we're doing it in an
24 R-5 or R-6, what are the setbacks there; 7

25 DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 feet, 10 feet?
 3 MS. UHLE: They're 8 and 9 feet
 4 actually.
 5 MR. NEMECEK: We've got to make a
 6 decision, so --
 7 MR. HAFNER: I think if you came out
 8 and looked at it --
 9 MR. TUDISCO: Sir, you can't address
 10 unless you're recognized, okay.
 11 MR. NEMECEK: I think we have a pretty
 12 good understanding. It's a close distance, but
 13 that's also not your property.
 14 THE CHAIRMAN: Is there anything that
 15 we could do to the width of the driveway to get
 16 a few more feet to let something grow
 17 effectively there that would be dense enough to
 18 shield anything? Would you give up a foot to
 19 get 5, 6 feet? 16 is two cars with a big
 20 space -- with a space in between.
 21 MR. CUNNINGHAM: It runs parallel to
 22 his property. It says 16 feet wide on the
 23 plan.
 24 MR. BOGETTI: What's a standard two
 25 car driveway?

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 (Discussion among board members.)
 3 MR. BOGETTI: May I address the board?
 4 THE CHAIRMAN: Yes, sure.
 5 MR. BOGETTI: I guess I could move it
 6 1 foot in like you said, but I don't even know
 7 if Tommy wants trees. So if I'm going to move
 8 it 1 foot -- I'm more than happy to put Leyland
 9 Cypress, but they grow too wide.
 10 MR. CUNNINGHAM: Arborvitae would
 11 be --
 12 MR. BOGETTI: Arborvitae is a pencil,
 13 you could get 6 footers, they will grow to 12,
 14 that's fine, trim them, top them, they don't
 15 grow on the other person's property. I have
 16 tons of green giants along my property and
 17 Leyland, spent thousands of dollars. I'm more
 18 than happy to put whatever he wants, but I
 19 don't think that's going to do it. I would cut
 20 back a foot, but I'm not going to cut back a
 21 foot and then he says, I don't want trees
 22 there.
 23 THE CHAIRMAN: But at that point
 24 it's --
 25 MR. CUNNINGHAM: I see your point.

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 THE CHAIRMAN: So would getting more
 3 open area for the trees help them live better?
 4 MS. UHLE: Yes, well, I think the more
 5 area you have, the less concern you have with
 6 regard to having maintain them and trim them
 7 and gives them a little more root for room to
 8 grow.
 9 MR. CUNNINGHAM: I have some in a 5
 10 foot area and they maintain.
 11 MS. UHLE: They're wider than you
 12 think.
 13 MR. CUNNINGHAM: I have them in my
 14 yard. They're in a 5 foot feet and they've
 15 been there for years.
 16 THE CHAIRMAN: How tall?
 17 MR. CUNNINGHAM: They grew from 4 foot
 18 to probably 12.
 19 MR. BOGETTI: My arborvitae -- I grew
 20 up in town, Chester Heights where I used to
 21 live, and my arborvitae were 18 feet. It just
 22 depends on what you want to do. I can keep
 23 them at 10, keep them at 12. I don't know if
 24 he wants them.
 25 THE CHAIRMAN: I'm just trying to

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 figure out if widening would do anything. It
 3 sounds like that really doesn't change --
 4 MR. BOGETTI: Maybe low lying Boxwoods
 5 so you don't see a driveway; get 4 feet, 3 foot
 6 Boxwoods, those are pretty.
 7 THE CHAIRMAN: Arborvitae grow
 8 straight, don't they?
 9 MR. BOGETTI: Boxwoods grow around.
 10 So if you have a picture of the front of my
 11 house here --
 12 THE CHAIRMAN: That's a low lying
 13 hedge; right?
 14 MR. BOGETTI: You don't see the
 15 driveway, you just see low lying evergreen.
 16 THE CHAIRMAN: So I propose that we
 17 somehow come up with plantings between the two
 18 in that 5 foot buffer that are suitable to give
 19 as much screening to the neighbor as possible.
 20 I can make that a condition? Do I have to be
 21 more specific as to type?
 22 MS. UHLE: I think you need to be
 23 clear whether you're talking about something
 24 that's 6 to 8 feet or whether you're talking
 25 something 3 to 4 feet high.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: First I want something
2 tall.

3 MS. UHLE: Okay. Say something
4 similar to an arborvitae that's 6 to 8 feet
5 tall.

6 THE CHAIRMAN: Beginning?

7 MS. UHLE: To plant.

8 THE CHAIRMAN: Right. If you go
9 taller, you're saying it doesn't grow as well?

10 MS. UHLE: I think it's reasonable to
11 say 6 to 8 feet to get something that's
12 healthy.

13 THE CHAIRMAN: 6 feet would give
14 adequate screening. We'll leave the driveway
15 the way it is; right?

16 MR. CUNNINGHAM: They grow pretty
17 quickly.

18 THE CHAIRMAN: You get like a foot a
19 year?

20 MR. CUNNINGHAM: Basically.

21 THE CHAIRMAN: Planting spacing.

22 MS. UHLE: If you could just submit
23 something like a quick sketch to the Building
24 Department showing the proposed species and the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 spacing, then we'll look it over.

2 THE CHAIRMAN: And all lights are down
3 lights. Are we moving that light?

4 MR. CUNNINGHAM: I think he needs a
5 light in front of his garage. Maybe down
6 lights, sconces.

7 MS. MARRONE: He has a light, but it's
8 not a spotlight. It's a sconce. We're not
9 intending to do any kind of spot lights.

10 MS. UHLE: Are you saying within that
11 5 feet or are you asking him to reduce the
12 width of the driveway?

13 THE CHAIRMAN: In talking to you I
14 sort of heard that making it wider doesn't
15 really help. It will still grow and it will be
16 healthy.

17 MR. TUDISCO: Mr. Chairman, I think
18 you might still have a public hearing open.

19 THE CHAIRMAN: Well, in case the
20 gentleman wants to come back. Let's just
21 finish this and then we'll close it.

22 MS. UHLE: So the driveway can stay
23 within 5 feet of the property line, however, as
24 a condition of approval you're asking the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 applicant to submit a screening plan that shows
2 6 to 8 feet arborvitae, or something similar,
3 planted within that 5 foot strip to provide
4 screening to the neighbor's property.

5 THE CHAIRMAN: Yes.

6 MR. PULASKI: Yes, and it starts and
7 stops along the length of the driveway.

8 THE CHAIRMAN: I guess it goes --

9 MR. PULASKI: If it starts at the
10 corner of the house, you know, if you took the
11 face of the house and extended it out and you
12 took the back face of the house and extended it
13 out, that stretch.

14 THE CHAIRMAN: Well, where's the
15 adjacent --

16 MR. PULASKI: On this drawing, I don't
17 know.

18 THE CHAIRMAN: So if you were to draw
19 I would say like 5 to 10 feet beyond.

20 MR. PULASKI: Ultimately, we want to
21 make sure it's effective. The other thing
22 would be to say make it a 25 foot length or
23 something and move it along the line according
24 to where the other house is.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: The adjacent patio, I'm
2 thinking the dimension of the patio, whatever
3 it is, plus maybe 8 feet on each side or 10
4 feet on each side. So if it's 20 feet, another
5 10 feet, 10 feet so there's a 40 foot stretch
6 of arborvitae that would be along the driveway
7 such that it provides optimal, maximum
8 screening. Is that a good way to define it?

9 MS. UHLE: I didn't understand what
10 you said, because I don't have his plan there.

11 THE CHAIRMAN: Do you have any idea
12 what the dimension of your patio is, the inside
13 dimension parallel to the property line?

14 MR. TUDISCO: Could you come up to the
15 mic, please.

16 MR. HAFNER: It comes 2 feet off the
17 house, 8 feet maybe, and maybe -- I'm not
18 sure -- 10 feet. It's very small.

19 THE CHAIRMAN: 20 feet is the inside
20 dimension of the room?

21 MR. HAFNER: I guess. Something like
22 that. It's small.

23 MR. NEMECEK: What is your preference
24 other than -- you made it clear that you would

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 prefer the driveway not be configured the way
2 that it's proposed. Assuming it is and
3 assuming the best you're going to do is to
4 screen it in some way, do you have a preference
5 for screening as to plants or a fence or --
6
7 MR. HAFNER: Well, as Mr. Bogetti
8 stated, he said if he's within the boundaries
9 he could do what he pleases. My preference
10 is -- he said, well, I would like to help Tom.
11 If he helped Tom, he would be put the garage
12 doors in the front, problem solved, and he
13 could even make his extension bigger. I
14 wouldn't be here tonight if that was
15 considered, but I was told that was not an
16 option.

17 MR. NEMECEK: Recognizing that this
18 is -- and I do -- you've lived in the house
19 pretty much your entire life and this is a big
20 change for you, and I know I had a neighbor who
21 a contractor bought the house next door and
22 they knocked down every tree on the property,
23 you know, nothing I could do about it, and
24 because of a technicality it didn't even come
25 before this particular board. You have the

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 benefit of being before us, and we're trying to
2 do something for you, and your neighbor also is
3 willing to do certain things, okay. He's
4 willing to explore and follow through on a
5 screening option. We've been speculating -- I
6 was talking about putting it on your property
7 so you could control it. I don't know that
8 that's a good idea. If the two options were to
9 put some sort of arborvitae on his property in
10 the 5 foot area between the proposed driveway
11 and the property line or to put some sort of
12 fencing, because you did mention that you don't
13 want trees -- we're not talking about big trees
14 that are going to block the sun from you, we're
15 talking about something that will be a
16 screen -- do you have a preference between
17 those two options?

18 MR. HAFNER: No. Right now, no. I
19 didn't state before, you know, between my porch
20 and the property line I have grass, very --
21 probably about this wide, a little bit wider
22 maybe, and, you know, just came to thought now
23 if you put these trees up, all my grass along
24 that side of the house is going to die. It's

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 not going to get any sun whatsoever. It's all
2 going die. If the trees were on my property
3 line, that would give me between the trees and
4 porch I would hardly be able to walk through to
5 my backyard, that's how much I would lose.

6 MR. NEMECEK: We're talking about
7 putting them on his property.

8 MR. HAFNER: I understand. I
9 understand. Like I said, it's going to kill my
10 grass and everything because it's not going to
11 get any sun. It seems like he's going to do
12 what he's going to do, and it seems like there
13 isn't anything I could do about it. I came up
14 here and stated my grievances and I was
15 hoping --

16 THE CHAIRMAN: Let's make the best
17 with what we're faced with today. We're
18 unfortunately the arbiters between you and your
19 neighbor and someone has to do and we're trying
20 to do our best.

21 MR. HAFNER: I appreciate it.

22 THE CHAIRMAN: Margaret, were you
23 thinking something?

24 MS. UHLE: No.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 THE CHAIRMAN: So then do we have to
2 specify at this point a length of screening?

3 MS. UHLE: The only thing that I'm
4 concerned about is you have a neighbor --
5 you're imposing a condition on the applicant to
6 appease a neighbor who's saying that's not what
7 he wants. So I'm not sure that's a good
8 condition. I don't think you have to feel
9 obligated to impose a condition especially when
10 the neighbor has already indicated they don't
11 even want that condition imposed.

12 MR. NEMECEK: That was the point of my
13 question.

14 MS. UHLE: I think Mr. Nemecek spelled
15 out what the options were. There are actually
16 three options: One is to approve it as
17 proposed; approve it with trees planted, which
18 the applicant is willing to do but the neighbor
19 has indicated that he's not that comfortable
20 with that; and the other is to put in a fence,
21 which would be a 4 foot high fence.

22 MR. NEMECEK: Or the other is not to
23 approve it, but it doesn't sound like that's
24 the way this board is going.

DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MS. UHLE: I think you would have to
2 come up with a justification for that.

3 MR. NEMECEK: That's right.

4 THE CHAIRMAN: Sort of a catch 22.

5 MS. UHLE: I don't know if it is a
6 catch 22. I think you just need to make a
7 decision. You just need to make a decision. I
8 think you've tried to be accommodating.

9 THE CHAIRMAN: With the screening I
10 think the neighbor is saying it doesn't matter.

11 MS. UHLE: I think the neighbor said
12 he would prefer not to have trees.

13 MR. CUNNINGHAM: He said he would
14 prefer not to have it.

15 MR. NEMECEK: That's what I think too.

16 MR. CUNNINGHAM: We shouldn't put it
17 in as a stipulation.

18 THE CHAIRMAN: Then we leave it the
19 way it is.

20 MR. WEST: He sits here and he's
21 looking at all that grass and it's his.

22 THE CHAIRMAN: Then I make a motion to
23 close the public hearing on Application 15-81,
24 109 Siwanoy Boulevard.

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 MR. NEMECEK: Second.

2 THE CHAIRMAN: All in favor.

3 (All aye.)

4 THE CHAIRMAN: So then we are going to
5 make a motion to approve the application as
6 drawn. Any conditions other than -- there
7 aren't any conditions; right?

8 MR. WEST: Not anymore.

9 THE CHAIRMAN: Then I make a motion to
10 approve Application 15-81, 109 Siwanoy.

11 MR. PULASKI: Second.

12 THE CHAIRMAN: All in favor.

13 (All aye.)

14 THE CHAIRMAN: Thank you.

15 MS. MARRONE: Thanks a lot.

16 THE CHAIRMAN: The next application is
17 15-82, 783 White Plains Road.

18 MR. IANNACITO: Good evening. My name
19 is John Iannacito. I'm an architect, and I'm
20 representing the owners of the subject property
21 this evening.

22 We are proposing facade alterations to
23 the existing one story commercial building
24 located at 783 White Plains Road. Here we have

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 a site plan showing the footprint of the
2 existing building, along with a small planting
3 bed at the front and an existing parking area
4 to the side. Here we have existing and
5 proposed front and side elevations, the two
6 elevations that are viewed from the street.

7 The proposed scope of work will
8 include removal of an existing overhead door
9 and the installation of new storefront to match
10 existing, removal of the existing aluminum
11 siding band at the top at the front and the
12 side and installation of a new stucco finish,
13 removal and replacement of the existing fabric
14 at the entrance canopy, and repair of and
15 refinishing of the existing stucco on all of
16 the facades.

17 We have photos of the existing
18 building along with a small rendering and
19 samples of the finishes. The existing stone
20 veneer on these facades here will remain as
21 existing. The new stucco finish will be a
22 classic cream finish by Parex, which is this
23 here, and the new canopy will be a true brown
24 finish by Sunbrella. We are also proposing to

25 DINA M. MORGAN, REPORTER

EASTCHESTER PLANNING BOARD - 1/28/16

1 clean out the existing planting bed at the
2 front of the building here and install new sod
3 and some low plantings. On the lighting, all
4 existing lighting under the existing overhang
5 and the existing entrance will remain as
6 existing.

7 The application was presented to the
8 Architectural Review Board on the 7th of
9 January, and it was approved as submitted with
10 no additional comments or changes.

11 Thank you for your time, and I'll be
12 happy to answer any questions you have.

13 MR. NEMECEK: You're not going to
14 leave that beautiful garage door?

15 MR. IANNACITO: No.

16 MR. NEMECEK: Kind of a no-brainer
17 here.

18 MR. PULASKI: I think it's a very
19 simple change and it's fine.

20 THE CHAIRMAN: Public hearing. I make
21 a motion to open the public hearing on
22 Application 15-82, 783 White Plains Road.

23 MR. NEMECEK: Second.

24 THE CHAIRMAN: All in favor.

25 DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 (All aye.)
 3 (No comments.)
 4 THE CHAIRMAN: Close the public
 5 hearing on Application 15-82, 783 White Plains
 6 Road.
 7 MR. NEMECEK: Second.
 8 THE CHAIRMAN: All in favor.
 9 (All aye.)
 10 THE CHAIRMAN: Any comments?
 11 MR. PULASKI: Very simple change.
 12 MR. NEMECEK: Simple and sensible.
 13 MR. PULASKI: It was aluminum before
 14 and now it's stucco.
 15 MR. CUNNINGHAM: Big improvement.
 16 MR. NEMECEK: Looking at the picture,
 17 I don't know why you would want to mess with
 18 that beautiful planting bed but --
 19 THE CHAIRMAN: So then I a make a
 20 motion to approve Application 15-82, 783 White
 21 Plains Road.
 22 MR. PULASKI: Second.
 23 THE CHAIRMAN: All in favor.
 24 (All aye.)
 25 MR. IANNACITO: Thank you.

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 THE CHAIRMAN: That was a record.
 3 MR. PULASKI: Now we got the minutes.
 4 THE CHAIRMAN: It's just the set of
 5 minutes that we were given, I guess.
 6 MR. NEMECEK: While I was not here for
 7 that meeting and, quite frankly, question
 8 whether the four of you guys should get credit
 9 for that meeting, it was all of nine pages I
 10 think. With that said, I did review the
 11 transcript, found no errors in it whatsoever.
 12 MS. UHLE: You found no errors?
 13 MR. NEMECEK: No errors at all. Zero.
 14 MS. UHLE: You know that means you owe
 15 Dina a full dinner.
 16 MR. NEMECEK: I wasn't at the meeting,
 17 so I think the Chairman ordinarily pays for the
 18 dinner.
 19 THE CHAIRMAN: What was the deal, when
 20 the day came that you didn't find any
 21 corrections we buy her dinner?
 22 MR. NEMECEK: It was only nine pages.
 23 As always, a job well done by Dina.
 24 THE CHAIRMAN: Yes. So then everybody
 25 but Phil. I'll make a motion to approve the

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2 meeting minutes of December 3rd, 2015.
 3 MR. PULASKI: Second.
 4 THE CHAIRMAN: If nothing else needs
 5 to be done, I'll make a motion to close the
 6 public hearing --
 7 MR. NEMECEK: You have to vote. It
 8 was seconded but not voted.
 9 THE CHAIRMAN: All in favor.
 10 MR. PULASKI: Aye.
 11 THE CHAIRMAN: Aye.
 12 MR. CUNNINGHAM: Aye.
 13 MR. WEST: Aye.
 14 THE CHAIRMAN: I then close the town
 15 of Eastchester Planning Board meeting of
 16 January 28, 2016.
 17 MR. NEMECEK: Second.
 18 THE CHAIRMAN: All in favor.
 19 (All aye.)
 20 THE CHAIRMAN: Great. Thank you.
 21
 22 (MEETING ADJOURNED.)
 23
 24
 25

DINA M. MORGAN, REPORTER

1 EASTCHESTER PLANNING BOARD - 1/28/16
 2
 3 C E R T I F I C A T I O N
 4
 5 STATE OF NEW YORK)
 6) Ss.
 7 COUNTY OF WESTCHESTER)
 8 I, DINA M. MORGAN, Court Reporter and
 9 Notary Public within and for the County of
 10 Westchester, State of New York, do hereby
 11 certify:
 12 That the above transcript was taken from
 13 a videotape of the actual hearing. I was not
 14 present for such hearing. The videotape was
 15 taken and transcribed by me to the best of my
 16 ability.
 17 And, I further certify that I am not
 18 related to any of the parties to this action by
 19 blood or marriage, and that I am in no way
 20 interested in the outcome of this matter.
 21 IN WITNESS WHEREOF, I have hereunto set
 22 my hand this 11th day of February, 2016.
 23
 24
 25



DINA M. MORGAN
 Court Reporter
DINA M. MORGAN, REPORTER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CORRECTION SHEET

PAGE

CORRECTION

DINA M. MORGAN, REPORTER