

Minutes

**Village/Town of Mount Kisco
Regular Session
Tuesday October 11, 2005**

Members Present: Joseph Cosentino, Chairman
Anthony Sturniolo, Vice Chairman
Stanley Bernstein, Secretary
Sol Gibbons
Joseph Morreale
Ralph Vigliotti

Members Absent: Douglas Hertz

Staff Present: Ashley Ley-AKRF
Whitney Singleton-Board Counsel
Michael Stein-Village Engineer

Chairman Cosentino: Since I do not see a flag in here tonight, we will waive the pledge of allegiance. This is the Mount Kisco planning Board. It is Tuesday, October 11, 2005. This is a regular meeting. The first thing on our agenda is the minutes.

Stanley Bernstein: I move to accept the minutes of August 9, 2005.

Chairman Cosentino: On the question?

Joseph Morreale: Second.

Chairman Cosentino: The secretary please poll the board.

Board All Ayes.

Chairman Cosentino: the next on our agenda is the conceptual for Radio Circle Realty Corp. Would you please come up and identify yourselves for the record.

a. Conceptual Review

**Radio Circle Realty Corp. – 136 Radio Circle
Brad Schwartz counsel for the applicant, Dan Copleman, director of
operations Keane Coppelman Engineers, Anthony Defeo Vice
President of Defeo Manufacturing, applicant, and Arthur Defeo
President of Defeo Manufacturing, applicant.**

Brad Schwartz: We are here tonight with a conceptual review, to maximize parking available on the subject property. In order to accomplish this Radio Circle Realty has contracted with the US Postal Service to acquire this property.

Dan Coppelman: This is a site plan that this board approved for the post office. What we have negotiated with the post office is to purchase 25 feet into the post office property. Along the back property line of this particular site. That would allow the creation of parking at this location. This does not exist now. Right now the driveway comes in. There is parking here comes through to no parking, and there is parking on this side. In order to do that, there is an existing fill here and it would require the installation of a retaining wall. (Viewing of the site plan). In addition to a subdivision would be required that this board would have to approve creating the lopping off of this particular 25 feet. Taking it away from the post office property, and dedicating it to this property. So there is a subdivision of the post office property involved.

Chairman Cosentino: Not a lot line change?

Dan Coppelman: I don't believe so. It is either a lot line change or a subdivision.

Anthony Sturniolo: What is the condition of this property? When I say condition, is it sand?

Dan Coppelman: It is all sand, and it is flat. This is relatively flat, all the way across.

Anthony Sturniolo: Sand? Nothing is growing?

Dan Coppelman: It is not well vegetative at the present time.

Chairman Cosentino: What do you intend to put back here? (Viewing of site plan)

Dan Coppelman: We can put in a landscaping plan that would come later. As a result of that we were planning to put some landscaping along this script here. We were going to landscape these corners and I thought we would landscape in here which is not presently landscaped. There is in your code requirement of splitting up the parking spaces. We felt it would be more appropriate to landscape in here and here, rather than just put one landscape area here. All you would see is the post office, if that were to happen. (Showing of site plan)

Chairman Cosentino: How many cars are you planning?

Dan Coppelman: We are adding 21 here, three proposed here and one here.

Chairman Cosentino: We walked this site, but not all of us. When we get an application in, then we will want to go back and walk it again. I remember this hill here. This might be a better plan. What I would do before application is to send all your documentation to our council for the sale of the property. Send him something so that it can be reviewed, and I don't think we have any other questions here. On the formal application, we will want to come out and look at it again. We suggested something like this, but over here.

Dan Coppelman: It seemed to work well with the layout of the property. It creates a one-way system around the property. Obviously the entrance and the exits are already there. It seems to make sense as a flow-through. Obviously, these are the first basis to go.

Chairman Cosentino: We will get into that later on when we get the formal application.

Dan Coppelman: We did not show you lighting.

Chairman Cosentino: We will get into that as we go along.

Anthony Sturniolo: Mr. Schwartz in the letter you write thus the project will significantly enhance the cosmetic appearance. Could you explain to me, how black topping and cars parked enhance the appearance.

Brad Schwartz: The additional cosmetic appearance (too many people speaking)

Anthony Defeo: Basically back there are five foot weeds and looks like a swamp area with boulders. It looks like greenery around here, but its piles of sand with weeds growing out of it.

Anthony Sturniolo: Is it wet land?

Anthony Defeo: No. It looks like a swamp and the weeds are just growing.

Anthony Sturniolo: It is dry soil?

Anthony Defeo: Yes.

Dan Coppelman: The building will get a whole blacktop lot and island here. The blacktop overflowing into the greenery here. There will be lighting.

Chairman Cosentino: Aesthetically you were going to do something to the building, the last time you were here.

Dan Coppelman: Yes.

Anthony Sturniolo: Nancy the planning fee deposit transmittal is dated May 2001. Is that an old one that inadvertently got utilized?

Nancy Placona: Yes.

Brad Schwartz: That was from the original project.

Anthony Sturniolo: There is the conceptual review, and I need to point it out to you. Plus there is a dollar figure associated with each new parking space.

Joseph Morreale: The purpose of the additional parking, you say is for the expanding of the building. I am just curious about that, because that is not what you said. You said you are going to keep the building, the same and just maybe spruce it up.

Arthur Defeo: No we are not.

Joseph Morreale: Then why did you say that? You say you would like the opportunity to either expand the building for lease it in whole or in part for offices, at some later date.

Dan Coppelman: I think what they are trying to do now is maximize the parking. To give us flexibility in the future. Maybe at a later date to come back and expand.

Chairman Cosentino: So are you saying while we are working on this plan, to think ahead for the future of an expansion?

Joseph Morreale: I think it is important that we know this.

Chairman Cosentino: We are going to take this into consideration.

Brad Schwartz: The last time we were here a few years ago we went before the ARB and got that approval, we came to the issue of the second floor that was proposed.

Anthony Defeo: Depending on how fast we grow, we might stay in this building, and add a second floor. Obviously with your approval, or we may move out, but this gives us flexibility to do either.

Chairman Cosentino: when one reads the letter, and when one that looks at the additional parking, you want, one wants to think that the building is going to be expanded.

Arthur Defeo: That is not on the plan.

Chairman Cosentino: It may be in the plan in two or three years down the road. We don't know. But we have to take that into consideration, now, which is okay. You might have the parking for it, you might not. When you come and you are going to have to show us what you want to put there and that is going to be predicated on what you have on parking. In the future. I can tell about the parking now because I don't know the type of expansion, you will be doing. Parking will be predicated on the size of second-floor.

Ralph Vigliotti: Something is a little lopsided as far as green space for the property. We are showing a considerable amount of green space here, which sort of matches the green space in the front. Then we get to the opposite side of the parking coming all the way down. My recommendation you would continue the same amount of green space through here. Which may mean you will lose three parking spaces? Radio circle typically has in front of all of the office spaces, a lot of green space, and we want to continue to maintain that. It is supposed to be an office park. While we are doing this here and we are doing it in the front to have a car within eight or 10 feet of the current line. I am not sure what this is whether this is eight or 10 or 15 feet. It's about eight, and I think it is too close to the curb line.

Anthony Defeo: This is kind of misleading. You are familiar with the lot. There is a set of trees here, and a nice 25 foot strip of greenery. It looks like it won't stop.

Chairman Cosentino: He is talking about the corner.

Ralph Vigliotti: I am talking about this corner right here. Basically this green space and these parking spaces here. It is almost as if you have cars in your face. Radio circle is one that should have a little more green space as an office use. And now you're taking it away. What is existing here now? This is all existing? Then it provides us with an opportunity to upgrade the front. You are picking up something in the back, and it gives us a little bit of an opportunity. At least one space or maybe two to upgrade the look from the front. We know at some point, this is going to get bigger and more green space will soften the new proposed look that will be coming before us, at some point. We are not just putting parking in here, because you like to have a lot of parking spaces. You are getting ready for something else.

Chairman Cosentino: We are going to get into a landscaping plan anyway.

Ralph Vigliotti: very early on, to think about, what we can do here to have this look, continued through.

Chairman Cosentino: Does anyone else have any questions?

Ashley Ley: I believe this property is within the main street designated area in which case a short EAF is required.

Chairman Cosentino: Do what you have to do.

Anthony Sturniolo: Nancy be kind enough to send a memo to the building inspector, village planner and engineer to review this conceptual and ask for written comments from everybody.

Chairman Cosentino: Thank you gentlemen.

b. Final Action

**The Lutheran Church – 15 South Bedford Road
Brian Baker representing the applicant**

Chairman Cosentino: Final action the Lutheran Church the draft resolution and short EAF. We have a draft resolution. Do any of my fellow board members have any questions?

Anthony Sturniolo: I would suggest two things. We basically have eight items in the resolution. I would like to see a ninth item, incorporated in that. And basically words to the effect that the church will not lease out either formally or informally, any of their parking to another entity, in the village.

Brian Baker: I am sure they will not. I will make sure I relay that to them and talk to them about that.

Anthony Sturniolo: You would agree to that literally for the record as a new condition.

Brian Baker: I don't believe there will be an objection to that.

Chairman Cosentino: Do you want to word that again?

Anthony Sturniolo: When Whitney comes back, I think that we should let him word it out. Basically, I would like to see a number nine, inserted that says there will be no formal or informal parking arrangement with an outside entity.

Brian Baker: Would this be a one-time?

Anthony Sturniolo: Forever. I can go over that with Whitney, if you'd like.

Chairman Cosentino: Let's get to the EAF.

Anthony Sturniolo: On the EAF, number 10. This should really be checked off the yes, because of ARB involvement with your application.

Chairman Cosentino: We need a motion on the resolution.

Anthony Sturniolo: Mr. Chairman, I will propose the motion to approve a resolution for modification to the approved site plan known as the First Lutheran Church of the Resurrection, located at 15 S. Bedford Rd. unless my other board members would like to talk further about it containing nine required issues.

Chairman Cosentino: We have a motion by Vice Chairman Sturniolo. Do I have a second?

Ralph Vigliotti: I will second it.

Chairman Cosentino: Will the secretary poll the board please.

Board All Ayes.

Brian Baker: It doesn't look like we are going to get into the ground before winter starts, and I would like, if the permit is issued, either to say, the permit is good for six months.

Chairman Cosentino: It is good for six months and one year to complete. If you need an extension, you will have to come back to this board. Thank you for coming.

**Mount Kisco Seafood – 477 Lexington Avenue
Joe and Joan Dimauro applicant, John Marwell attorney for the
applicant, Martin Kravitt architect.**

John Marwell: Mr. Chairman, when we were last here, we had a fairly comprehensive discussion about the site plan and you wanted to conduct a site visit before completing the process. I know the board did conduct a site visit, and we are hoping that you found everything satisfactory. The Dimauro's have completed the items that they were instructed to complete. With the exception of putting fencing around the dumpsters, and the striping. That was awaiting final action by your board.

Chairman Cosentino: We have a draft resolution. We have a landscaping and site plan. Is there anything else you would like to talk about on the site plan or the landscaping, before we go to the resolution?

Anthony Sturniolo: Could we show this area here? It is an office area? Can we have it marked office?

Martin Kravitt: Yes. Right now? How about on the as built.

Anthony Sturniolo: Yes just as long as it says office. Upfront where we talked about the usage, there shall be no food consumption by customers on premises. If we could incorporate that same language into a number 17 on resolution of approval. Just parrot that in the approval.

Joe Dimauro: There is no space for us to do that. I would never do that.

Anthony Sturniolo: I would just like to see this on the plan, and I would like to see it in the resolution.

Chairman Cosentino: Also number 11 and 12 garbage shall be hauled from the site before business hours.

Joe Dimauro: I have it contracted with my garbage company to pick it up Monday Wednesday Thursday Fridays and Saturdays during the winter.

Chairman Cosentino: Deliveries to the site shall occur outside of regular business hours.

John Marwell: I would like to correct preparatory language. At the bottom up at the first whereas.

Chairman Cosentino: It should read tenant. Would you like to take a few minutes to go over the resolution and we will call the next case.

**Mahopac National Bank – 305 Lexington Avenue
Robinson Morrel Representing Mahopac National Bank**

Robinson Morrel: We have the set of drawings

Chairman Cosentino: I believe we went with option three.

Anthony Sturniolo; Do you agree to the photometric chart, as presented to us?

Robinson Morrel: Yes.

Anthony Sturniolo: It is number three, as we discussed the last time. The only thing I would add an additional item. If the bank leaves the site or goes out of business or changes to the lighting to revert back to the original site plan of the property and pull out additional light required by the ATM laws of New York State.

Chairman Cosentino: If Mahopac Bank pulls out, and a different bank goes in. It would stay the same.

Anthony Sturniolo: It would stay the same because another bank would be subject to the same banking laws. If the bank leaves, and another non-banking change of use, and then it would revert back to the original approved photometric and lighting plan to the entire property.

Chairman Cosentino: So that is number ten. Think that resolution number ten. We have a resolution before us any body else that would like to add comment? Do I have a motion?

Ralph Vigliotti: Mr. Chairman I. will move on the approval of application. PB 2005 -- 14. Date of the action is October 11, 2005. Mahopac National Bank is at 305 Lexington Ave. Mount Kisco.

Chairman Cosentino: There is a motion by Mr. Vigliotti do we have a second?

Joseph Morreale: Second.

Chairman Cosentino: On the question? Will the secretary poll the board?

Board All Ayes.

Anthony Sturniolo: Once the lighting is installed and ready to go, let Mr. Stein know the village engineer and have him do verification at night.

Michael Stein: Sure.

Robinson Morrel: Ok.

Chairman Cosentino: Thank you. The next thing we have is continuing review none. Site plan compliance none. Environmental monitoring Woodcrest.

c. Environmental Monitoring

Woodcrest Ashley Ley AKRF

Ashley Ley: The berm has been installed.

Anthony Sturniolo: So then we need to go out and place the trees.

Chairman Cosentino: I believe they are in already.

Michael Stein: They are in already.

Chairman Cosentino: They are planted.

Michael Stein: I spoke with Tom and Tom did say yes everything was planted but if the board actually sees it and it required additional planting they would have to re-do it.

Stanley Bernstein: What about if we require removal or relocation of plants.

Anthony Sturniolo: I remember crystal clear he staked it out and put markings and said let me finish the berm because the berm wasn't completed at the time and once that is completed we will come back again. Put the stakes in the ground again which will be the actual representation of the trees. We all agreed to that probably would be in the early part of the fall. No sense planting the trees in July and now the applicant has done the complete opposite.

Chairman Cosentino: Why don't you do this? Take a ride up there and see what you think. If you don like it let's pull in.

Anthony Sturniolo: I think we should all do that.

Michael Stein: One of the concerns was they were trying to make sure they got in there so the trees would not be outside the planting season. That was one of his concerns.

Anthony Sturniolo: That was one of the concerns we discussed with them and he was once the berm was finished he said let me get you to come out right away put the stakes in then I can order the trees and plant them right away. That seemed like an intelligent and a fair way to address the success of thrive-ability of the trees. That did not happen.

Chairman Cosentino: Does the blacktopping have to be completed before he gets a CO?

Michael Stein: For the third building I would say yes.

Chairman Cosentino: Would you make sure in front of the building number three I think there is suppose to be four handicap parking spaces there. We had talked about that. He did not have them in two weeks ago and he said it was because he didn't get the last of the blacktop and I gave him the benefit of the doubt. I think it is important that either he puts the last coat in the blacktop and gets them in because there are a lot of handicap people there or I think it is a safety feature that area has to be blacktopped or where the handicap parking spaces have to be blacktopped. The four handicap spaces should be ready when the C of O is issued for safety reasons.

Joseph Morreale: I went and looked at this. The first question I had is the berm is pretty high and it is very steep with a very narrow area between it and the building. What I began to worry about is the potential flooding there in a heavy rainfall. Which I don't recall we ever looked at or discussed. I wonder what the plan shows. I was struck by the fact that it seems to me that gulley could fill up. That was one thing I think we should look at. The other thing is does he get the CO. He is still building the attached homes to the right.

Chairman Cosentino: He can get a CO for this project and then the other gets it own.

Joseph Morreale: Those are separate. I was just wondering.

Anthony Sturniolo: What do we do about the berm?

Chairman Cosentino: Do you want to make a site visit there?

Anthony Sturniolo: We need to make sure that the applicant is going to be there with the necessary people to stake out the berm like we did the last time. They had guys with spray paint mark the area and put the 2x4's in.

Chairman Cosentino: How about nine o'clock on Saturday meet there. Ok I am going to move on.

**d. Special Discussion
666 Lexington Avenue**

Chairman Cosentino: 666 Lexington Avenue. I guess they could not make it tonight. They want clarification is what I understand. Mr. Singleton they want clarification on why we are calling the site plan in. Actually striping is the main thing. They need to re-stripe and maintain upkeep in that area.

Ralph Vigliotti: There are damaged and dead trees that were removed and not replaced. This is ongoing. Every two or three years we have to bring them back to maintain the landscaping on their property. Mr. Cosentino said there is no striping and it is quite confusing for many of the merchants as well as patients that use that site. As far as what is there parking spaces aren't being used appropriately because they are not striped.

Chairman Cosentino: We approved a power box to the left side of the building. If I am not mistaken there was not to be any parking along that corridor right there. There are cars parked there right now. It is yellowed out. He has some problems that we want to address but he wants clarification.

Whitney Singleton: I didn't see the correspondence that was sent to him. Certainly if you have concerns with regard to the compliance of the site plan resolution. You need the inspector or code enforcer to go out there and make sure they are compliant. If there is something that is not compliant certainly the building inspector can confirm that.

Chairman Cosentino: The lines have to be re-striped.

Whitney Singleton: I am not disagreeing with you that needs to be done. The applicant or the property owner needs to be notified of that condition. To say they are not in compliance it would probably be prudent to ask the building inspector to do an inspection of the property.

Chairman Cosentino: Would you have Austin go up there and make a complete inspection and report back to the board. Mainly the striping, the extra chips that are there the dead trees, bushes and the general up keep of the property.

**b. Final Action
Mount Kisco Seafood – 477 Lexington Avenue**

Returning after some time to review the draft resolution

John Marwell: We have had the opportunity to review the draft resolution and I would like to bring a point to the board's attention item number four. Which states before beginning land clearing and placing construction equipment on site or actual construction the property must be staked out by a licensed surveyor? In accordance with Mr. Dimauro, he did have the surveyor come out and stake the boundary line between these properties. They had their surveyor come out and confirm that line before they put the fence up.

Chairman Cosentino: Do you have documentation of that?

Joan Dimauro: Yes.

Chairman Cosentino: Send the building department a copy your documentation of that.

John Marwell: The only work left to be done is the dumpster and the re-striping of the parking spaces.

Chairman Cosentino: This is a condition.

John Marwell: Yes. Since we have to complete everything that is shown on the site plan.

Chairman Cosentino: Are there any questions.

Ashley Ley: How do you want to reword?

Chairman Cosentino: Whitney do you want to give her some wording on that.

Ralph Vigliotti: WE have to be very careful about the trucks. It is in the resolution but really have to be careful about trucks backing into Lexington Ave. Whether they are smaller trucks that can make a K turn in the parking lot and that deliveries be made before the lot is swelled with cars. You have to be careful. It is not that country road it was twenty years ago.

Joe Dimauro: I will. I dealt with it for so many years in the other location. The only one that would be a concern is the garbage truck and he is there before 7:30.

Chairman Cosentino: We have a resolution before us do I have a motion?

Anthony Sturniolo: I make a motion that we approve the resolution for modification to the approved site plan. Whitney will you help with the language with regarding the change of use permit and the recommendations to the building inspector to issue a change of use permit.

Whitney Singleton: This is a modified site plan application.

Anthony Sturniolo: Then we can eliminate the change of use permit. For Mount Kisco Seafood at 477 Lexington Ave. Containing 17 items of resolution of approval. The 17 being the replication of no food on premises for consumption.

Chairman Cosentino: We have a motion by Vice Chairman Sturniolo.

Stanley Bernstein: Second

Chairman Cosentino: Will the secretary poll the board.

Board All Ayes.

Chairman Cosentino: Whitney will you notify the courts that this has been settled on our end. We wish you the best of luck.

John Marwell: I think it would be a good idea to adopt a negative declaration under SEQR process. WE would ask your board to authorize the building inspector to issue a TC of O.

Whitney Singleton: Your board can issue a negative declaration and with regard to any other issues I have no objections to Mr. Marwells's request for a TC of O.

Chairman Cosentino: Do we have a motion?

Anthony Sturniolo: Mr. Chairman I would be happy to put that into terms of a motion of issuing a Negative Declaration and authorizing the building inspector to issue a TC of O.

Chairman Cosentino: Motion by Vice Chairman Sturniolo do we have a second.

Stanley Bernstein: Second.

Chairman Cosentino: Secretary poll the board.

Board All Ayes.

e. Correspondence

Chairman Cosentino: We have a letter from William Williams regarding dual driveways. I went to look at this driveway. Whatever violation is there should be fixed. I myself looked at the house and I do not see a problem with this other cut in the driveway. I think it is a safety feature for that house. I want this on record if I owned that house I would like to see that other driveway in there. It is dangerous for them to come out on that road. I think that side road is a lot easier and better for safety reasons.

Stanley Bernstein: I was up there and I agree.

Ralph Vigliotti: If that is the case do we ask them to close down the driveway on Croton Ave.? If it is really a safety hazard? Do they just want two for the sake of having two and choosing which one to use if there looks like some traffic or are we really saying ok fine use Croton. Use the side you are proposing but close down the one on Croton Ave. There is never an issue with safety.

Stanley Bernstein: It is a very large house. Many large houses do have circular driveway. This is not a true circular driveway. It acts as one. I think a house like that deserves something like that.

Chairman Cosentino: Going in is easy it is coming out.

Ralph Vigliotti: I just don't want to and I know the house. We have a lot of houses that are on corners. This establishes and it has two front yards and lots of houses in Mt. Kisco that have two front yards and as we become even busier town there are going to be other folks coming and saying for safety sake I want a second driveway onto my other front driveway. I do not want to establish precedence. I certainly want to do what we can help them. It certainly is not a circular driveway that starts on the same street and ends on the same street. This is two separate driveways. I don't know how fast we should move on this. I think we need to think this through a little bit. Are we setting up any other precedence for other parts of town for second driveways?

Chairman Cosentino: I am only doing it for reasons of safety.

Ralph Vigliotti: If I move on it, it is because I understand it is a potential safety issue. We have lots of people that are on major roads who also have a secondary road that they might want a driveway. We need to talk about it a little bit more. Whatever the board is thinking is fine.

Chairman Cosentino: It is only a recommendation. It is not a decision we are going to make. Each and every one of us has our own opinion. I based my opinion on safety reasons and he could do what he wants with the other driveway. You do have a point there. My feeling is only for safety reasons. I understand why he would want to exit on Turner Dr. and not on Croton.

Michael Stein: If there are guests coming in and out would the guests be aware of whether they should pull in on the side street.

Chairman Cosentino: I think he said the second driveway is either dangerous according to his letter. Or it is not dangerous. I based my facts on reading all the information of this correspondence your correspondence and came to that conclusion. It is a safety feature. As far as having the second driveway he may want to close it off himself because of that reason. We based it on safety reasons. I think that is what we need to talk to him about.

Sol Gibbons: According to the letter here we have observed many houses in our neighborhood that have two curb cuts. So it is not precedence. The precedence has already been set.

Ralph Vigliotti: Those two curb cuts are just a circular driveway. They are not second driveways onto a second street.

Joseph Morreale: Would we want to take a look on Saturday?

Chairman Cosentino: Yes we will make a site visit on Saturday.

Anthony Sturniolo: Really what Mike has suggested is that before the village board entertains any requests address the drainage issue first. That has to be done.

Chairman Cosentino: The violation has to be corrected.

Michael Stein: I have been speaking to Mr. Karl and it has just been trying to get up there to take a look at it with him. Just to go over it with him.

Chairman Cosentino: He does want to address it though?

Michael Stein: Yes. Especially now.

Anthony Sturniolo: He needs to get an engineer to design a drainage system. The other question Mike is the August 2nd Howard Zane letter that notified does that exist? Is there a copy?

Michael Stein: Yes.

Anthony Sturniolo: Regarding the hazardous drainage condition existing on the property. The village manager writes back to them his last paragraph saying the outstanding drainage violation must be corrected on your property for compliance etc., before reviewing your request.

Chairman Cosentino: Then we have to wait.

Michael Stein: I emailed Bill back being that it was a safety concern coming off that they are still using that driveway as it is. If you go up there the way the cars are pulled in they are definitely coming off the side street.

Anthony Sturniolo: Your original email of September 23rd that you write it should be noted that prior to the owners request to add a second curb cut they were notified on two separate occasions of this condition. Condition being the reference to the drainage condition. However no action has been taken. It is really cut and dry.

Chairman Cosentino: Do you want to hold off on that.

Anthony Sturniolo: We should visit.

Chairman Cosentino: Letter from Margaret O'Connor to Mr. Utschig dated 9/14/05 Saw Mill Club water prevention plan determination. Letter from Juan Camacho to William Williams dated 9/21/05 29 Carpenter Ave connection to the sewer.

Anthony Sturniolo: On that one I am confused what he is trying to do with this easement. He is not here tonight. Are we walking into an easement?

Michael Stein: As part of doing the water sewer main they are eventually going to be dedicated to the village. In accordance with the health dept. requirements they have to submit copies of the easement agreement. Basically utility easement agreement to the health dept. to demonstrate that it is going to be an easement there.

Chairman Cosentino: When you talk about an easement you are talking about the street connection?

Michael Stein: It is where the sewer line actually comes into the property in front of all the units and so does the water main. That village will be taking ownership of.

Chairman Cosentino: It goes to the street.

Whitney Singleton: We would have to have ownership of any main. Whether it is water or sewer. Not only does the board of health report it but we have to review it. At what portion of the property does it become a village owned sewer line or water line?

Michael Stein: You'll have multiple owners in there. It is not set up as one owner.

Anthony Sturniolo: So the village would have responsibility up to the connection of each individual wall shall we say?

Michael Stein: Once the main extends up the driveway there will be a surge connection right at the main. The village will be responsible for it up to that connection. It is not the connection at Carpenter Ave. It actually goes into their property. We have the ability to go in and maintain it.

Anthony Sturniolo: Where does the village responsibility then end? At the branching?

Michael Stein: At the corporation which is basically the valve where that taps into the main.

Chairman Cosentino: The curb at the street.

Michael Stein: We are not going past the main. It is an easement area that we are bringing it to.

Anthony Sturniolo: past the main is the individual responsibility of the home owners.

Michael Stein: Correct.

Whitney Singleton: The main is going to be on private property.

Anthony Sturniolo: Our responsibility is to the main on private property.

Michael Stein: The reason why is because as soon as two services come off it where two services join that technically becomes a public main.

Chairman Cosentino: Each one is going to have their own water meter?

Michael Stein: Yes.

Whitney Singleton: Does our resolution of approval when this was approved does it make any provisions for performance and maintenance problems?

Michael Stein: I would have to find out.

Whitney Singleton: We need to make sure.

Chairman Cosentino: Not only that shouldn't we have the water line on a set of plans?

Michael Stein: It is and I have all the plans. In order for the health dept. to accept them my office had to sign off on them.

Whitney Singleton: What was done at Sutton Manor?

Michael Stein: Sutton Manor was a different situation, because Sutton Manor is an individual owner. That building would be sub divided into separate owners. I was under the understanding that it was assisted living.

Whitney Singleton: It is condominiums. I don't really see the significance if the home owners association assumes the responsibility.

Chairman Cosentino: Letter from Edward Buroughs Deputy Commissioner to Michael Stein Re Buckingham Properties.

Anthony Sturniolo: Who provided them with an answer?

Michael Stein: As far as the copies of the plans. I forward them a copy.

(Too Many People Talking)

Chairman Cosentino: We also have the minutes from the Beautification Committee. Is there a motion to adjourn?

Ralph Vigliotti: Motion to adjourn.

Joseph Morreale: Second

Meeting adjourned at 9:00 p.m.

Respectfully Submitted by:

Stanley Bernstein
Board Secretary