

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on December 11, 2008. The full public record of this meeting is the audio/video recording made of this meeting and kept in the Planning Board’s Records.

PRESENT: Robert Galvin, AICP, Chairman
Ingemer Sjunneberg
Stewart Sterk
Lee Wexler
Thomas A. Murphy, Trustee Liaison
Janet Insardi, Village Attorney
Susan Favate, BFJ Planning Consultant
Susan Oakley, Landscape Consultant

EXCUSED: Michael Ianniello

AGENDA:

OLD BUSINESS:

- 1. APPROVAL OF MINUTES**
- 2. 233 HALSTEAD AVE. – METRO PCS NEW YORK, LLC –** Installation of wireless telecommunications facility on roof of senior citizen building – Special Use Permit.
- 3. 1160 WEST BOSTON POST ROAD –BANK OF AMERICA –** Revised Site Plan.
- 4. 1444 EAST BOSTON POST ROAD (PEOPLE’S UNITED BANK) –** Construct bank where restaurant and gas and gas station now exist

NEW BUSINESS:

- 1. 714 ORIENTA AVE. -** Proposed two-lot subdivision.
- 2. 651 EAST BOSTON POST ROAD –** Pre-submission discussion on proposal to construct 2-story office building including structured parking on vacant lot. (previously a gas station)

Chairman Galvin called the meeting to order at 7:05 p.m.

OLD BUSINESS:

1. 1160 WEST BOSTON POST ROAD –BANK OF AMERICA – Revised Site Plan.

Mr. Don Mazin, Esq. /1415 Boston Post Road, Mr. Joseph Sparone/Civil Site Engineer and Mr. Adam Gorlovizki/Project Manager – Jones Lang LaSalle were present to represent the application.

Mr. Mazin said the property is unique because of the parking and noted that there is no parking on Richbell Avenue. Mr. Mazin said the parking was reduced from an existing 60 spaces to 26 spaces.

Chairman Galvin said the applicant has made revisions to the site plan in accordance with the comments from the Westchester County Planning Board and that Ms. Oakley, the Village’s landscape consultant, has provided preliminary comments on landscaping.

Mr. Sparone reviewed the following items:

- Landscaping will be added by the applicant
- The Planning Board’s comments have been incorporated to the site plan
- Overall parking was reduced to 26 spaces
- Parking was reconfigured to improve site circulation
- Parking spaces along the rear will be dedicated as employee parking
- Number of drive-thrus reduced to 3 lanes with the bypass
- Canopy was reduced and the building was shifted forward

Mr. Sterk asked about the number of teller windows.

Mr. Sparone said the buffer on the front was increased to 25’ on Richbell and Boston Post Road and there are 5’ setbacks for the screening.

Chairman Galvin asked how far away the multi-family housing was.

Mr. Sparone said it is 38’ away from the corner of the building. They will take advantage of landscaping in the area. There will be parking for bicycles and a pedestrian connection to Boston Post Road and Richbell. Mr. Sparone said they met with the Building Inspector to discuss variances.

Chairman Galvin said the applicant will need a special permit for the drive-thru from the ZBA.

Mr. Sparone said regarding the rear setback, due to the teller window it counts as an opening in the wall. Mr. Sparone said the building itself if ok, but the canopy encroaches into the rear setback.

Mr. Sterk asked about the design of the ATM layout in the drive-thru lanes. Mr. Sparone said that is the way the bank prefers the configuration. Mr. Sterk felt the layout did not make any sense and that they should have two tellers towards the front, not the rear.

Mr. Sparone described the teller tube. The rationalization is that they plan on cars using one or the other, either the drive-thru or to park and walk in to use the ATM. They are expecting the clientele to choose either to use the drive-thru, (teller tube) or the ATM.

Mr. Wexler asked why there is only one island.

Mr. Gorlovizki said the design is based on peak hours and transaction activity.

Mr. Wexler said the bank doesn't expect people to be at both the teller tube and ATM at the same time and asked why the outer lane has two teller tubes.

Mr. Gorlovizki said the bank expects the majority of business to be directed to the teller tubes.

Mr. Wexler said what if three people are at the teller tubes at the same time, can the third aisle in the back then be eliminated?

Mr. Gorlovizki said they do not want the customers to wait.

Mr. Wexler showed Mr. Gorlovizki the plans and asked why they need a total of six stations.

Mr. Mazin said this will be one of the Bank of America's bigger institutions.

Chairman Galvin said the applicant should consider the positioning of the ATMs and teller tubes before going to the ZBA because the rationale presented has not been very convincing.

Mr. Gorlovizki asked what the rationale for eliminating drive-thrus.

Chairman Galvin said this will be an issue for the ZBA.

Mr. Wexler said we don't see the rationale for the drive-thru as configured.

Ms. Favate summarized the following issues in the memorandum:

- BFJ got the concept plan in late October
- Latest plan was reviewed recently
- The reconfiguration of the parking is an improvement
- Discussion of space for bicycles per the County's comments
- The Planning Board would like to see trees along the parking areas although applicant is not required to provide that landscaping per code.
- Planning Board is recommending to provide landscaping as a buffer in the rear

- Concerns about parking in the rear
- Concerns about parking space adjacent to Richbell Road and the dumpster. Since the parking spaces are at 22' in length, spaces should work.
- Richbell exit could be wider
- 9' x 19' is standard space size for parking so the width of the space could be reduced from 10' to 9'
- Designating spaces on the plans as employee spaces
- Setbacks to the rear and side need to be reviewed. Setback adjoining the commercial property at 5' should be sufficient for landscaping.
- Concerned about the buffer area on the residential side, the applicant can pick up an additional 5' by shifting spaces. Chairman Galvin said this would not impact the current proposed configuration of the access or drive-thrus.

Regarding the proposal, Ms. Favate recommended the following:

- Providing detailed landscaping
- Providing details on lighting
- Providing an architectural rendering of the building, canopy and dumpster
- Providing detail of the buffer in the rear and increase from 5' to at least 10'.

Mr. Wexler said he is concerned about the three drive-thru lanes and thought they should remove the third lane to provide more space. Mr. Wexler said the parking is too much and problematic and suggested that two spaces near the Boston Post Road entrance/exit should be eliminated.

Chairman Galvin said the main problem with the spaces is that they backing up into traffic either exiting or entering the site. Specifically the space that backs out into entering traffic is more of a potential problem than the other space noted.

Ms. Favate said such conflict may be rare.

Mr. Wexler said the plan would be improved by eliminating these two spaces. Mr. Wexler said providing parking for school parents is non-compelling.

Chairman Galvin indicated that typically parking would be signed for customers only.

Mr. Mazin said the primary argument is that there is no parking on Boston Post Road by the property, no parking by the school and no parking on Richbell.

Mr. Wexler said the argument that there is no on street parking is valid for providing bank client parking on the property. They should not provide parking for parents on site.

Mr. Mazin said there is no way to stop a parent from parking and waiting for kids.

Chairman Galvin said that the Board needs to be concerned with how the parking works on the site to determine whether specific spaces should be provided.

Mr. Mazin reminded the Board that they went from 60 to 29 parking spaces and then to 26 spaces.

Chairman Galvin said there appears to be one space near the entrance from the Post Road that is problematic.

Mr. Sterk said if you label the space as employee parking it will help.

Mr. Sparone said he can see where there might be a potential for conflict.

Mr. Mazin said they started this project last December and have received comments on the plans. They have agreed to change directions and drive-thrus in the back. Mr. Mazin thanked the Board for dealing with them.

Chairman Galvin said the meeting notes will be sent to the ZBA. The Board is not convinced that the third drive-thru lane is necessary. The applicant should be clear on the configuration of teller tubes and ATMs that they are seeking. The applicant should understand that the ZBA may come up with a different configuration. The buffering should be extended 10' in the back, adjoining the residential units.

2. APPROVAL OF MINUTES

A motion was made by Mr. Sterk to approve the minutes of the Regular Meeting of the Planning Board held on November 13, 2008, as amended, seconded by Mr. Wexler.

Ayes: Galvin, Sterk, Wexler
Nays: None
Recused: Sjunneemark
Excused: Ianniello

3. 233 HALSTEAD AVE. – METRO PCS NEW YORK, LLC – Installation of wireless telecommunications facility on roof of senior citizen building – Special Use Permit.

Chairman Galvin has recused himself from this application. Mr. Sterk has assumed the role as Acting Chairman for this application.

Ms. Marlene Eichmeyer, Esq., and Mr. Craig Sharpe were present to represent the application. Ms. Carol Zurlo of HDR (Village's telecommunication's consultant) was also present.

Ms. Eichmeyer said this is the third meeting with the Planning Board. Ms. Eichmeyer discussed the flush mounted design that the Board wanted to see. Ms. Eichmeyer said the Board requested that the flush mounted antennas be moved from the windows, but because of frequency requirements the applicant was unable to do that.

Mr. Sterk questioned the positioning of the antennas.

Ms. Eichmeyer explained the placement of the antennas.

Mr. Wexler said the Board keeps seeking the view from Halstead and asked where the antennas were on the other side of the building.

Ms. Eichmeyer discussed the revision to the gamma sector and said the flush mounted antennas on the side of the building are not seen from Halstead.

Mr. Wexler said you can see the separation and it looks like flush mounted.

Ms. Eichmeyer said regarding Z-2, the gamma sector on the side is different.

Mr. Sharpe explained the sectors and the positioning of the antennas.

Mr. Sterk said the antennas need to be angled.

Mr. Sjunneberg said there was quite a lot of equipment on the roof and asked about the roof being able to handle all the weight.

Ms. Eichmeyer said information about the equipment on the roof and the weight was sent to the Planning Board. It was determined by the Engineer that it's structurally sound.

Mr. Wexler said he is not qualified to give an architectural assessment of this, but thinks it's an improvement.

Mr. Sjunneberg said it doesn't catch your eye.

Ms. Eichmeyer said they are applying for a special use permit. They have submitted a full EAF. The radio frequency compliance report is within the allowable limits of the FEC.

Ms. Carol Zurlo had no comments and said this appears to be the Planning Board's decision.

Mr. Wexler asked about beige faced painting.

Ms. Eichmeyer said they can paint it to match the building.

Mr. Wexler said the Board does not have a visual on the alpha.

Mr. Eichmeyer said they will paint it to match.

Mr. Wexler said there is no color to paint it to match the facing on the building.

Mr. Sterk asked if there was any way to paint it to match the facing on the front.

Ms. Eichmeyer showed the Board pictures of the back view of the building.

Mr. Sterk said it's the part which is not visible.

Ms. Eichmeyer said coloring will not be a problem.

Mr. Sterk said we should close the public hearing. The public hearing was closed by the board.

A motion was made by Mr. Wexler to declare a negative declaration under SEQRA for 233 Halstead Avenue – Metro PCS New York, LLC – Installation of wireless telecommunications facility on the roof of Mamaroneck Towers (senior citizen residential apartment), seconded by Sjunneemark.

Ayes: Sjunneemark, Sterk, Wexler
Nays: None
Recused: Galvin
Excused: Ianniello

A motion was made by Mr. Sterk to approve the special use permit for the wireless telecommunications project with flush mounted antennas as displayed in the latest plans submitted for 233 Halstead Avenue – Metro PCS New York, LLC – Installation of wireless telecommunications facility on the roof of Mamaroneck Towers (senior citizen residential apartment), seconded by Sjunneemark.

Ayes: Sjunneemark, Sterk, Wexler
Nays: None
Recused: Galvin
Excused: Ianniello

Mr. Sterk said the Board will need three copies of the plans to stamp.

Chairman Galvin has resumed the Chair.

4. 1444 EAST BOSTON POST ROAD (PEOPLE'S UNITED BANK) –
Construct bank where restaurant and gas and gas station now exist

Mr. Paul Noto, Esq., and Mr. Hudson Yost of Bohler Engineering were present to represent the application.

Mr. Noto reviewed the following items regarding the application:

- Applicant has complied with the request of the Planning Board to revise the site plan
- Has the report from Mr. Furey and resolved the remaining issue with Mr. Furey

- Has the report from Ms. Favate on environmental issues related to the underground tanks on the site.
- Ms. Oakley has signed off on the landscaping
- Lighting plan has been revised and resolved with BFJ staff
- Has BAR approval
- ZBA closed the hearing and the next meeting is 1-7-09

Chairman Galvin said the ZBA Chairman indicated to him that the public hearing has been closed and a decision will be made at their next meeting. The ZBA chairman had indicated that the Planning Board can move forward subject to ZBA approvals.

Chairman Galvin said the applicant also needs to receive HCZMC consistency approval. Chairman Galvin said regarding the trench drain, the Village Engineer, Keith Furey, has indicated that the proposal to slope the water back to the catch basin is acceptable.

Ms. Favate reviewed the following outstanding issues:

- Regarding the lighting, Ms. Favate reviewed the revised lighting plan with BFJ's lighting expert. Specific issues regarding the placement of the poles, reduction in wattage and finish and cuts of the plan were reviewed.

Ms. Favate said comments from the Board as well as BFJ were sent to Bohler Engineering. The comments were addressed and included in the revised plan or a rationale was provided as to why the requests were not feasible. Ms. Favate said the lighting issues have all been reviewed and resolved.

Ms. Favate said regarding the environmental issues, BFJ's environmental sub-consultant, EEA, has reviewed the reports and wanted to know if the DEC spill was closed and why the monitoring of the wells was not closer to the pump islands. Ms. Favate said the spill was not closed because several tanks have not yet been removed. DEC has indicated that they will want additional monitoring and tests when these are removed as part of the site development. This would be completed as part of the Building Permit process and with DEC involvement.

Ms. Favate said that in regard to the monitoring wells at the corner by the restaurant, she has spoken to the project manager at Aztec which is in charge of the monitoring and is satisfied that the site can be appropriately monitored, tested and cleaned up after the wells are removed.

Ms. Favate said she thinks the environmental issues have been addressed. She will keep the Building Department apprised and the engineering has been signed off by Mr. Furey.

Ms. Favate said that the sight distance of 31.5' between the parking space and the driveway as well as the intersection and parking is sufficient.

Chairman Galvin asked if this was confirmed by BFJ's traffic experts and Ms. Favate said it was.

Mr. Noto said they still need DOT approval.

Ms. Favate said the striping/markings still needs to be done.

Chairman Galvin said the Village will need to provide a No Parking sign at the appropriate locations on the Post Road (before the curb cut and after the intersection with Sterling).

Mr. Hudson Yost reviewed the lighting plan and the requirements by the ATM and ADA spaces. Mr. Yost distributed catalog pictures to the Board. There are shoe box type fixtures.

Chairman Galvin asked if the size of the poles is 14' and Mr. Yost said yes.

Chairman Galvin reiterated the following issues:

- The new plan reflects revisions along the Toyota City side increasing the buffering from 3.5' to 5'
- Eliminated the bypass lane for the drive-thru, and limited the drive-thru to two lanes. The former bypass lane has been landscaped and added to the landscaped buffering at the rear.
- Indicated that 7 on street parking spaces will be available on the Post Road in front of the site.

Mr. Wexler asked about the lighting and said he wished the responses came earlier in the process. The cuts are now on the plan. The parking lot seemed too bright, the wattage was reduced but the poles should be the same wattage. Mr. Wexler asked why all the poles couldn't be reduced to 175. Mr. Yost said that could not be done with one pole (Pole D).

Mr. Wexler and Mr. Yost discussed the lighting, configuration, street lighting and on site lighting.

Chairman Galvin said the applicant's plan does not account for the street lights off site.

Mr. Wexler discussed his remaining concerns.

Mr. Yost discussed shifting the lighting and the light levels.

Mr. Wexler discussed shielded lighting.

Chairman Galvin asked if the bulb can be changed or is the pole set at a specified wattage. Chairman Galvin said the lighting can be changed if necessary. The approval should note that Pole D should be set at 175, which can be changed to a higher wattage if field observations indicate the need.

A motion was made by Mr. Sterk to declare a negative declaration for this unlisted action under SEQRA for 1444 East Boston Post Road (People’s United Bank), seconded by Sjunneemark.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

A motion was made for final site plan approval for 1444 East Boston Post Road (People’s United Bank), subject to the approval of the ZBA for variances and drive-thru special permit, a consistency review and approval by the HCZMC and setting the wattage for Pole “D” at 175, subject to field observations with the building department and representative of the Planning Board that could necessitate an increase in wattage, seconded by Mr. Wexler.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

NEW BUSINESS:

1. 714 ORIENTA AVE. - Proposed two-lot subdivision.

Chairman Galvin said there is an existing house currently on the lot. It has been reviewed by Mr. Furey. Ms. Oakley has reviewed the landscaping plans and made comments in her memo to the Board.

A motion was made by Chairman Galvin to open the public hearing for 714 Orienta Avenue – Proposed two-lot subdivision, seconded by Mr. Sjunneemark.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

Mr. Dan Natchez, Mr. John Penanno, Mr. Victor and Mr. Tom were present to represent the application.

Mr. Natchez reviewed the project noting the following items:

- This is a minor subdivision
- No variances are required
- Application was made to the HCZMC, showing the details of the subdivision, if built
- Lot is currently a single family home and has three driveway cuts
- All utilities are presently there
- Proposed utilities to CCM

- When completed, there will be two lots of over 24, 000 sq. ft. conforming to zoning
- Has provided more drainage, each lot has their own overflow to the stormwater system

Chairman Galvin indicated that Mr. Furey's initial review commented on one lot being responsible for the storm water improvements and would require an easement.

Mr. Natchez said each lot is responsible for their own drainage improvements and there is no easement required. Both lots will stand on their own with a separate system.

Mr. Natchez distributed material to the Board.

Mr. Natchez discussed the Arborist's memo (Sav-A-Tree) in response to Ms. Oakley's landscaping memo. The arborist addressed the health of the trees on site that were proposed to be taken down as well as screening. Approximately 60 evergreens are on both lots to serve as a buffer.

Chairman Galvin asked if there were any trees being taken down in the Village right of way.

Mr. Natchez said the trees were taken down in the setback, not in the right of way.

Ms. Oakley asked for clarification.

Mr. Natchez said there will be modifications; some evergreens will be relocated as part of the street opening process.

Chairman Galvin asked if the Tree Commission needs to be involved.

Ms. Oakley said in general it cannot be done in the Village right of way without approval. Ms. Oakley would suggest that written permission is given from the Village Manager and the Tree Commission.

Mr. Natchez said it should actually be DPW because of the street opening permit.

Mr. Sjunneberg asked if it is a relocation or replacement of the trees.

Mr. Natchez said no trees will be lost.

Mr. Natchez received communication from the adjacent neighbor, Mr. Steve Zelson, indicating that he has no problem with the proposal.

Chairman Galvin acknowledged receipt of this letter from Mr. Steve Zelson which stated that he has no objection to the proposed plan and that the new homes will compliment the neighborhood.

Mr. Natchez said communication was sent to the Planning Board requesting that all references to 718 Orienta be changed to 716 Orienta.

Chairman Galvin said he has the application and the long EAF, even though that is not required. Our consultants, BFJ Planning, have reviewed it.

Chairman Galvin asked if anyone from the community would care to address the Board.

Mr. Rocco Antonios, 715 Clafin Avenue, addressed the Board regarding his concerns about the scheduling of construction and the duration of the construction.

Chairman Galvin said that once a subdivision plat has been filed with the County Clerk's office, there is no time limit for construction to begin. This proposal will also go to the HCZMC for their consistency review and specific questions regarding the proposed two single family residences and then would go to the Building Department for a review and building permit.

Mr. Antonios wanted to know about the planting of trees so he could coordinate it with the trees he is planting.

Mr. Natchez said this is a two part process and also indicated that the subdivision is not in the flood plain.

Chairman Galvin said the applicant indicates that they would need a demolition permit from the building permit. After the applicant receives all approvals, the entire construction phase could last from 9 months to 18 months.

Mr. Natchez said after the approvals, then the demolition permit, the house/pool comes down. Plans are filed with the Building Department for a Building permit, then the construction process begins. The applicant wants to move forward as quickly as possible

Mr. Natchez said the existing buffer to the Antonios' are not being touched.

Mr. Antonios asked what the border was.

Mr. Natchez said the Village trees on Orienta and Seney are not being disturbed. All three driveways will act as construction access. Towards the end of the process, the designated trees to be eliminated will be taken down. The trees by 714 Orienta on the north east side, (the big maple tree), is staying and fencing will be put around them.

Chairman Galvin asked if the trees that are to be taken down will be tagged.

Mr. Antonios said he just wants to know the scheduling and if the trees will continue to separate the properties.

Mr. Natchez said the screen planting will not take place at the beginning.

Chairman Galvin said Mr. Antonios is asking if a fence will be installed for safety.

Mr. Natchez said the property will be secured and the screening will happen later in the construction process.

Chairman Galvin said it might help if Mr. Antonios had a copy of the plans and asked Mr. Natchez to give a copy of the plans to Mr. Antonios.

Ms. Favate said the recreation fee is \$2,500 per dwelling unit.

Mr. Natchez said a recreation fee of \$250 per dwelling unit was paid in advance.

Chairman Galvin noted that the recreation fee is \$2,500 per dwelling unit and that the \$250 fee per unit is the filing fee.

Mr. Natchez said the fees were paid in advance.

Chairman Galvin said the fee is \$2,500 per dwelling unit.

Mr. Natchez said he will take care of the fees.

Mr. Sjunneemark said one of the houses is identical.

Chairman Galvin said the application is a subdivision and only deals with the subdividing of the land and not the specific residences.

Mr. Natchez said they already have BAR approval for the two houses.

Mr. Wexler asked about the driveway from a drainage perspective.

Chairman Galvin indicated that the Village Engineer has indicated that the storm water plan goes above what is required.

Mr. Wexler asked if they should use gravel in the driveways.

Mr. Natchez said they do their drainage plans with everything considered as impervious and will see if they can handle the water, in terms of drainage, and requirements to proceed. If we meet criteria using this approach, it makes it easier to proceed.

Ms. Insardi said regarding the SEQRA determination, they should minimize the impervious lot coverage.

Chairman Galvin said it is difficult to do this if after the review by Mr. Furey has determined that the stormwater plans provide more than is required.

Ms. Insardi said it appears as if the neighbors have gravel.

Mr. Natchez said the gravel bunches in clumps when you have to plow.

Chairman Galvin said that if the driveways were made pervious but they were changed at a future date, the Board would have no control over this. The stormwater plans as presented have included these areas as impervious and exceeded the drainage requirements. Thus appears to represent the most prudent approach.

Mr. Wexler asked about the environmental impact and said we could impose a condition.

Mr. Natchez said you have a fairly large "U" driveway. The driveway will either be reduced or be the same as it is now.

Chairman Galvin asked what approval the applicant is seeking from HCZMC.

Mr. Natchez said because they are in a coastal zone, they will need a consistency review.

Chairman Galvin asked if they will be reviewing the lots' pervious/impervious surfaces.

Mr. Wexler asked where the undisturbed tree area is.

Mr. Natchez showed the Planning Board the drawing and pointed out the undisturbed tree area.

Chairman Galvin asked Ms. Oakley to comment on the drawing.

Mr. Natchez discussed the clarification of the large maple tree that will remain.

Ms. Oakley wanted to make sure that the trees were analyzed at the rear of the property.

Mr. Natchez said the rest of the trees were evaluated.

Ms. Oakley said many trees were suffering, they were not maintained.

Mr. Natchez said the trees were very hollow, especially the large spruces and the Norway pines.

Chairman Galvin said the applicant had indicated that they considered this to be an unlisted action under SEQRA. The Chairman indicated that the action is actually an unlisted action, not a Type II action.

Mr. Natchez said you could go either way.

Chairman Galvin said that the existing Village code follows the DEC definition of Type II actions and did not expand it as other communities have.

Chairman Galvin said the Planning Board should declare itself Lead Agency under SEQRA for this unlisted action.

Ms. Insardi said a Type II action does not require a SEQRA review and it is ok to classify this action as unlisted. Since it is not a Type I action, it does not need a coordinated review.

Chairman Galvin said the Village Engineer will be at the HCZMC meeting to review the application.

A motion was made by Mr. Sterk to declare the Planning Board as Lead Agency for 714 Orienta Avenue - Proposed two-lot subdivision, seconded by Mr. Wexler.

Ayes: Galvin, Sjunneberg, Sterk, Wexler
Nays: None
Excused: Ianniello

A motion was made by Mr. Sterk, based on the Village Engineer's comments, to declare the application for 714 Orienta Avenue - Proposed two-lot subdivision as a negative declaration under SEQRA for this unlisted action, seconded by Mr. Sjunneberg.

Ayes: Galvin, Sjunneberg, Sterk, Wexler
Nays: None
Excused: Ianniello

Mr. Natchez said the subdivision application approval stands on its own and the development of the two residential units is a separate action being reviewed by HCZMC.

If the HCZMC said they don't like the way the lots are being developed, the applicant would have to come back to the Planning Board.

Ms. Insardi said the procedure for subdivision approval is not specified in the Code.

Ms. Insardi asked the applicant if they had any offsite improvements.

Mr. Natchez said there are two utility connections for gas, electric and sewer. There is no re-routing of stormwater and no easement is required.

Ms. Insardi asked if any Department of Health approvals were required.

Mr. Natchez said not for the single family homes, they had building permits.

On a motion by Mr. Sterk the public hearing for 714 Orienta Avenue - Proposed two-lot subdivision is closed, seconded by Mr. Wexler.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

A motion was made by Mr. Sterk for preliminary and final subdivision approval for 714 Orienta Avenue - Proposed two-lot subdivision, seconded by Mr. Wexler.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

2. 651 EAST BOSTON POST ROAD – Pre-submission discussion on proposal to construct 2-story office building including structured parking on vacant lot. (previously a gas station)

Mr. Henry Hocherman, Esq., Mr. Phil Doyle, Project Planner, Mr. Jacob Goldberg, Architect, Mr. Alfred Weissman and Mr. Allen Weissman were present to represent the application.

Chairman Galvin indicated that this is a pre-submission discussion to construct a 2-story office building including structured parking on a vacant lot.

Mr. Hocherman reviewed the application noting the following items:

- The site has been completely remediated
- The spill has been closed by the DEC
- Site is in the C-1 zone
- The footprint of the proposed office building is 5,500 sq. ft.
- Parking will be on the first floor and the offices will be on the second floor

Chairman Galvin noted for the record that no new employees are being generated by the lobby area on the first floor and that their actual offices will consist of 5,000 sq. ft. on the second floor.

Mr. Hocherman said there are four area variances needed from the ZBA.

Chairman Galvin said the parking really determines what can be done on the site, more so than the FAR requirements.

Mr. Hocherman said a small office building is proposed. It will be the headquarters for a real estate company. There will be low traffic use. Mr. Hocherman said he could provide a traffic study.

Chairman Galvin said if a traffic study was needed, the proposed use should be considered vis-à-vis other more intensive retail uses allowed as of right in the C-1 district.

Mr. Hocherman said this is an informal pre-submission discussion and the applicant is trying to get an idea of where they should go. They have laid out the site carefully.

Chairman Galvin said he would like to hear Ms. Oakley's comments on landscaping and streetscape.

Mr. Hocherman would like the urban planner, Mr. Phil Doyle, to show the drawings to the Board and review them.

Mr. Allen Weissman said the company wants to relocate to Mamaroneck. There is low traffic for the headquarters building and they don't work late hours.

Mr. Doyle reviewed the application noting the following items:

- The Weissman's have 12 employees
- According to code, 26 parking spaces would be required
- Aerial photo of the site was displayed
- Building will be located in the center of the site
- The front entry to the building is off of Post Road
- 15 parking spaces are shown on the plans

Chairman Galvin said from a Planning Board perspective they may want to eliminate the parking space at the corner of Post Road and Barry unless it could be demonstrated that it can be sufficiently landscaped and buffered.

Mr. Doyle said they are required to have a loading space. The residential neighborhood is to the rear of the site.

Ms. Oakley asked if the parking lot floor is above grade and what the maximum height of the row of trees at the rear is.

Mr. Doyle said the trees will be planted at a height of 10', which is below the window sill level.

Chairman Galvin asked if there was a 6' fence there now. Mr. Doyle said there was.

Mr. Doyle discussed the retaining wall and the scale of the 2 story building in relation to the neighbors.

Chairman Galvin asked if the applicant would be digging into the site and Mr. Doyle said no.

Mr. Doyle discussed the connection to the drainage.

Ms. Oakley discussed the trees for the double row and suggested that the applicant should be very careful with the type of plantings they chose because the plants at this location will not receive a lot of sun.

Mr. Doyle said they will get some sun.

Mr. Doyle said the site will have 15 parking spaces.

Mr. Sterk asked how does one access space #7.

Mr. Doyle said you have to drive through the building. The building is open and has about 2' of side yard on the south side.

Mr. Wexler asked the applicant how many spaces does he want or need.

Mr. Doyle said they need 13 to 15 spaces.

Chairman Galvin asked if the employees are there all the time.

Mr. Alfred Weissman said occasionally, when meetings are scheduled.

Mr. Doyle said they will be using roll out containers for trash which will be held within the building. Mr. Doyle said the lighting outside will be a type of bollard system and the lighting levels will be low.

Mr. Doyle discussed securing the parking area and Mr. Allen Weissman said the more open it is, the safer it will be.

Mr. Wexler asked about the traffic on the South Barry Street side. Mr. Alfred Weissman said they thought they should have a roll up door which would be similar to the brick treatment of the building's facade.

The Board discussed the parking lot, landscaping and the importance of screening the garage view along South Barry.

A rendering was shown to the Board and Chairman Galvin said the Board would review the sight distance for access. He indicated that he thought that the access should be restricted to South Barry as the applicant has shown.

Mr. Sterk asked how high the building will look from further south on Barry.

The architect indicated that there is a view of the trees from Stuart and South Barry.

Chairman Galvin suggested showing some visual vantage points from these areas.

The Board discussed elevations, the height of the building and streetscaping along Barry and Boston Post Road.

Chairman Galvin and the board discussed the lighting.

Ms. Insardi asked if there was any outreach to the neighbors.

Mr. Allen Weissman said they will do a neighborhood outreach.

Ms. Favate said they would recommend a Phase I and the applicant said that has already been completed.

Mr. Alfred Weissman said they want to do something more for the neighbors.

Chairman Galvin discussed the lighting, landscaping and the parking.

Mr. Alfred Weissman said we have to determine if we are going to stay in Yonkers or move our business to Mamaroneck,

Chairman Galvin and the Board indicated that they were very impressed and favorably disposed to the concept and site plan.

ADJOURNMENT:

A motion was made by Mr. Sterk to adjourn the meeting, seconded by Mr. Wexler.

Ayes: Galvin, Sjunneemark, Sterk, Wexler
Nays: None
Excused: Ianniello

PREPARED BY:

ELIZABETH A. DREAPER

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO
CLERK-TREASURER