Minutes of the ***Regular Meeting*** of the Planning Board of the Village/Town of Mount Kisco held on ***Tuesday, May 9, 2023*** at 7:35 pm in the Frank J. DiMicco Board Room and via Zoom Teleconference

Members Present: Crystal Pickard, Co-Chair
Michael McGuirk, Co-Chair
Barbara Roppolo
W. Robert Phillips
William Beltran
Maggie Downey
Michael Bonforte, Alternate (via Zoom)

Members Absent: William Polese, Co-Chair

Staff Present: Jan K. Johannessen, Village Planner (via Zoom)
Peter J. Miley, Building Inspector
Whitney Singleton, Village Attorney (Via Zoom)
Anthony Oliveri, Village Engineer (Via Zoom)

Minutes:

1. *April 25, 2023*

Mr. McGuirk introduced a motion to approve the April 25, 2023 minutes; Seconded by Ms. Pickard.

Mr. McGuirk asked for all in favor. The motion carried by a vote of 6 to 0.

Formal Application:

A. 40 Grove Barn, LLC – 40 Grove Street
PB2022-0437, SBL 69.81-5-13
Site Plan

Mr. Steve Marchesani, Architect, Mr. Evelio Elledias, owner, and Mr. Aldo Vitagilano, Esq. were present.

Steve Marchesani provides a presentation of changes due to consultant comments, steep slopes, landscape plan, parking configuration, and turning plan. Engineer conducted deep hole and percolation tests and results were present for stormwater management system.

Jan Johannessen confirms that outstanding comments have been satisfied.

Peter Miley discussed the reduction in parking spaces, striping, truck turning interferes with parking and timing coordination is required, the reduction in office space, lower level office space, ADA parking, and steep slopes.

Anthony Oliveri discussed the amount of disturbance, drain inlet at rear of the property, truck turning, questions regarding topographic survey.

Steve Marchesani answered questions, topographic is from Westchester County GIS.

Discussion of deliveries and truck size (20 foot box truck), unloading of vehicles. Board wants to ensure that the increase in truck traffic will not affect the neighborhood.

Whitney Singleton asked about the use and whether it is by variances or pre-existence.

Peter Miley informed the Board that it is a pre-existing, nonconforming use, a CO was issued in the 1980's. Variances were only issued for structures.

Next steps are to incorporate Planning Board comments into the site plan, discuss parking and striping with Building Inspector, delivery plan/schedule.

Conceptual Application:

B. Asset Realty & Construction Group – 2 Morgan Drive
PB2023-0444, SBL 80.55-1-2.1/4
Site Plan (Conceptual)

Mr. Paul Dumont of JMC and Brian Sinsabaugh of Zarin & Steinmetz, Dino Tomasetti, Jr. and Michael Erceg from Arco/Murray were present.

Mr. Sinsabaugh made a presentation of the submission. Property is located in RD Zoning District at corner of Radio Circle Drive and Morgan Drive. Previous approval includes a car storage facility which included a subdivision, subdivision approval, steep slopes permit, wetland permit, site plan approval. Site was subdivided due to state Superfund and Brownfield site. DEC issues no further action letter for Lot A in November 2022. Proposal includes a self-storage facility in same building envelope as previous but with additional story above, necessary for business operations. Permitted as a right storage use, will be open to public. Applicant has approximately 7 other sites in the area but do not have an end user. Proposed site plan does meet bulk of code requirements except for parking. Low intensity use and does not require significant parking.

Mr. Dumont provided additional details of the site plan. Property is 2.6 acres in size, located across the street from the US Post Office. Discussion of access from previous approval. Proposal is substantially similar to previous approval, parking area and loading has been reconfigured, first story includes a recessed loading area and turning area. Fire access features are similar to previous proposal, will continue to work with FD for access and circulation around the building. Proposed parking is 10 spaces, Village Code does not have a specific requirement for self-storage facilities, Planning Board can grant the parking they feel is required. Architectural renderings presented as well.

Jan Johannessen shares his memo with the Planning Board. Clarified that architectural plans were not part of the package. SEQRA is an unlisted action, Planning Board should establish themselves as lead agency once formal application received. Discussed parking and 110-28 K 2. Expecting details with formal application, looking to see elevations and review visual. Similar layout to previous approval. Question regarding elevation and views of building.

Peter Miley discussed his memo and similarities to the previous approval. Applicant is looking for input from the Board. Discussed Fire Department comments.

Board Members discuss parking, data from other facilities will be helpful, pull back the building for parking and create a buffer. Photo renderings will be helpful. Question of how storage will take place (i.e. open storage, individual units), and large loading dock. Discussed fire access road materials, sidewalks, traffic, lighting, requesting a business plan. Requesting target market.

Michael Erceg discussed the loading area for access to individual units throughout three floors of storage.

Dino Tomassetti discuss target market and local consumers. Predicts traffic to be individual users and low traffic use.

Applicant to move application to formal.

Public Hearing:

C. The Park (ShopRite Expansion) – 333 North Bedford Road
PB2018-0365, SBL 69.50-2-1
Site Plan, Special Use Permit, Change of Use, Steep Slopes

Mr. Stephen Spina and Mr. Marc Petroro of JMC and Mr. Jay Black of Diamond Properties were present.

Discussion of BFJ memorandum with Georges Jacquemart.

Jan Johannessen discusses the negative declaration and potential requirements from the Town of Bedford.

Ms. Pickard introduced a motion to grant a negative declaration of Significance of SEQRA; second by Mr. Beltran. The motion carried by a vote of 6 to 0.

Mr. Spina discusses process forward and next steps that will be happen, stormwater report, DOT submissions.

There were no public comments received at this public hearing.

Ms. Pickard introduced a motion to adjourn the public hearing to June 13, 2023; seconded by Mr. Beltran. The motion carried by a vote of 6 to 0.

D. Homeland Towers – Mount Kisco Wireless Telecommunications Facility –
180 South Bedford Road

PB2020-0299, SBL 80.44-1-1
Continued Public Hearing

Mr. Robert Gaudioso of Snyder & Snyder, Mr. Manny Vicente and Mr. Klaus Wimmer of Homeland Towers were present.

Public comments were received by Mr. Rex Pietrobono, Mr. Luca Fairello, and Mr. John Rhodes.

Mr. Gaudioso responded to comments.

Peter Miley discussed his memo briefly, disturbance area and tree preservation plan.

Frank Fish discussed public comments and suggests closing the public hearing.

Mr. McGuirk introduced a motion to close the public hearing; seconded by Ms. Downey. The motion carried by a vote of 6 to 0. The public hearing will remain open for 10 days for written comments.

The Planning Board reviewed the EAF Part II with Frank Fish and Sarah Yackel of BFJ Planning.

Mr. McGuirk introduced a motion to adopt the negative declaration determination of non-significance; seconded by Ms. Roppolo. The motion carried by a vote of 5 to 1.

Mr. McGuirk introduced a motion to close the meeting; seconded by Ms. Pickard. The motion carried by a vote of 6 to 0.

The meeting adjourned at 10:05 pm.