

**Minutes  
Regular Session of the Planning Board  
Village/Town of Mount Kisco  
Tuesday February 14, 2006**

**Members Present:**

**Anthony Sturniolo  
Stanley Bernstein  
Ralph Vigliotti  
Doug Hertz**

**Members Absent:**

**Joseph Cosentino  
Joseph Morreale  
Sol Gibbons**

**Staff Present:**

**Whitney Singleton  
Nanette Bourne  
Michael Stein**

Vice Chairman Sturniolo: Please stand for the pledge of allegiance. Welcome to the Mount Kisco, planning Board meeting, for Tuesday, February 14. This is a regular meeting, and we will be conducting the meeting under that format. The meeting was called to order at 7:50 p.m. The first item on our agenda is the minutes from November 22, 2005.

Stanley Bernstein: I move to approve the minutes of November 22, 2005.

Doug Hertz: I was not present at that meeting. Please make that adjustment.

Vice Chairman Sturniolo: So Doug will not be voting on this?

Whitney Singleton: You do not have a sufficient number of members to hold a vote.

Vice Chairman Sturniolo: So let's hold approval of the minutes for our next meeting. To save a little bit of time Stan, are you comfortable with the minutes?

Stanley Bernstein: I have already gone over them.

Vice Chairman Sturniolo: So we can pick it out at a vote at the next meeting. We have three conceptual applications, tonight as part of a very lengthy agenda. The first conceptual application is MRE Development- Lexington Avenue and Radio Circle.

**1. Conceptual Applications:**

**a. MRE Development – Lexington Avenue & Radio Circle  
Application #PB2005-08  
Scot Blakley, Dan Montroy, John Martabano, owner**

Scott Blakley: The subject property is located on the corner of Lexington Avenue and radio Circle. It is a three acre vacant parcel. There is a drainage course that runs through the center of the property. Wetlands were flagged by Beth Evans, surveyed and put on the concept plan that you have been reviewing. The site is cleared and is basically an open grass field. There is a small pocket of wetlands in the northern portion of the property. It appears that it was created by some minor earthwork that was done in the past.

Vice Chairman Sturniolo: Do you know who did that minor earthwork?

Scott Blakley: I do not. The property contains three acres. It is in the commercial zone. The bulk of the project is to construct a two-story office retail building. About 15,360 square feet, each floor, for a total of a little over 30,000 ft.<sup>2</sup>. We are also proposing a parking garage underneath the building that will house 54 cars. The on-site parking is located in the front on either end and parking in the rear. There are two proposed access points, and they are proposed at the furthest distance from the intersection of Lexington and radio Circle. There is an entrance off of Lexington, with an ingress and egress lane. Also, there is a new way onto radio Circle. Circulation through the building is two-way. We have a one-way circulation around the back of the building. We set aside, a proposed drive-through, for a potential bank or drug store, or retail tenant. The loading space is located in this area of the property. Our storm water management plan that we

have developed and have been working with DEP. We have had numerous discussions and meetings with them. We are proposing a storm water basin between the parking area and Lexington Avenue. This would be a dry basin. We have another basin located in the northern portion. These two basins will handle the drainage from the front portions of the property. There is a storm water basin to the north of the building. This will be a wet basin. This will handle the building, and the access drive around the building. The existing drainage course that runs through the property. It is a rough kind of eroded channel that goes to the property. The Martabanos' in the past at the request of the village cleaned out debris and other things recently. So it has been cleaned up a little bit. It is a very eroded and defined channel that runs through the property. Our proposal to chorus that drainage course in two locations with the access drive, and to create an almost park like atmosphere through the center portion of the site. Heavily landscaped, we will have a mix of plant materials there, placed boulders, so we can get the water to meander through there. We are also proposing heavy landscaping along the front of Lexington. There is a proposed fence along the frontage. The plantings and the fence will help buffer, storm water basin from Lexington Avenue. Of course we will have all of this in accordance with DEP and DEC requirements and of course the requirements of the village. We have public sewer and water that we will connect into. The project architect has a conceptual elevation that we would like to present to the board.

Dan Montroy: I will start with the initial sketch of the building. It is a brick building with limestone trim. It appears as two floors above grade, retail and commercial office. Parking is below and it is completely below grade line. I'm going to show you the plans. The first one is the parking garage. It is 57 spaces in the garage. The plan before you has 53. When we actually laid out the building the net plus is four from what you have there. The ground floor is retail. At the moment it is just an empty box. It will be broken up depending on the retail that goes in there. There is an entry in the front for the commercial tenants upstairs. There are multiple entries for the retail tenants in the front. There is service and loading in the back. The second floor is commercial office space; very flexible, according to size, and it would be a multiple tenant plan, probably two to four tenants.

Vice Chairman Sturniolo: just looking at the width of the parking stalls, you show them at 9 feet, and the village code calls for 9.5. I will also be happy to share with you a memo that we received from our building inspector, going through a lot of items. This also is a non-medical use?

Scott Blakley: In terms of the office tenants upstairs?

Vice Chairman Sturniolo: Yes.

Scott Blakley: I am not certain, I would defer to my client on the actual tenants that might be in the market. I don't know .Is there a zoning restriction?

Vice Chairman Sturniolo: The drive-in window as your colleagues said, is either going to be used for a bank, or you are thinking in terms of a drugstore. The concern that jumps out at me is just the overall traffic flow around the site, and the potential for a bottleneck at the northern end of the site. I'm not going to debate it. I'm just going to tell you, where my thoughts are, because this is only a conceptual and how it is going to impact the traffic flow on Lexington Ave. there is a lot of interest in developing Lexington Avenue. From some of the smaller to the larger properties, this piece of property has the potential to be a showcase and an inviting aspect of Mount Kisco, especially as you enter it in the village from Route 128. The building -and this is my personal opinion- and it is not a criticism of your drawings, the building really has to stand out as a signature building, both visually and architecturally and how the building sits on the piece of property. You have issues with wetlands; you have a wetland detention basin in the corner. The building really has to represent something, very inviting and very interesting for the village as well. The other question I have, on your parking requirements, where you talk about 15,360 feet of retail and 15,360 all the retail again, but over here you talk about 15,360 feet for retail, and the same 15,360 for office. Is this just a typo? On the parking requirements, it looks like it is just duplicated.

Scott Blakley: It should state: retail and the other one state: office.

Vice Chairman Sturniolo: Nancy I am going to probably ask this question, of you many times. If you would be kind enough to double-check, starting tomorrow, that all applications fees have been paid, and all appropriate escrow fees have been put into place, for this project.(to Scot Blakley) I would like to leave this memo with you. This is just some thoughts and comments and Mike I'm sure you have a few words, before we go around the table.

Michael Stein: As far as the conceptual none; not until it becomes a formal site plan.

Stanley Bernstein: Are you going to excavate for the parking under the building?

Scott Blakley: Yes, we are.

Stanley Bernstein: How deep?

Dan Montroy: The elevation of the garage at the moment is 299.

Stanley Bernstein: That is the floor of the garage?

Dan Montroy: Yes.

Stanley Bernstein: What is the grade?

Scott Blakley: It is roughly 304. It is about 5 feet.

Stanley Bernstein: I remember the water table being about 5 feet. Have you taken any borings where the water table is?

Scott Blakley: We have done testing in this area, and we found no evidence of ground water.

Stanley Bernstein: Since this is a conceptual, and we are not going to debate, I just wanted you to know my thoughts. One thought is I am opposed to a curb cut on Lexington Avenue, and I am also opposed to piping that stream in any way, shape or form. I see here about one third of it is going to be piped through the property and the rest is open. You mentioned the eroded bank. Someone has been filling in that land for many years. One of the things that that person or group of people has done, is that they have narrowed the stream bed considerably. Now it is about 2 feet across, it used to be a very wide stream at one time. Nanette, what is the regulation of a watercourse? Shouldn't there be 100 foot buffer on either side of the watercourse?

Nanette Bourne: Yes. That would involve a natural resource disturbance permit.

Stanley Bernstein: It is also a Main Street area.

Nanette Bourne: Yes, they definitely need a Main Street area regulation, which has to do with DEP. The buffer has to deal with the village and wetlands permits.

Stanley Bernstein: There should be a 100 foot buffer. On either side of the stream, this would preclude any development on this piece of property. Now you say you have been in touch with DEP and have had many meetings with them?

Scott Blakley: We have had two meetings with them.

Stanley Bernstein: There has been no mention at all about the problems with the watercourse? It is not under their purview, but I am surprised they have not mentioned it.

Dan Montroy: They may require us to get a piping permit for this section, and this section.

Stanley Bernstein: We will have to give you a piping permit.

Scott Blakley: We will need wetlands permit. The only area that we are piping is this 60 foot section, and this 60 foot section.

Stanley Bernstein: It looks like more than 60 feet.

Scott Blakley: You have parking, which is 20 feet. And then you have an access aisle.

Stanley Bernstein: What is happening at north of that, where you have the drainage wall.

Scott Blakley: This is remaining open.

Stanley Bernstein: I see channel and I did not realize that before.

Ralph Vigliotti: The drive-through, that you had mentioned, and I guess it is on the record at this point, that the drive-through would be there to house or assist a pharmacy and/or bank. That is all that you are limiting it to. A pharmacy and or bank, is that true?

Dan Montroy: Any retail tenant that would enjoy a drive-through.

Ralph Vigliotti: So it could be a McDonald's, a Friendly's or it could be any food establishment. I need to get this on the record.

Dan Montroy: I do not know who would lease the property.

Ralph Vigliotti: Conceptually, and I do not want to debate the point. And that is not the road I want to travel, and I do not think that this is the road this board wants to travel down. I want this on the record. Will there be a basement below the underground parking?

Scott Blakley: No.

Ralph Vigliotti: Can we place that on the record that there will not be a basement below the parking garage. We've had a problem with that at some point. I think the building is much too large and much too tall for that corridor. I think you are pushing the envelope. I agree with Mr. Bernstein. There should not be ingress egress onto Lexington Avenue. It is one of the few roadways in this town that works. And to have cars sitting to make a left hand turn, or piled up to make a right hand turn into the complex would exacerbate a traffic situation that we certainly do not need. There is a traffic light there and we need to take advantage of the traffic light, make your right hand turn, and then make your right hand turn again to get into the complex. I do recall that stream, and I've been down in that section of town for 28 years, to be much wider. Over the course of 30 years it has become deeper and narrower. So it was wider, Mr. Bernstein you are correct in your assessment.

Doug Hertz: I have one question. The proposed first floor retail space, what is the elevation of that?

Scott Blakley: I believe, 308.

Doug Hertz: The current grade is?

Scott Blakley: It is roughly 304 at this end and 300 at this end. You want the existing grade of the site to be able to access the lower level of the building for the parking.

Doug Hertz: on the north side of the building. There will be three full floors exposed.

Dan Montroy: Yes, three full floors exposed to here. You will come in at grade and enter in the retail at grade there.

Doug Hertz: how tall is the building and take a slice or right through the center.

Dan Montroy: 40 feet, 16 feet for the retail and about 14 feet for the commercial offices.

Doug Hertz: The parking lot at one end will be partially exposed and on the north end be completely exposed?

Scott Blakley: Correct. The elevation across the front will be at 308. You will have about three floors exposed here. We will probably make some sort of grade change, wrapping around this corner.

Doug Hertz: it feels like a very large building, for that site. Other buildings in that area typically are two stories or a single story.

Scott Blakley: Using the grade it is in fact, two stories.

Doug Hertz: You just said that the starting grade on the south side will be 4 feet above current grade and on the North Side will be 8 feet above current grade.

Dan Montroy: Correct, but we will be filling to bring this up.

Doug Hertz: you can fill all you want nevertheless that building is going to sit at that height. No matter how you get there. Whether you climb a mountain. It doesn't change.

Dan Montroy: The elevation of this building is the elevation of the road cut here.

Doug Hertz: I understand. I will just reiterate my feelings. I am concerned about the curb cutting on Lexington. I think if we were to even consider that type of curb cut, I

think having a right hand turn in and left hand out, would be the only scenario that could work for that space so that you don't have traffic queuing across the street. It is only two lanes at that point. You cannot fix that cross. And there is a lane right there. I would ask you to rethink the navigation around the building. If you are going to keep going with this configuration used the radio Circle ingress and egress.

Dan Montroy: Right turn in at the light only.

Doug Hertz: Right turn in, right turn out. Similar to what is at Staples.

Scott Blakley: We will have our traffic people take a look at this.

Doug Hertz: No curb cuts at all on Lexington.

Vice Chairman Sturniolo: it is counterproductive to what we have been trying to achieve.

Doug Hertz: There is a tremendous amount of development currently underway on radio Circle and on the Lexington corridor. It seems that half of our business in the last few months has been businesses up-and-down Lexington. Keeping that traffic flow to an acceptable level is going to be absolutely imperative.

Ralph Vigliotti: I would like to leave you with one thought. And please move away from any drive-through that would bring any kind of fast food to Lexington Avenue. I would like to see that as part of the resolution. It is one thing if it is a bank and or pharmacy, but I would like to see as part of the resolution that there would be absolutely unequivocally no fast food drive-through.

Scott Blakley: We will double-check with our client. But I know what they wanted to is that they would want to have a very upscale building here and really do a nice job on the site, and I think based on our initial meetings with the staff. We were made very aware of that.

Vice Chairman Sturniolo: Nanette or Whitney, do you have any thoughts?

Whitney Singleton: I will make note to Ralph's concerns basically drive-through is it not be anything other than a bank. And with 14 or 15 banks in town I don't know how well they would do.

Nanette Bourne: The procedure is to look at conceptual once. In this particular case because this is a very critical gateway parcel as Mr. Sturniolo mentioned, I would recommend to ask the applicant to come back as a conceptual again., and showing you some various site studies, citing the locations for the building, looking at the building in alternate locations. Maybe a different side so that you can give constructive feedback. The natures of your comments tonight are serious, and I think it warrants for discussion and dialogue as to where this application goes.

Doug Hertz: I would like to make one more comment, and this concerns me: the underground parking. I foresee a scenario where because of the high water table that shouldn't this is considered. In some form underground parking, be approved. We see a scenario down the line this subterranean parking is not successful. During construction, and the building is being raised higher than anticipated. I am extremely concerned with any scenario that anticipates parking below grade in that area so close to the Mount Kisco River. I think you should think long and hard about how this is going to work. I am concerned that ultimately, what will happen, this building will be much taller, if that fails.

Scott Blakley: We have done preliminary soil testing out there. We have to do borings for the building foundation and soil testing will have to be done there. We will be developing more tests out their based on our initial tests throughout the site this and the other side. Especially on this side. There is no ground water.

Dan Montroy: based on tests to date. Do not have a groundwater issue. Should we encounter a groundwater at any point, we are very comfortable at the elevation and the efforts that we would take to mitigate to subsurface water. We are comfortable with this.

Vice Chairman Sturniolo: You have heard comments, and you have a good sense of where the board is coming from and where the very major concerns are. Why don't you take your notes, take the feedback, take the memo I gave you and let's redo this again in a second version of a conceptual.

Scott Blakley: I would like some clarification, do you publish minutes of this meeting. I want to respond, and our intention here is to make a showcase for Mount Kisco. And

make this Lexington Avenue corridor, a very special place, by virtue of this building. If I could get those comments. We will respond directly to them, and we can move this along at each meeting so that you see a better building.

Vice Chairman Sturniolo: Ok

Whitney Singleton: Just to be realistic we are just looking at November minutes.

Vice Chairman Sturniolo: Based on the notes that you took tonight.

Scott Blakley: We certainly took our own notes.

Whitney Singleton: We cannot release the minutes until they are approved by the board. I just don't want you to be operating under any misapprehension.

Vice Chairman Sturniolo: thank you. The next item on the agenda is Flippo Simone 120 N Bedford Rd.

**2. Flippo Simone 120 N. Bedford Rd – Application #PB2006-05  
Daniel Simone, architect for the applicant**

Vice Chairman Sturniolo: In our packet. We have a letter from the engineer and the application for conceptual review. And again, Nancy as in the previous application if you would double-check that all the fees have been paid and the appropriate escrow fees have been on deposit before we go further along.

Daniel Simone: I am here on behalf of the applicant. The application in front of you is for a piece of property, located on the north side of Barker Street, just behind the existing BP gas station at the corner of North Bedford Road and Barker Street. The property is approximately 11000 ft.<sup>2</sup>. And we are in limited commercial zone. The proposal is for the construction of a two-story office building. There would be parking in the front location here. This property was the subject of a sub division, going back about 10 years. One of the main concerns that were raised at that time of the application was the location of the curb cuts and sight distance, along Barker Street. The location that is shown here is the location that was shown during that subdivision review. Additional issues of concern were screening from the existing residential district. The RS6 at this location. The plan for the building is a two-story office building with a gable roof, a residential type structure in keeping with the residential units, behind and the current law offices across the street. The east portion of the property has an existing stockade fence, which runs the entire perimeter, adjacent to the existing residents. There are multiple existing deciduous trees, at that location. Some evergreens could be supplemented in there also to assist in the screening. There is an existing row of evergreens, located at the rear of the service area. Also, the BP station provides a little bit of screening from North Bedford Road at that location. The applicant is also the owner of the adjacent piece of property, and is looking to utilize the lower portion in the basement, for overflow parking for the service area at this time. The basement would house the mechanical equipment. HVAC units and have an overhead door, located at this area so vehicles could be placed inside to store. Currently there are not any parking spaces showing, in accordance with the proposed office use. It is within the required setbacks, 30 feet from the residential zoning. It is 15 feet from the adjacent property over here, and more and then 50 feet from the road. There is existing water and sewer from Barker Street for connection. Storm water issues would be handled with on-site retention and recharge.

Vice Chairman Sturniolo: A couple of quick thoughts that I have. You have to show parking space for handicapped spaces. You need to show snow storage. Retaining walls are going to be an issue. Whitney as far as the gas station and additional parking, is that a zoning issue?

Whitney Singleton: the gas station is required to have all its own parking on its own lot. It is also supposed to be a certain set back from the property line, under a special use regulation.

Daniel Simone: The gas station has its own parking. Sometimes he has additional cars, which remained stacked at the rear. So he was looking to utilize this to take away some of the congestion off of the gas station parcel. This gas station and the parking associated were approved under site plan; probably about 15 or 16 years ago.

Whitney Singleton: That's when it was one parcel of land.

Daniel Simone: Correct but it was reviewed under subdivision also and was in

compliance with the regulations.

Whitney Singleton: But not to put gas station parking on a vacant lot.

Daniel Simone: Correct.

Whitney Singleton: When this lot is developed. It is not only it going to have to be compliant with the existing Mobile station is going to have to be compliant as well. There are required setbacks for vehicles on the service station. They are required to be on the lot, and I think there's required to be a certain length, at least 30 feet from the property line.

Vice Chairman Sturniolo: I guess that part and parcel of it, Danny, would cover all zoning changes that have taken place since the subdivision was approved, may impact both individual sites. The vested rights only last for X amount of years.

Whitney Singleton: If they are able to demonstrate the compliance of the zoning regulations then they are okay.

Vice Chairman Sturniolo: I also have some comments that Austin Cassidy gave us that I would be more than happy to give you in an effort to help you.

Stanley Bernstein: I am curious about this long dashed line. Is this a misnomer: building envelope?

Daniel Simone: That is the building setback lines, under the zoning. I believe there is a 20 foot front yard.

Stanley Bernstein: Why do you call it building envelope? It is very confusing.

Daniel Simone: That is the area within where the building can be located.

Stanley Bernstein: It is difficult terminology. As far as the parking spaces are concerned, 16.5 should be 18.5. That is a lot of impact upon the aisle, going in.

Daniel Simone: We had permitted within the walk for a 2 foot overhang, adjacent to the building.

Stanley Bernstein: A 2 foot overhangs where?

Daniel Simone: On the sidewalk.

Stanley Bernstein: On the concrete walk? In other words, you are saying that the cars can encroach upon that concrete walk?

Daniel Simone: With a 2 foot overhang.

Vice Chairman Sturniolo: They need to be 18.5 in length.

Nanette Bourne: That provision is no longer in the code.

Daniel Simone: There is ample room to expand it towards the building. It would not have to go up to the aisle.

Stanley Bernstein: those were a couple of things that I wanted to find out. I have got to tell you that is a very difficult site. In order for it not to be a real botched job, you're going to have some really close oversight on this project. That is all I have.

Ralph Vigliotti: Do you have a rendering of what the building will look like?

Daniel Simone: No, at the present time we did not go that far. We are trying to get a feel for the board feels. How the building is going to sit and how it is going to be cited are kind of dependent upon the overall layout of the site. So we did not take it to that level. It would be to stories in the front. The property drops off, probably about 10 feet from this corner to this corner, so the front and side elevations to the east would be to stories to the south and to stories and then transition down the back of the building.

Ralph Vigliotti: I believe we are going to have to see a rendering of the building. I would like to see what it looks like it to Windows the doors. I think that type of roof does not fit into the neighborhood. It is a conceptual and I think we need to see what you have in mind. It is an entry street to that neighborhood, and I would like to take a close look of

what that would look like. Just to put on the record, and I think everyone that is on the board during the process over the last three or four years, recognizes that it is going to be very difficult as far as sight line and safety to get in and out of the site. I don't know what we can do about that. It is inherited with the site, and certainly that something will have to live with, but it certainly is inherited to the site. We have a couple of new board members that are on as they may not be familiar with that. It's something during the process that we will need to discuss.

Doug Hertz: The only thing that I have is what we touched on earlier is the zoning issues, using this building is a parking area for another lot. How do we address that? Is that something Whitney that you were going to look into?

Whitney Singleton: I will certainly look into it. There are general basic requirements, with all the users. All parking for the use must be on the site of the building. We have been through this before, putting parking for one use on another lot. It is generally something that is only permitted hour.

Doug Hertz: just as only one board member I have a very hard time looking at the site plan that allows access and egress, only to park. On another piece of property, not from any public space. These properties are subdivided. So what happens when a change hands, now you have a nightmare on your hands. Unless you can provide a compelling reason why these two properties need to be done out why, for a recombine them, as one property, so that they flow. I can't see how that can possibly work.

Daniel Simone: if the owner had wanted a continual use of a combined access, then it would require access and easement agreement to access those sites. I don't think it is the owners and tension. To utilize this for any other reasons other than overflow parking for himself. I don't know it is necessarily something that the owner is 100% vested in, if it makes the board uncomfortable. It is something that we will discuss with the owner.

Doug Hertz: Just a quick comment and I think it was brought up earlier. Placement of handicapped spots, I believe it has to be the most and closest realistic spot to the front.

Daniel Simone: The way the property slopes the parking lot will slope. Generally down towards North Bedford Road, so the most logical place for the handicapped spot is at this location, where grade will not be an issue to the front entrance of the building.

Nanette Bourne: My comments are similar to the last one. This is a real showcase site. It would be very visible, and it should be a wonderful addition to the village. I would recommend that you asked the applicant to come back. Showing some alternative layouts, maybe some fresh thinking on this. I think it is important Topo be shown on this. Even though you may not have surveys done afresh for this site. There is enough survey that you can put on this site so that the board has an idea of what kind of grade would be required, a retaining wall. It looks like a fairly substantial retaining wall, would be required in the back.

Daniel Simone: It would be required at this location here. Transition between the parking and the lower-level. If there is no lower-level that may be an issue. As far as the wall is concerned.

Nanette Bourne: Also get some feedback from DEP on what kind of storm water and Water quality facility. Even get that before you come back to the board. Our experiences are that their requirements have been strict on these sites.

Vice Chairman Sturniolo: We have one more conceptual 25-35 Kiskon Rd.

### **3. Biagio Cantisani – 25-35 Kiskon Rd – Application #PB2006-06 Mark Cantisani – representing applicant**

Mark Cantisani: The engineer that was preparing this is out of town, due to the airport backlog. He still could not get a flight in. I will be able to answer as many questions, and I will be able to give you an idea of what we plan here. You should have a copy of this plan. You can see that our main use year is of a storage yard, and as an office and residents in the existing building. It is located on Kiskon Rd, amongst other commercial and industrial applications. To keep within the parameters of that neighborhood, we plan on doing what is already being done considering other across the road. There is an electrical contractor within office and residents, and also diagonal. Then right next door is the Whalen's moving and storage yard. Behind it are further operations that I am sure you are aware of. That is what we plan on doing on this site. Is to have a storage yard for minor construction equipment.



Vice Chairman Sturniolo: Like what?

Mark Cantisani: Like block and Brick, concrete forms that kind of stuff. You can see on the plan. There is a fence enclosing it with some screening and front. The parking spaces will be on site. After further rehabilitation and renovation, we plan on using the first-floor as an office and the second floor as a residence. It could be my father's residence. If it all works out this way. We are conforming to the same use as the properties in the area.

Vice Chairman Sturniolo: I am not sure that that second-floor residence conforms to the zoning. Be that as it may, continue.

Mark Cantisani: That is about all of it. The building already exists, so we don't plan on putting any other buildings up. Once there's fencing and secured and screened it won't really be an eyesore. When you drive through there.

Vice Chairman Sturniolo: Right now, the two vacant lots are just why all the trees and brush are growing. When you start to see construction materials, and everything else associated with it, then the word that you chose to use a moment ago, eyesore, kind of comes to the surface. There are a host of concerns about this property. I just want to briefly share a couple with you. You need to address drainage issues, lighting issues, the fence is not compliant with a 4 foot maximum height in the front. The second story residential use is not permitted by zoning. You would have to get a variance. There is a buffer missing on the west side of the property. There are a host of issues that you are facing. And I will be happy once again, as I did with the other applicants, to give you a copy of this memo that the building inspector generated. What I need to say just personally. You are aware that near you is the transfer station. That transfer station has a lease that is going to run out sometime in the near future. They very well may choose to leave that location. As we have said, with two other property owners before, as far as gateways situations( the Mobil station and the property on Lexington Avenue and radio circle) although this does not fall exactly in that category, The potential for the redevelopment of the site of the transfer station is something very important to the village. As you approach that location, passing your property on the right I personally would not want to see an open, vacant storage yard. It is not attractive, and it is not the kind of business that the village of Mount Kisco would like to encourage. A little later on in this agenda tonight there is going to be an applicant who has another piece of property close by yours that wants to store equipment, but it is going to be a building, and a warehouse storage facility. That is a lot different than an open, to use your words, eyesore. I am not in favor of this concept as you presented to us tonight for a host of reasons. A lot of which you already have detailed.

Mark Cantisani: You are aware that the screening will be put in front of there also. We would just be adding to those trees. It will look good. You will not see anything. We will review it again and do as you request.

Stanley Bernstein: There are very few open storage yards in the village. Lumber yards for instance, which are now all gone. I don't know of any building with open yards. It is a tremendous expense and a burden upon your father for us to request a closed warehouse building but that may be the best for Mount Kisco and this particular area, which is being upgraded over the next few years. Also, I think Tony mentioned about the six-foot-high fence. It should be four, and the lack of a 10 foot buffer on the west side. That has to be addressed. Of course, what Tony said about the noncompliant second-story residential is something that you will have to address as well.

Mark Cantisani: We will address those issues.

Ralph Vigliotti: I think everything that has been said I would have said, in some form. The open yards storage I am against. I don't think that we need open yard storage. It is prohibitive to enclose a storage area, but that is what we asked a neighbor to do and they did. There will be storage rocks and supplies in an interior storage building not to be seen by the public. Although Kisco Road is making a slight change from residential to kind of an office residential that is probably the extent of where we want to go. I think what you are trying to do in changing the residence to an office, residence is something that has been done on that street, and is being done as we speak. But to convert to lots into an open storage yard is not the way that we would like to go.

Doug Hertz: I don't have anything to add, other than I would like to make a comment. There seems to be two sets of plans. The same site and they are not matching that of circulating here. Mr. Vigliotti's plans do not match mine. I cannot make an intelligent comment. They are all stamped the same date.

Vice Chairman Sturniolo: The one you have right now is the one for reference?

Mark Cantisani: Yes.

Doug Hertz: I am going to withhold any comments, the plan I am reviewing is not the plan you are using.

Nanette Bourne: The only comment that I have, this plan needs a topo. The area where the proposed parking is chose grass Crete. The Board has been very careful when they have permitted grasp Crete. I hope that you have some direction for the applicant as to what you would prefer seeing there. Is there a reason why you have grasp Crete back there. Is it a proposed condition or an existing condition?

Mark Cantisani: A proposed condition.

Nanette Bourne: You are proposing grass Crete because?

Mark Cantisani: It is for its aesthetic quality, and preserve the grass and you still have the concrete strong enough to drive a car on.

Vice Chairman Sturniolo: When you say grass Crete was equivalent.

Mark Cantisani: Different companies make it. It is like a tile that you set in.

Vice Chairman Sturniolo: I am familiar with it.

Nanette Bourne: Your storage area would be dirt?

Mark Cantisani: Yes, or gravel, if necessary.

Vice Chairman Sturniolo: Just in conclusion, I need to make sure that you are 100% clear and understanding the sentiment of this board, and our feelings for this open storage yard area.

Mark Cantisani: I understand.

Vice Chairman Sturniolo: I just want make sure. That is one of the very key components to your application. Whether you choose to go forward for take into consideration what you heard tonight, and maybe rethink it.

Mark Cantisani: We will definitely consider your opinion, it is very valuable.

Vice Chairman Sturniolo: Thank you. The next item on the agenda on their final action is N4Fitness 293 Lexington Avenue.

### **3. Final Action:**

#### **1. N4Fitness – 293 Lexington Avenue – Application #PB2006-08 George Grenier, applicant**

Vice Chairman Sturniolo: In front of us, we have a resolution of approval for modification to an approved site plan. Some correspondence from Mr. Grenier, and if you would come forward. Nancy, once again, regarding the applicant for Kiskon, if we could double-check all fees and escrow accounts. I have two questions Whitney about the resolution. My first question goes on page 2 of the resolution and number six. I throw this question out to my fellow planning board members. Where it says a determination shall be made by the Building Inspector as to whether the modifications is substantive and should be returned to the planning board. What are your thoughts about changing that language and make it that the determination would be performed by the planning board?

Whitney Singleton: I'm going to presume that when this was in there it was relative to the original approval of the building. This has to do with subsequent changes to the site plan. That may result from conditions imposed by DEP.

Vice Chairman Sturniolo: What you are referring to is the underlined text, is the changes? Okay. In the underlined text, the comment that I have is number 13. Which is left and intentionally blank and agrees as long there is food preparation and sales for consumption on site, dumpsters will be emptied at least blank a week. We need to put in a number there.

George Grenier: I believe the landlord agreed to twice a week. Right now it is being

dumped once a week.

Vice Chairman Sturniolo: Does that sit okay with everyone else as twice a week?

Stanley Bernstein: I would like to see more than twice a week, but in fact. It has overflowed periodically, and what would correct it would be the second pick up. Perhaps we can modify that by saying twice a week, provided experience shows that there is no additional overflow, something to that effect. Leave it to Whitney to word it properly, that it can be modified in the future, if it is found that the twice a week picked up is not sufficient.

Whitney Singleton: I have a problem approving something that is subject to further review by your board as to the adequacy. I think what you should say that the landlord shall arrange for a sufficient number of pickups. So there is no overflow or excessive overage, shall be done, not less than twice a week. Something to that extent.

Vice Chairman Sturniolo: Would that satisfy you Stan?

Stanley Bernstein: Sure.

Whitney Singleton: It might be better to do it afterwards. I understand what you are looking for.

Doug Hertz: Page 2 whereas. The third from the last whereas. Were the applicant agrees that classes will not be conducted back to back. I think that statement is too vague. The concern was to have children being dropped off and picked up at the same time, and the traffic issues. It would create. Back to back is still not specific.

Ralph Vigliotti: What is the time period you are looking for?

Doug Hertz: I think it should be at least 15 minutes.

George Grenier: That is what we had discussed a few meetings ago.

Doug Hertz: Back To back means more than one minute.

Nanette Bourne: The classes will be conducted with a minimum. 15 minutes between sessions or classes.

Doug Hertz: Even that is tight, because assuming every parent is exactly on time. The amount of time it takes to get six to 12 children in and out. That is 24 kids going through the system in a matter of minutes.

Ralph Vigliotti: Do you want to say 20? Is there a standard in the industry?

Doug Hertz: What does the applicant propose for his business model?

George Grenier: We had planned it all of our calendars that 15 minutes complete break between any activity. I can easily modify that for an additional five minutes, if that is the board's pleasure.

Doug Hertz: I do not want to shut down your business. The concern has always been parking and the potential for a 15 minute time, where some number of 12 to 24 cars could come and go and require parking spaces. I don't know if another five minutes would adequately shift that.

George Grenier: I will make every effort on my part to computerize everything with card keys, readers and what not, so it should be a very quick shift. As quick as humanly possible. After thinking it through to thought the 15 minutes was sufficient.

Ralph Vigliotti: What is the length of the classes?

George Grenier: The actual length of the classes is 45 minutes. We all ready have a little bit of fudge time at the beginning of the class that we are talking about.

Vice Chairman Sturniolo: Whitney based on what we said before, something previously approved. That was double struck underlined. As far as Doug's concern happen on paper, do we need to add a new whereas, because we can't modify the whereas that refers to back-to-back.

Whitney Singleton: No, anything related to N4Fitness is new. The underlining is what I

put in.

Vice Chairman Sturniolo: So we can modify that.

Doug Hertz: I am fine with the 15 minutes. I can accept Whitney's comments .I hate to put a condition that is subject to further review and approve that. I also do not want to create a condition that is going to be problematic for the site.

George Grenier: I think if it's a problem for the site. It is going to be a problem for my business as well. If parents have issues getting in a now and not having a parking spot.

Doug Hertz: It will also be a problem for the other businesses.

George Grenier: True. I personally am going to keep an eye on that. If I have parents saying that they do not have a place to park, when they come in. It is something that my business is going to have to address. I don't see it as being a problem. I think there is more than enough time.

Ralph Vigliotti: You're pickups will be in the rear?

George Grenier: No, they will be in the front. We had discussed that before.

Ralph Vigliotti: Everything is going to be in the front. Pickups and drop-offs.

George Grenier: Employees are going to park in the back. We discussed the situation with all of the other tenants. All of the other tenants are going to park in the back if they don't already.

Doug Hertz: I am okay with the 15 minutes.

Vice Chairman Sturniolo: Does anybody else have any other comments on the resolution of approval for the modification as I should say. They're being none-at this point I would entertain a motion to 305 Lexington Ave. to approve modifications to a previously approved site plan containing the 14 points.

Ralph Vigliotti: I will move on that motion.

Vice Chairman Sturniolo: We have a motion by Mr. Vigliotti and a second by Mr. Bernstein.

Board All Ayes. Motion approved to the modification of previously approved site plan.

Vice Chairman Sturniolo: The next item on the agenda is Coco Rumbas on the final action. What I didn't say to the previous applicant, but it is a moot point at this time and I addressed it to this applicant. We are four members of the planning board tonight. We are at quorum, so if anything is to be approved you need the full four members to say yes to an action. If you choose, it is your option not to have this application, heard tonight. When you can come back at another time and there may be a full planning board here. It is your choice.

**2. Coco Rumbas – 443 Lexington Avenue – Application #PB2005-18, Joseph Hager representing applicant, Juan Ruiz, applicant.**

Joseph Hager: We are hoping we can pick up our resolution.

Vice Chairman Sturniolo: At the last planning Board meeting, the chairman made note of the fact that you were going to include a handicapped bathroom in the building. That is still your intention?

Joseph Hager: We are going to include a handicapped bathroom we would like to for the record. This is a previous nonconforming use, and it was not required, but we are going along with the board's recommendations to do so. We have prepared plans for the incorporation of the toilet into the facility. The plumbing contractor who is also the landlord of the property, has not indicated to me as of yet how he proposes to access the sanitary sewer from the building to this particular space, which was the only space that we could put it in. We have moved ahead on our part. Now we have to have the cooperation of the plumber and landlord.

Vice Chairman Sturniolo: Maybe you can just summarize in a letter to the landlord the feelings of this board regarding that handicapped bathroom. To see if you can spur him on and encourage him to make it happen for you. Obviously you want to go ahead and.

get your facility up and running. If you would be kind enough to copy the board on that letter. I would appreciate it.

Doug Hertz: I have one question on this resolution. Does it talk about the number of seats? I know that we are basically using the pre-existing numbers. I think that should be incorporated in here.

Nanette Bourne: Into the whereas?

Doug Hertz: Into the whereas or into the conditions.

Rough Vigliotti: As well as in the outdoor dining area.

Doug Hertz: I do not have the approved site plans in front of me.

Vice Chairman Sturniolo: I think it is in the upper left-hand corner.

Doug Hertz: It is in the prior submission. It is not missing. It is just not in there.

Stanley Bernstein: Read number 17. What was approved in the past?

Vice Chairman Sturniolo: I think what Doug is looking to do is to get that number so that it jumps out at you.

Nanette Bourne: The condition 19. You wanted to state the number of seating.

Doug Hertz: The maximum number of seating. We are not approving outdoor dining.

Whitney Singleton: The outdoor dining is going to be at a level which does not require your board's approval. Should they come for a larger number in excess of 10; the board will have to entertain that application.

Doug Hertz: I will reiterate my comments, which is as much as I love outdoor dining, parking being what it is, I think that any outdoor dining, the number of patrons and the restaurant should stay level summer and winter. When dining is outdoors dining indoors, should be the same count.

Nanette Bourne: You want to say the maximum number of customers. Seating shall be restricted.

Doug Hertz: I am tossing that out.

Ralph Vigliotti: I am in agreement.

Vice Chairman Sturniolo: We just don't openly stack up the interior, because the 10 or 12 seats out outdoor dining are not going to be used.

Ralph Vigliotti: Conversely, in the summer, I am a little taken aback with the handicapped bathroom. I thought it was put to rest. It does not sound like it is. There are a lot of what ifs and whatnot's. I am somewhat disappointed.

Joseph Hager: We have agreed to do the toilet as long as the landlord can make it happen.

Ralph Vigliotti: I believe anything can happen. We met two weeks ago, and it doesn't sound like you have had as much as a brief conversation with the landlord.

Joseph Hager: I prepared the plans for the toilet.

Ralph Vigliotti: Maybe we should take a peek at those. That is why you have them tonight.

Joseph Hager: This is the area that was selected.

Ralph Vigliotti: This is the handicapped bathroom here?

Joseph Hager: Handicap accessible.

Ralph Vigliotti: What is here now?

Joseph Hager: It is a large coat closet. We are eating up some of the coat closet. The

handicapped toilet, reducing the amount of coat closet area, and we will have to rely on portable coat racks in the wintertime. Obviously in the summertime we don't need any coats. We went right ahead and did what we were going to do. We just want to know how it is going to be done from the plumber.

Vice Chairman Sturniolo: That should be relatively simple.

Joseph Hager: I don't know. I don't know the depth of the sanitary sewer. I do know it goes down the middle of the parking lot. We are waiting for his input.

Vice Chairman Sturniolo: You have not gotten it yet?

Joseph Hager: Not yet. We did not hold back on anything.

Vice Chairman Sturniolo: As I said at the last Planning Board meeting it was agreed that you were going to put in the handicapped bathroom, and now it is there on paper, now you have an internal issue.

Joseph Hager: I hope it is not an issue.

Vice Chairman Sturniolo: Concern. In the resolution, number four talks about subsequent to the installation of the fence, the applicant shall provide documentation etc. Nanette, do you think that needs a little amplification. The fence is the reference to the fence in the back of the property separating their property from the village property as opposed to the fence that somewhat separates the outdoor dining area. The decorative gated fence.

Nanette Bourne: Yes, we can amplify it. Also, is it shown on the plans?

Vice Chairman Sturniolo: It is shown on the plans.

Nanette Bourne: Between the subject site of the rear property line?

Vice Chairman Sturniolo: The rear property line.

Joseph Hager: the fence surrounds the entire property, front side and rear.

Vice Chairman Sturniolo: And in the rear the fence also, and we have done this with other applicants on Lexington Avenue, has a double gate for emergencies access to get through it.

Joseph Hager: I don't know stringent you are going to be about one particular item. On the North Side, North rear portion of the property, we looked at it, and his property line is so close to the building next to him. If we put a fence there people will not be able to access the rear of their building down the sidewalk. That is how close his property line is to the next building. The whole condition just seems a little superfluous to put a fence there. It is at one corner.

Vice Chairman Sturniolo: I was not here at the last meeting.

Stanley Bernstein: We only require fence to separate village property of the property owner.

Nanette Bourne: I think what you're trying to say is that the fence is shown on the plan and you want to make sure that the fence is properly located, because there have been several instances where fences have been erected not where they should be.

Vice Chairman Sturniolo: The philosophy is the same as with Mount Kisco seafood.

Doug Hertz: Your concerns are with the sideline fence? Not with the rear?

Joseph Hager: the rear portion of the sideline fence intersects with the rear portion of the fence on the North Side of the building. It is a very short section. It may only be 4 feet wide. If that is enclosed like that, the people next door cannot walk down there at walkway.

Doug Hertz: If I am not mistaken, we did not require this side fence.

Joseph Hager: We're not talking about that. The board required that a fence go across the whole rear of the property. We recommended not having to do that because of a fire escape. If you put a fence there it interferes with the fire escape.

Doug Hertz: Is it the rear portion of that fence that would block access, or is it the side portion?

Joseph Hager: just where the rear meets the side. We can put the rear portion in. The only thing is if we go to the corner of our property line. We are going to be a foot off the other building.

Nanette Bourne: What do your plans show?

Doug Hertz: Is this property, village property?

Joseph Hager: Their building ends at the same line as our building. Their side yard access is very narrow if we use the survey print that we have from the gentleman that prepared it originally. This is what we used as a guide. Our fence literally goes 3 feet onto the other property. Beyond our stone wall. If you continue that fence all the way through, maybe you have a foot and a half as a side yard for the other building. I don't know if you would like that.

Vice Chairman, Sturniolo: We are groping in the dark. Mike is this something that you can take a look at. Let us know, logically, where the fence should go. Nanette, since we are leaving this a little open, what is the best way to change the wording so we are covered as far as what Mike reports back to us. We would like to move this forward tonight and still have the capability of following suggestions that Mike has.

Whitney Singleton: I would make it a requirement as far as the village engineer's estimation regarding any safety hazards to modify.

Joseph Hager: We had it included in our plans, and we are very glad to do it.

Vice Chairman Sturniolo: You were pointing out a very potentially valid issue.

Joseph Hager: It doesn't hurt us; it only hurts the people next door.

Vice Chairman Sturniolo: Whitney had some verbal changes that we can make and that will fit in.

Doug Hertz: We are going to accept this once Mike takes a look at it.

Vice Chairman Sturniolo: Number nine also has a blank. Doug would you like to suggest the same language as we did before at 305 Lexington as far as the garbage removal is concerned.

Doug Hertz: What is your intention for the pickup for this site?

Juan Ruiz: Once per week.

Ralph Vigliotti: I think we should be looking at two.

Doug Hertz: Especially for a restaurant and food establishments, for certain things more than that.

Nanette Bourne: Twice per week.

Doug Hertz: I would like to see twice a week with the same language as before.

Vice Chairman Sturniolo: The other thing I would like to see, Nanette. If we could add another two more items in the resolution, a 19 and 20. One makes reference to the inclusion of a handicapped bathroom on the first floor and nowhere in the resolution does it talk about your anticipated business hours.

Joseph Hager: There was a letter that was submitted to that.

Vice Chairman Sturniolo: I would like to incorporate that.

Doug Hertz: Mr. Chairman, if you look at number 18, and the second to last whereas, that is already included.

Vice Chairman Sturniolo: I see it now. It is in the whereas. The business hours, I would like to see. If you could tell Nanette, fewer hours of operation.

Juan Ruiz: Our hours of operation will be 11 to 11 and on weekends to kitchen will be

open until 12.

Vice Chairman Sturniolo: When you first came to this board. You told us that none of your employees would be parking on site. It would all be taking a taxi.

Juan Ruiz: That is correct.

Vice Chairman Sturniolo: If we could incorporate that there would be no employee parking.

Nanette Bourne: As a condition or as a whereas?

Vice Chairman Sturniolo: As another whereas. The applicant has represented that all employees will not be parking on the site. They will use other means of transportation.

Ralph Vigliotti: Number 13 on-site parking, shall be restricted to the approved principal restaurant use. No parking for accessories and off-site parking shall be permitted.

Vice Chairman Sturniolo: that means that you cannot go across the street down the road and say I have parking there, to satisfy my parking requirements on the off-site. There being no further comment. I would entertain a motion.

Whitney Singleton: do you want to propose language. At the end of paragraph condition number four. It has been found that the fence should be installed in accordance with the site plan last revised 11/11/05, unless the estimation is of the village engineer feel modifications are warranted for the benefit health safety and welfare of the neighboring properties to the north.

Vice Chairman Sturniolo: Mike, please jot a little note to us, once you have gone out there and taken a look.

Doug Hertz: Mr. Chairman on item number 13. Are we not creating a problem for ourselves with the whereas, as this condition. The applicant stated that there will be off-site parking for employees. Since they are not parking on site. What we're trying to do is not waive. Clearly they are parking elsewhere.

Vice Chairman Sturniolo: Clearly, they could be parking in Chappaqua.

Doug Hertz: Are we creating two conditions.

Ralph Vigliotti: What we're really saying is that you cannot use Twigs next-door for any kind of parking or anything adjacent or across the street. That is what number 13 indicated.

Joseph Hager: The employees that Mr. Ruiz has don't even have cars.

Vice Chairman Sturniolo: If that is the feeling of the board lets drop that whereas. We will stick with 13 the way it is written.

Doug Hertz: I would prefer that whereas in. It very clearly states that parking on site is going to be customer parking. Without that, whereas and employees are exchanged, and they all park on site. It will be a problem.

Vice Chairman Sturniolo: Then let's put it back in.

Whitney Singleton: This is a pre-existing nonconforming use, and they are allowed to continue the pre-existing nonconforming use to the extent of what it was in the past. I think it is entirely permissible for you to restrict the on-site parking to on-site use, and entirely permissible to prevent off-site parking for this restaurant. At the same time, how the internal operations of this restaurant operate as far as the patrons or the dishwasher parking in the parking lot I think that is impermissibly encroaching on the existing operations of the restaurant. I think it is entirely within your domain that the pre-existing nonconforming use to say that parking on site, and only on site. And you are not to allow anyone else to park there. To go beyond that is problematic.

Vice Chairman Sturniolo: So you're suggestion is not to include that whereas.

Whitney Singleton: Correct.

Vice Chairman Sturniolo: Being that there are no other comments, I would entertain a motion. If someone would like to make a motion regarding the SEQR.



Nanette Bourne: The proposed action will not have any negative impact regarding the short EAF.

Stanley Bernstein: I so move there are no adverse or large environmental impacts. As pursuant to the short EAF on this application.

Doug Hertz: I will second that.

Vice Chairman Sturniolo: There is a motion by Mr. Bernstein and a second from Mr. Hertz

Board All Ayes – On the motion for SEQR.

Vice Chairman Sturniolo: Now we need a motion on the modification of the approved site plan, for 443 Lexington Avenue, Coco Rumbas.

Stanley Bernstein: So moved.

Ralph Vigliotti: Second.

Vice Chairman Sturniolo: the motion by Mr. Bernstein and the second by Mr. Vigliotti.

Board All Ayes – approved modification to approved site plan.

### **3. Formal Application:**

#### **1. Old Iron Warehouse Project – Carey Place – Application #PB2005-20, Alan Pilch representing applicant, Dominic Ferrovicchio applicant.**

Vice Chairman Sturniolo: The next item on the agenda, formal applications: Old iron warehouse Project located a Carey Place. Nancy again, if we could check the escrow of Coco Rumbas. What we have is an application for formal site plan review submitted by Beth Evans Associates. Mr. Pilch your request for a formal site plan, with the application, and a short EAF and wetlands delineation also from Beth Evans and an aerial photograph of the property. Village of Mount Kisco planning fees transmittal. Formal site plan. We also need to double-check that they parking fees are included, without and along with the escrow account that we mentioned earlier. Nanette, if you could walk us through at this point, regarding SEQR and our intent process.

Nanette Bourne: The applicant has submitted a short environmental assessment form. They actually provided more than is required on a short EAF. It says that the board's practice requires a long environmental assessment form. I am not sure if you have a particular reason for submitting a short as opposed to a long. You supplied supplemental studies concerning the wetlands that are typically attached. There are really two options. One is to look at short, environmental assessment form, along with supplemental material that has been provided, and if that provides you enough information concerning the potential environmental impacts. Then you can request to authorize me to distribute the notice of intent to declare lead agency to interested and involved agencies. The other option is to request the applicant to prepare a long environmental assessment form, and with the same materials attached. You are going to get the same information either way. It is just a matter of what you are comfortable with. If you request the applicant to prepare the EAF then we could submit and distribute the information as soon as we get it. Or if you are happy with what they have already submitted, the notice of intent can go out tomorrow. That has already been drafted (the notice of intent) so they are ready either way.

Vice Chairman Sturniolo: Then Nanette, in your opinion, it is our call 50/50 there is no danger of circumventing the system for cutting corners or anything that we may inadvertently do if we go with the short EAF tonight?

Nanette Bourne: It is an unlisted action. As long as the letter and the supplemental studies, it is just a little out of your normal practice.

Stanley Bernstein: I am perfectly happy with the short EAF. Although I usually want a lot more information. There is a lot of supplementary stuff. Nanette what do you feel about the substance of the EAF? Is it conforming to what we feel as proper environmental review?

Nanette Bourne: Actually, the short EAF information that they provided is relatively thin.

That is the way that that EAF is set up. I think the information that has substance to it is the information concerning the wetland delineation. As long as that is attached to it, then SEQR full disclosure and that combination achieves that.

Stanley Bernstein: we still have to have a public hearing and a wetlands permit to encroach on the buffer.

Nanette Bourne: That is right.

Stanley Bernstein: Also on the EAF item E, is there likely to be controversy related to potential adverse environmental impacts, the answer was no, but I think it should be yes. There will be possible controversy; there are a number of questions being involved so close to the Kisco River and the wetlands associated with it and the DEP needs to take a close look at this. Which I am sure they are in the process of doing right now. Have you dealt with the DEP?

Alan Pilch: Yes, we did. Last year, we held a meeting a pre-application meeting with the DEP. We have had conversations since that time, and we have actually just submitted on an informal basis, because until some sort of SEQR action is taken, they will receive it informally. We have submitted a storm water pollution prevention plan with these plans and the full report to the DEP for their review.

Stanley Bernstein: On the south portion that is close to the wetlands, there was a forested area. Under existing conditions, is there a forested area?

Alan Pilch: There is a wooded area that is in the most Western and southern portions of the site.

Stanley Bernstein: Is that going to remain?

Alan Pilch: The wooded area will remain.

Doug Hertz: You are saying except for what area?

Alan Pilch: Except for that area, where the sanitary sewer is.

Stanley Bernstein: The sewer main, I do believe is gravity at that point. It is not a force main from this point down. It is gravity. That is where the main is -right in the wetlands.

Alan Pilch: That is correct.

Stanley Bernstein: When I looked at it at first I was a little bit surprised. There is a road back there. It goes right past the former garbage dump.

Alan Pilch: As you know, we made last year a joint application for permit to the New York State DEC and also to the Army Corps. That is why it is a joint application. In January of 2006, actually the very end of December 2005, and was received by your office in January 2006. The army corps of engineers granted our permit.

Stanley Bernstein: The army corps of engineers approves everything. They are noted for approving any kind encroachment on any kind of wetlands anywhere in the country. There is this stockade fence, and of course the stockade fence will have to be removed. That is the east side of the property correct?

Alan Pilch: That is correct.

Stanley Bernstein: There is a dashed line; it is not shown in the symbol. There is a line that with circles, and it seems to go around the entire property, from parking spaces. It encloses as storm water retention basin.

Alan Pilch: We intend to put a fence around there.

Stanley Bernstein: That is a fence. That is all I have.

Vice Chairman Sturniolo: Ralph?

Ralph Vigliotti: I will pass.

Doug Hertz: I am glad that you realized, this got recited and shifted and I think it is a vast improvement. I think this is a big improvement as opposed to the conceptual.

Vice chairman Sturniolo: Nanette. At this point do we need a resolution stating that we intend to declare ourselves?

Nanette Bourne: I just noticed that I did not see an application for a natural resource disturbance permit as part of your material. That needs to be submitted. It is the villages wetlands permit application.

Alan Pilch: We will look into that.

Doug Hertz: I have a quick question for the applicant. Somewhere in here, it discusses that the warehouse building may be divided. Originally this was going to be one space.

Dominic Ferrovicchio: I have a project Old Iron Estates, after we finished that project were going to take all of the equipment and put it inside the building, and wait for the next project, which may be in Dutchess. For six months, we might not go in there. Another space I have four-star auto glass, so I will use it as a storage depot.

Doug Hertz: What I noticed when I saw these walls, what I was thinking was, this was going to be multiple tenants.

Dominic: Ferrovicchio: I would be taking up two spaces, and one would be for rent.

Vice Chairman Sturniolo: So we are now back to the intent?

Nanette Bourne: So by resolution, you can authorize me to circulate the intent.

Vice Chairman Sturniolo: Would somebody like to make a resolution, to make a motion rather, authorizing the village planner to circulate the necessary paperwork for the intent to declare the planning Board lead agent?

Stanley Bernstein: So moved.

Vice Chairman Sturniolo: Is there a second?

Doug Hertz: I will second that.

Board All Ayes.

Vice Chairman Sturniolo: You will get started on the village's wetlands permit.

Stanley Bernstein: One comment. I have to say I usually don't give compliments from this seat. Poring over these plans thoroughly, I am very impressed the amount of work and the quality, which we rarely get from applicants on this type of situation.

Vice Chairman Sturniolo: the next item on the agenda Dave Pasquella, 23 Kiskon Avenue.

**2. Dave Pasquella – 23 Kiskon Avenue – PB Application #PB2006-01, Michael Testa representing the applicant, Dave Pasquella owner.**

Michael Testa: At our last meeting with the board for our conceptual review, we initially proposed to provide parking for the proposed office and electrical contracting facility, in the front of the property. We had the conceptual schemes that we had. The four did not like the idea providing the parking in front of the building. As a result of that, what we did. We looked at trying to provide parking to the rear of the property. To try and eliminate the parking in the front. The proposed site plan that you see in your packet was actually to view that. To create three parking spaces to the very far rear. To comply with the buffer on the southerly property line. At the same time create a total of five, which was our requirement under the zoning. I'm having one of the garages, which is the existing garage. One parallel parking space and three parking spaces in the back. An attempt to also try and save as much of the front yard as possible. So we can plant that have some grass and some appropriate plants. At the same time, we had briefly discussions with the building inspector. With regards to the requirement to provide storm water management control. As a result, we are proposing. A series of dry wells and a drain across the front of the property to pick up some of the impervious surface from the roof runoff, that is on-site. At the same time we have had contact with the DEP. We know we need a permit from them, and we will be in the process of doing that through this whole submission. The question, I guess we have with regards to the application on whether or not it needed a zoning variance. The building inspector was reviewing now, at the last meeting we had. That is where we left it with the board at

that point.

Vice Chairman Sturniolo: A zoning variance was for what?

Michael Testa: On the second floor, there is a flat back area, which you can see right here. We were requesting to continue the line up and to have that as a continued storage for the offices on the second floor. A complete line straight up. The building is pre-existing nonconforming, and there was a question as to whether or not, by continuing outline of a nonconforming straight up necessitate a variance or not.

Vice Chairman Sturniolo: I know you went through it. I need to ask you again. When you first showed us the initial photograph of the building, the garage door was not there?

Michael Testa: The garage as we mentioned, there was some siding that hid the garage. We have gotten the old photographs from the previous owner.

Vice Chairman Sturniolo: So did you now remove the siding?

Michael Testa: Yes, the siding has been removed.

Vice Chairman Sturniolo: since the last time you were here?

Michael Testa: No.

Vice Chairman Sturniolo: From day one?

Michael Testa: Yes. We initially made an application to the building department to renovate an existing single-family house. We initially renovated the existing single-family dwelling. During that renovation process, Mr. Pasquerella decided not to keep it as a single-family and tried to attempt to bring his electrical business to the site. With an office on the site. This would involve to secretarial staff.

(Viewing of photographs)

Vice Chairman Sturniolo: This is what we saw in first originals set.

Michael Testa: As a result, we felt it would be appropriate, to try and bring his electrical business to the site, which would involve the use of the second floor, as his electrical office. The first floor is an existing garage with partial electrical storage. It is a small electrical contractor's business. No exterior storage of any kind is proposed, and the third floor is dead storage for files. At that point we decided to make the application to the board, and that is where we are right now. You really want to get some feedback as to the discussion, whether a variance is required. And if it was we can make an appropriate application to the ZBA.

Vice Chairman Sturniolo: What you don't have and Mike Stein has just generated this memo. Take this with you. It doesn't necessitate a detailed explanation at this point.

Michael Testa: Just on some of these we did address some of the issues, with some silt fence. We didn't actually locate where it has to go, we wanted to speak to Mike to go over that. And we are aware of the 25 year storm. Site lighting will be minimal. From what we understand may be a motion detector, that is on-site. Just in case someone does pull in at the evening hours. We don't envision any other lighting. As to handicapped accessible parking space. There is an option in your packet, which is in the very back of the packet, which is another conceptual idea-a discussion on providing parking in the front. We realized at the same time, an attempt to have us try and bring back the parking to the rear of the property. Clearly with handicapped parking, the question really comes to play. The aisle widths necessary for handicapped parking space, I believe it's an eight-foot aisle. That is required. It would chew up the entire buffer system of the entire lot. We would basically be eliminating all grass on site trying to provide that aisle. It could be accomplished in the front of the property and comply with zoning. We feel the impact to the property by taking away the grass to accomplish that goal, I think would be counterproductive. Where we tried to create a landscape buffer of the street.

Vice Chairman Sturniolo: I'm just a little confused in the application for examination and the permit. The notary is dated 1/24/06. Now that refers to what aspect?

Michael Testa: This new proposed application. That is not the old original application for the renovation.

Vice Chairman Sturniolo: The new proposed. Not this but what we are currently looking at.

Michael Testa: That is correct.

Vice Chairman Sturniolo: This permit does predate the actual construction work? You got the permit first, before the work.

Michael Testa: That is an application for this award for this use. That is not the permit that was submitted to the building inspector for the renovation work for interior renovations and the modifications to the inside. That is not in there.

Vice Chairman Sturniolo: Correct.

Ralph Vigliotti: Going back to the handicapped parking.

Michael Testa: There are no provisions for a parallel parking area for the handicapped. I would say given the length that we have for this parallel parking. It is a state regulated guideline, not a local guideline. I could check with the state, whether or not a parallel parking space with that much room could be classified as assessable. We could provide the parking in front of the garage, with an aisle striped. The use of the garage is probably only in the morning, when he gets into his van to leave. The rest would be for secretarial staff. I don't know if the board has any objections, providing the striping in front of the garage. It is paved anyway. We could certainly strike that, that aisle space for the handicapped.

Vice Chairman Sturniolo: Then you would still use that as?

Michael Testa: We would drive through it only into the garage for the purpose of getting access to the van for overnight parking. The van parks there overnight and I believe we are not allowed to park the van outside.

Vice Chairman Sturniolo: Mike you have thoughts on that handicapped issue?

Michael Stein: As far as the parallel parking. I am not sure. I would have to check the guidelines. I can talk to Michael about and we can take a look at it.

Michael Testa: The option and the packet shows parking in the front, which we could show you the aisle on that parking, there is a distinct difference between how much grass it eats up. Because of the need for the space. We have also discussed the issue of maneuvering a vehicle through the property itself. Because of the buffer, we are certainly slightly restricted with regards to backing out. Certainly, you can make the turn. We also discussed the possibility of just elongating and into the buffer, by 5 feet. This would enable these vehicles make a smoother transition to the back. My understanding, because it is in the buffer. It is a discretionary action on behalf of the Board as to whether or not, you would want us to encroach into a buffer or not. We don't have to, but it certainly would make to maneuver a lot less cumbersome. Because of the area, here we are proposing a stockade fence to shield the Whalen's moving and storage facility, from the site. This would also act as a buffer, associated plantings, which we would discuss the quality and the type and spacing of the plantings. What ever the board should desire.

Vice Chairman Sturniolo: Going back to the handicapped issue. For now, let's just leave it at you and Mike are going to further discuss, that as far as where it can go. I for one, just as one person would not like to see this space approved as a handicapped.

Michael Testa: We can clearly provide, from that scenario. What I may then suggest is that we eliminate this parallel parking space. We can create that as a planting buffer, so we have full planting and eliminate this paved portion. To create one parking space in front with the aisle, this would certainly fit with no problem.

Vice Chairman Sturniolo: Are you going to be short on your parking count overall?

Michael Testa: We would have five spaces for parking. We required five.

Vice Chairman Sturniolo: So that other area where you said you could plant.

Michael Testa: We would illuminate this as a parking area, and created as a planting buffer.

Vice Chairman Sturniolo: The planting area would be bushes?

Michael Testa: What ever it would be required. You would extend this curb straight across. This would be a raised curb, and it would have to meet your standards.

Stanley Bernstein: There is no retail and involved here?

Michael Testa: No sir.

Stanley Bernstein: The parking spots are for employees?

Dominic Ferrovicchio: It would be for the secretaries. This is a satellite office. I have some employees that live up north and two guys would be picking up the truck.

Stanley Bernstein: Under those circumstances, I have a question for Mike. Is it absolutely necessary to have a handicapped spot?

Michel Stein: It is an office.

Michael Testa: The option that you have in front of you that shows the planter and the front. The option and the packet with the one space, and I guess the question would be, would the board allow the striping of the aisle in front of the garage. This would be to the left. Which would not go into more of the grass area towards Kiskon Ave. we are looking for some guidance as to number one is the zoning variance necessary, and if not, so we can move forward with final submissions.

Vice Chairman Sturniolo: The zoning variances? We are still waiting for an answer.

Michael Testa: We were told we would have it tonight.

Vice Chairman Sturniolo: By whom?

Michael Testa: By Austin.

Whitney Singleton: Austin needs to make a determination as to whether you are compliant or not. And apparently that has not happened.

Michael Testa: If the determination is made that we need a variance, would we be able to make the application for the zoning board, before we come back to this board?

Whitney Singleton: You can make the application. Prior to this board making the determination Austin needs to make his recommendations.

Michael Testa: How do we get to the zoning board at this stage?

Whitney Singleton: Austin needs to make a determination.

Vice Chairman Sturniolo: Once he makes his determination.

Michael Testa: Do we have to come back to this board and then get referred to the ZBA?

Whitney Singleton: I think one of the things that this board can do right now, if you want to short-circuit everything, is take a look at the picture that Mike provided you, and give the zoning board some feedback to give us some direction and whether you would look favorably upon the recommendations.

Nanette Bourne: I think what you're looking for, and the board is telling you go to Austin and get him to make that determination. Once you get a reading from the ZBA, then you come back to the board. In the meantime, if the board may want to send a message to the ZBA.

Vice Chairman Sturniolo: A thumbs-up or down.

Whitney Singleton: I think what Mike was telling you is that by going up there. It would eliminate the need to go up.

Michael Testa: in other words, if we don't go off, storage area, we would like to put a small roof in the back. Just to conceal the square ness. We are not proposing any other additions to the front.

Nanette Bourne: What is the purpose of the storage?

Michael Testa: There is an office on the second floor, and right now, you walk out onto a roof. It would have the capability of having storage. Show items could be stored there.

Dominic Ferrovecchio: Versus having no storage and putting a small angled roof and no storage on the second floor.

Vice Chairman Sturniolo: From the ZBA point of view.

Dominic Ferrovecchio: I do not think that we would need a zoning board variance at that point.

Stanley Bernstein: I would like to ask Mike something. One of your questions was the capability of handling the 25 year storm. Do you feel those dry wells are sufficient? And also, does anybody know what the water table is?

Michael Stein: It will really depend on the soil. They will have to do a deep hole test and determine whether the depth of the ground water.

Stanley Bernstein: Do you know what the water table is?

Michael Testa: We have not done the deep hole test as of yet. Do we need to arrange that with you to do the deep hole test?

Michael Stein: You just go out and do it. Even if during construction and groundwater is encountered. You can always go with a lower profile unit.

Stanley Bernstein: They would have to go with the gallery system.

Michael Stein: Right.

Stanley Bernstein: And an outlet, and how it would be problematic.

Michael Testa: We are proposing to retain all on-site.

Stanley Bernstein: I know you want to retain the flow all on-site. What if they don't work and I am concerned about the dry wells. I have never really seen them work.

Michael Stein: There are always other options that they can look at. They can always put in perforated pipe in the access way. They would have enough room to put the infiltrators in.

Stanley Bernstein: Are there any storm drains in that area?

Michael Stein: I am not exactly sure.

Michael Testa: There are none Sir, we looked.

Stanley Bernstein: That is problematic. I think that the DEP will involve themselves. You might have a whole new concept, when they are through with you.

Michael Testa: If this is left as a house, does any of this apply?

Stanley Bernstein: None of it would apply.

Vice Chairman Sturniolo: This is going to have to be changed. Also, this is not a conceptual. We are not quite finished as far as SEQR.

Nanette Bourne: They have to refine their actions, and get the variance under way. Once that is done in, you can come back and we can initiate SEQR.

Vice Chairman Sturniolo: The next item on the agenda is Lexus -275 Kisco Avenue.

**3. Lexus – 275 Kisco Avenue – PB Application #PB2005-15  
Roland Baroni, representing the applicant, Gary Gianfrancesco, Sam Scatterday, John Slaker, landscape architect, John Collins, Traffic Engineer.**

Roland Baroni: Good evening, Mr. Chairman. We currently have approximately a 98,000 ft.<sup>2</sup> facility. We would propose to remove that and build a state-of-the-art facility on the property. The entire project team is here tonight. I will let them introduce themselves as

we go forward. The one thing I would ask at the conclusion of our presentation: If you would consider declaring intent to become the lead agency, so we can commence to circulate the required circulation.

Gary Gianfrancesco: I'm here on behalf of the applicant 275 Kisco Ave, which they propose to convert the existing warehouse structure into a Lexus automobile dealership. The subject property is located in the northernmost portion of the town village of Mount Kisco. On the easterly side on Kisco Avenue, at its intersection with Holiday Drive. As you can see this site is irregularly configured. It is classified under Mount Kisco zoning code as 2 cornered lots. It has frontage on three different streets, approximately 1900 lineal feet. The site has been designated Main Street area. It is not near a floodplain. The businesses surrounding the site are generally commercial and industrial. The front portion of the site is sandwiched between two existing car dealerships. To the left you have a Toyota dealership, to the right a Volvo, and Holiday Drive to the North. Along the easterly side of Kensico Dr. you have industrial and commercial uses. The existing building, as Mr. Baroni has stated is 97,120 square feet. It is currently used as an office warehouse. As you can see it is a massive building on the site. The length of the building is about 150 lineal feet. The applicant proposes to demolish the existing building of 97,000 ft.<sup>2</sup>, as well as all of the current site improvements of parking and various other forms of coverage. The building is not conforming to some of the setbacks. As you can see, it is obviously under parked for the amount of square footage of the building. This makes the future of this building, and this site somewhat difficult for an adapted reduced project. Ultimately we had converted the existing building, and our ultimate proposal now is to get us to demolish the entire building and essentially clear and make site improvements. There is a 10 foot sewer easement at the southwest portion of the site. This benefits the adjacent properties. The site is essentially flat; there is a slight drop-off on to Holiday Drive. If you're familiar with the site, the landscaping is quite overgrown and un-kept. A significant amount of the trees are either in fair or poor shape. Some of them are necessarily not of the qualitative species. We have a report from our arborist. There are storm water provisions on the site. There are some catch basins. There is no provision to treat the vast majority of this site has no curbing. So there is uncontrolled runoff. There are five curb cuts currently. The exterior aesthetics of the existing building on entry. You can see again the site improvements are basically in disrepair. There is substandard curbing. There are no site plantings within the parking areas. The view of the North elevation the right side, which is the west elevation, furthest down on Kensico. From the rear of the building that this starts to 550 foot span of the building. As you can see is not a very aesthetically pleasing building, nor has it been kept in great shape. The applicant proposes to construct a new 48,713 square foot state-of-the-art Lexus automobile facility. This will provide 274 total parking spaces on the property. That is both inside and out. The proposed project consists of 183,388 square feet of developing coverage. Which results in a net reduction 8,962 square feet over the existing plan? The developing coverage proposed by, this is significantly less than the 202,986 square feet twitches permissible under the zoning. The site concept seeks to locate the building, centrally on this site. That allows us to provide as much buffer area around the building. It also allows us to circumnavigate the building with vehicles. All vehicular movements can occur on the site, including new car deliveries parts deliveries. Once someone gets onto our site. You don't have to leave unless you leave the destination as a whole. The existing curb cuts, location on Kisco Avenue is to be maintained. It is to be a 30 foot wide for the length of the drive. The drive will be converted to a 1 Way Drive, unlike the two-way drive, which is currently exists. There will be no exiting vehicles onto Kisco Avenue from the site. We also have to curb cuts on Kensico Dr., which have been placed so that they align directly opposite the curb cuts on the opposite side of the street. Starting at the front of the property in off of the entry we have a display area for new and pre-owned vehicles. We also have a small display area, which has an overhang above it at the front of the building, in front of the showroom. Also at the front of the property, there is a proposed storm water basin. One of three on the site. Entering the site for service, one would enter off of Kisco Avenue make a right and a quick left, and proceed directly into the climate controlled service garage. At that point, the customer will be given a loaner vehicle for which they can leave the site, or if they choose to stay and will be escorted into the waiting area. We estimate to service approximately 40 to 70 vehicles on a daily basis.

Vice Chairman Sturniolo: When you get a loaner vehicle. Are you saying you're going to get a loaner vehicle that is already on the site, versus picking up the phone and calling Enterprise, and then they come?

Gary Gianfrancesco: Loaner vehicles will be maintained on the site. That is part of our business practices. With regards to service, approximately 40% of the vehicles that get serviced out of Lexus facilities are through a pickup and delivery service from the dealership. We will have importers, which also cuts down on the amount of traffic to and from the site. Your service vehicle will then be driven out of the service aisle and into



the main service portion of the building. If you're coming to the site for sales or to view cars for sale again, he will enter the site in the same manner. There are 14 parking spaces at the front of the building. Which are generally allocated towards the sales aspect of the business. On a daily basis, on weekdays, we expect five to 10 visits from people looking purchase vehicles. On a Saturday our busiest day, we expect upwards of 40 people. At our busier times of the year, we will also utilize the valet at the front of the building, to keep cars moving and keep the customers basically happy while visiting the site. Car deliveries again will be handled through Kisco Avenue entrance. The double wide curb cut. We expect approximately 10 to 12 car carriers' deliveries a month. That will allow us to maintain a 30 day inventory of product on the site. This is the absolute bare minimum, which we can feel we can function at. Parts delivery would again enter off of Kisco Avenue. It would happen during business hours. The parts area is allocated in this part of the building. That vehicle would either, and would be a van type vehicle, would pull into the space. There is a nighttime drop off bay, which that vehicle would make this sort of a movement, and then back into the bay after hours for its deliveries. Exiting vehicles will then exit out onto Kensico Drive or Holiday Drive or down to the next intersection. Lexus and Toyota to share the same parts, so the deliveries that are currently coming to the Toyota site will be the same vehicle that would be presumably delivering Lexus parts to us. That traffic movement has already been established in the vicinity of the site making one more stop one more curb cut down. The landscaping concept basically seeks to rim the perimeter of the site, with trees. John Slaker will speak about that issue. In between the trees, we will fill in with some low growing shrubbery, which will block the headlights from the streets. We are attempting to create a corridor on Kensico Drive, where none currently exists, as you can see from the existing photographs. We have a thickly vegetative buffer in which we are proposing at the rear of the Toyota property. There are some existing trees of significant growth, which are to remain on the site. The floor plan of the use. The service drive which we were speaking of, these is the service riders that will come to you in the service drive area. Customer waiting areas are allocated in this vicinity. We have a new car showroom, a pre-owned showroom, and these are the exterior displayed vehicles, which I pointed out to you. They are outside, under an overhang. In addition to 32 service bays, we have six prep bays and three new car delivery bays. We have a car wash system that is designated to be at the far end of the building. The exterior aesthetics of the building follow the Lexus proprietary overhang and soffit treatment, which is considered to be a very clean and aesthetic look. This will be a synthetic stucco type of material. This is the showroom area here, which will have a fair amount of glass. As you can see pre-owned overhang, this area over here is shadowed. It will stick out significantly to cover the vehicles, which will be underneath it. To the right is the service drive. To the left, the balance of the building, coming down towards the prep areas. This is the view to the left of the front of the building. The side with the showroom. This is the three new car deliveries. The after hour parts delivery and parts area. Working on the other side, this is the main showroom on the right side. This is the service drive located here. This would be the entrance into the shop. The right side elevation, which is the carwash area. Then the larger expanse, which is the rear elevation. This is basically the service area, which is set back significantly from the property line. We have attempted to continue the aesthetics of the soffit, which is a significant expense. But we felt that that elevation being as long as it is we needed some sort of detail. We do have a small protrusion and the metal, which is the center aisle to enter the service bays from the rear of the property. We have various penetrations that will provide natural lighting to the service area. The proposed Lexus of Mount Kisco, anticipates operation of its dealerships, Monday through Friday, seven to nine and Saturdays from 7 a.m. to 6 p.m. the initial number of employees on the site are expected to be 35 to 45, up to a maximum of 75 three to five years down the road.

Vice Chairman Sturniolo: Is there service on the weekends?

Gary Gianfrancesco: Yes, on Saturdays. The site lighting concept utilizes the village of Mount Kisco's latest lighting ordinance. I don't know if it has been adopted as of yet, but we are following what is anticipated ordinance. That ordinance as you know has specific lighting levels for various types of uses. This follows the automobile use, which has no hotspots on the site that exceed five foot-candles anywhere. We basically, zero out at the property line. We have three different types of site lighting. We have a pole light, which is a maximum of 15 feet high including a 2 foot stanch ion where applicable. We have some wall packs on the building.

Vice Chairman Sturniolo: The wall packs they are full caught offs?

Gary Gianfrancesco: Yes, all fixtures are full cut offs. The real aesthetics of the proposed building. This is the view on entrance, similar to the view of the existing building. There is a transformation. We think this is a very difficult site, which has outdated improvements and an outdated building. We feel that our project ultimately is a part of

the solution. It rids the village of an eyesore. The building and site provides an upgraded use, which is a moderate impact. Certainly not as significant as some of the uses which are permitted as of right. It is an upgraded use providing jobs, and we are anticipating 75 employees at this location. The new building will be a fully sprinklered system. Energy-efficient. We will provide storm water management and treatment on the site. It does not currently exist. We are providing new landscaping of a qualitative nature. Site lighting of a controlled nature. Again, we are providing you with a one-way access and eliminating vehicles backing out on to Kisco Avenue. That is important for our use as well as the village's.

Vice Chairman Sturniolo: The 4 inch gas main where does that come from?

Gary Gianfrancesco: That will ultimately serve the building; it is along Kensico Avenue. All of the utilities will be brought in from Kensico, except for electricity, which will come in on the corner of Holiday Drive and Kisco Avenue. At this point, underground to a transformer in this vicinity, and then underground into the building.

Vice Chairman Sturniolo: Does the Lexus dealership do body work?

Gary Gianfrancesco: No. It is sub leased out to the local shops.

Vice Chairman Sturniolo: How many exterior parking spaces? Nanette. I was reading Anthony's memo, and I think he had a different number. I just want to be clear. Not counting the bay spaces, but exterior parking.

Gary Gianfrancesco: The exterior parking spaces are 233.

Vice Chairman Sturniolo: I want to say this upfront and in our village code. There is a fee for exterior parking spaces. That is part of the site plan application fee. It may not have been addressed yet. Traffic and more traffic has always been one of the primary issues here in Mount Kisco. I know this board will be looking for some sort of traffic light on Kisco Avenue. It is mentioned in your documents the need for it. Up by the Parkway and in the vicinity of the Volvo dealership. It is something that we collectively need to plan on, and that has to happen. Do you have a concern with the building length, and the ZBA and Mount Kisco?

Gary Gianfrancesco: The building as proposed will require meeting with the zoning board. We exceed 160 feet. We cite that in our EAF.

Vice Chairman Sturniolo: You made mention of the sewer easement. Who is responsible for the maintenance of that?

Gary Gianfrancesco: The neighbor.

Vice Chairman Sturniolo: Nanette if we could look at the full EAF, I have a question, a procedural question. On page 14 is the first one. It is number six. It appears that when the yes box was checked, that additional verbiage was added to the EAF form, such as temporarily during construction. Is that typical and permissible?

Nanette Bourne: It is fine. The EAF is divided into part one part two, and part three. Part one is to be prepared by the applicant, and it is part one that is distributed with the notice of intent. Part two, or assessment. It is viewed as to who would be the lead agency. It needs to include information that gives you the ability to make a determination. Any areas that you consider a potentially large impact for concern should be attached to the EAF of the part three. It has been a practice of your board to allow the applicant to prepare part two, and you can change what ever you want.

Vice Chairman Sturniolo: So my second question is on page 20, and you have answered that question, because it is the same logic as on 14.

Nanette Bourne: In the fact I have some issues with the part two that I would recommend be changed. That can be changed after this meeting, if you are interested in having a notice of intent to go out tomorrow. I do not have any issues with part one.

Stanley Bernstein: What are you using for your car wash, well water or village water?

Gary Gianfrancesco: Closed loop system. It will be recycled and filtered.

Stanley Bernstein: Have you determined the amount of water that you will be using on a

daily basis?

Gary Gianfrancesco: I believe we cited that in the EAF. I do not know it off the top of my head.

Nanette Bourne: It says 900 gallons per day.

Stanley Bernstein: As far as the display cars on the outside. Will they be on any kind of raised platforms, or will they be flat on grade?

Gary Gianfrancesco: Correct.

Stanley Bernstein: Can you describe to me, the mechanical system?

Gary Gianfrancesco: The mechanical system. For the building will be roof mounted. The actual roof level is probably right here. This facade is significant enough to block any rooftop equipment. It is about 6 feet tall.

Stanley Bernstein: The rooftop units are completely self-contained? Are they split systems with an internal evaporator?

Gary Gianfrancesco: Everything will be rooftop mounted.

Stanley Bernstein: Everything will be rooftop mounted and tucked into the space.

Gary Gianfrancesco: We were hoping to utilize the waste oil to provide heating and to provide some different aspects of the systems.

Stanley Bernstein: Each unit will be capable of heating and cooling?

Gary Gianfrancesco: Correct.

Stanley Bernstein: You are anticipating possibly with investigation, whether you can reuse the oil for the heating.

Vice Chairman Sturniolo: Going back to the rooftop mounting. As you pointed out, here, you won't see any of the HVAC units. Does not apply to all four sides of the building?

Gary Gianfrancesco: Correct, from the ground.

Vice Chairman Sturniolo: Will there be satellite dishes on the roof?

Gary Gianfrancesco: No, everything is done via the Internet.

Ralph Vigliotti: The façade and the roof structure, is that a package that you use for all dealerships throughout the state and country

Roland Baroni: It is a standard; it is the proprietary standard look. In our long EAF package we show you the two closest Lexus dealerships to this location one in Westport, and one in Larchmont. Again, they both follow the same look. Mr. Scatterday has a pre-on Lexus dealership in Greenwich, and it is the same.

Ralph Vigliotti: Commerce Bank came in about a year and a half ago with one of their two standards looks. We did not care for either of them. It was a redesign. What you see today is much different. A 360 degree difference. As one member of the board, and I would like to take a second look at it. That being said I would like to move to something else. The entries that you are proposing. I don't know what the footage is, but is very close to Holiday Drive. We are talking the ingress and egress, and I think I had mentioned during the conceptual that we would not have ingress egress. That we would use holiday drive to eliminate any kind of traffic. Right or left hand turns, coming off of Kisco Avenue. It is something that I do not see an alternative for. That site has not been used in many years. We don't know as laymen what kind of traffic patterns are coming out of that site. As far as right and left-hand turns. We know there is no holding lane on Kisco Avenue. There has been a discussion of a light coming off the Parkway. I think there should be a light at Holiday Inn, not there, rather than down at the Saw Mill. Are you proposing holding lanes? I think it offers some confusion. As someone is making a left-hand turn coming down off the Saw Mill. Coming onto the sawmill making a left-hand turn. Coming into your property, as proposed, someone behind them, the cars are stacking up, and the next sets of cars are making a left-hand turn into Holiday Drive. It is that close. I think it offers quite a bit of confusion. I think we need to take a very

close look at creating a drive through.

Gary Gianfrancesco: You have the ability currently to come through Holiday Drive, and then enter the site and into the service bays.

Ralph Vigliotti: Most people that would be having their cars serviced or would like to look at the display are not going to go all the way around the loop. I think if they came in what appears to be a little bit of a buffer and made a quick right hand turn. It looks like you come up about 100 yards, just in front of the building. That would be the cut through. You don't show a driveway there now.

Gary Gianfrancesco: We didn't briefly look at the possibility of accessing off of holiday Drive. We do have an elevational change, which poses some difficulty. The ability to navigate a tractor-trailer through holiday Drive.

Ralph Vigliotti: Perhaps the tractor-trailer can come all the way around the back. We have a major road. And I think we need to take advantage of that major road, which may at some point have a traffic light. If at some point, it is going to have a traffic light, just short of or beyond that traffic light for cars to be standing to make a left-hand turn in, and or to make a right hand turn 50 feet in front of them at that traffic light. It may pose a safety issue. I think it requires some more study.

Roland Baroni: Do you want us to have Mr. Collins report on that?

Ralph Vigliotti: I would like to see Mr. Collins's report in conjunction with our own people. This is significant, and we really need to look at that. I know Mr. Collins will find enough information to support what you have. If we had asked him as an independent contractor to support what we want then he would find enough information to support that. If this is going to be a very successful dealership I think we need to look at some of the suggestions.

John Collins: We have started by making it a one-way drive. To make sure that no one is going back out at this point.

Doug Hertz: what about the scenario, if you wanted to maintain that Kisco Avenue entrance. If you are heading from town to the Saw Mill, where a right hand turn is not a big deal into the site. And again right hand and right hand out. It is the crossing of Kisco that is the issue.

John Collins: we are going to have to expand as I indicated; recognizing significant traffic will be approaching the site will come from the Saw Mill and not from Preston Way. It is going to have to require a left turn in. Without having to put a lot of signage, they are going to have to make a left turn. Across Kisco Avenue, whether it is at holiday Drive. One of the reasons that we have proposed access points, and again will have to put this in full documentation is the fact that we want to avoid confusion. Keeping in mind passing that Holiday Drive, and going further down and making a U-turn. They tend to look for the driveway to the dealership. We do recognize the fact that because of the volume of traffic out there today and in the future, would be problematic. The question about signalization on Holiday and Kisco depends upon the signal lights, for that street.

Doug Hertz: Is there room, and it seems to me there is room on Kisco Avenue.

John Collins: Kisco Avenue is almost 4 lanes wide. Depending on how the village wants to pursue. That lineage could be striped to provide for a center turning lane up and down. Because you already have that at Preston Way. You are to have a left turn pocket at Preston Way, and you have a lane continuing further south. We could mimic the exact same left turn. That would be the village's decision, and only require re-striping. The road is wide enough to accommodate it.

Doug Hertz: We are currently looking at Lexus; we have premier across the way. Getting in and out of the Volvo dealership, quite frankly, was like taking your life in your hands. I've never been in a scarier situation just trying to get my car serviced. We are going to have and I assume something coming to us from across the way. Is there a way to take the work that John is doing and have it done up-and-down Kisco, and coordinate this with some consistent recommendation for that section.

Nanette Bourne: In fact, that has been started. All the applicants that have been approved in this area had to contribute into a fund that is being held by the village to make traffic improvements. Whether or not the light is at Holiday for the Saw Mill, as John said, that is really to be determined. They have been putting together a databank

of traffic information to make that determination. The traffic study that was done by Collins had to include traffic contributions from all of the approved and contemplated projects. Including the village owned project.

John Collins: We have also included Premier and the Town & Country.

Nanette Bourne: So all of that has been included. Of additional improvements is certainly within requests.

Doug Hertz: What I am wondering what is the process. We have a great deal of data for Kisco. Is there a way to coordinate the various applicants' requirements for us a conscious decision about what is happening here, with the village's desires.

John Collins: Because of the discussion of the signalization, it is going to have to be up to the village. Kisco has parking along certain areas do to the width of the roadway encouraging parking. If you go in and have a dedicated center lane, that may eliminate the potential for parking, and you have basically to curb lanes.

Doug Hertz: It seems to me that there are really two Kisco avenues. There is before and after Preston Way.

John Collins: I agree with you there. I agree with the fact that the Volvo dealership is so close to the ramps. One of the problems on Kisco is the fact as you go north towards the ramp people turn left off the ramp, and you don't know whether the vehicle is going to go straight under the Saw Mill, or make a right turn. Not everyone puts their signals on.

Doug Hertz: People turn left, whether they are going into Volvo or into Holiday Drive.

Nanette Bourne: I would recommend that the comments that were made by my office regarding the traffic study need to be addressed in the traffic study. And that really is the subject for an evening meeting all by itself. It is an important issue.

Doug Hertz: What I am saying, I don't want spend too much time making suggestions on things that are going to get decided in a different way.

Vice Chairman Sturniolo: It is an overall village game plan. Nanette what would be the simplest way to affect what you just said as far as taking your traffic analysis, your memo, and John's analysis. What is the best way to get this thing moving? Does John need to address your concerns, from this applicant's point of view?

Nanette Bourne: That is the first step. Once the traffic study is revised, then I would recommend putting it on the agenda for a traffic discussion and talking about some alternatives.

John Collins: My suggestion is that we talk about those alternatives that we can view from aerial photographs. So we can see the interrelationship of the various driveways.

Doug Hertz: Does this board know where those curb cuts for Town and Country's proposal are going to be, and that has to happen soon. I would assume that this is going to impact everything, especially if we're talking about signalization. I don't want do this seven times, and having the same conversations.

Whitney Singleton: I think one of the things that you will find between this application and the application for the former Swiss homes property is that you have an extensive amount of very accomplished professionals working on these jobs. We're going to see on both applications. There are a lot of competent professionals involved. I think we're going to have to coordinate.

Doug Hertz: And there are a lot of alternatives here and a lot of options, and a lot of zoning issues. Looking at that traffic study, and that many ifs.

John Slaker: Anybody getting off the ramp in the morning to know is that there are problems. What happens is when you get to that location. It goes straight up. Signalization has to be a part of the study.

Doug Hertz: I have a few lighting questions. You mentioned briefly, the height of the poles is not going to exceed 15 feet. I do not see anywhere on the plans, what the heights really are. Can it be called out?

Gary Gianfrancesco: They are all at 15 feet. In order to get coverage and limit the spill

over. It was very difficult to accomplish the guidelines.

Doug Hertz: Additionally, there are bollards listed. I could not quite decipher where they are.

Gary Gianfrancesco: They are right here at the entrance drive.

Doug Hertz: Also under vehicle display. There is lighting. I don't see light levels; I see reduced size crosshatches that might be light levels that I could not read them.

Gary Gianfrancesco: I believe they are light levels associated with this fixture. It is a recessed down light.

Doug Hertz: I just wanted to make sure that at that point, we are not having vehicles that would be lit. I know the temptation, and it is a sensitive display area. The temptation would be to pull out the arc lights at that point. The sure sign that is lit? Is it neon backlit?

Sam Scatterday It is very dim.

Gary Gianfrancesco: The face of the sign is black, the letters are backlit.

Doug Hertz: Just as an FYI, that will go before the architectural review Board. I know that the ARB in this town is not in love with backlit signs. As it posted signs that can be lit from the outside. I know there is a detailed tree plan. Did you review that John?

John Slaker: As a matter of fact, I instituted an arborist and we drove around the site. I looked at a lot of them. Some of them are very soft wooded. The Locust, those are in a dense grove along holiday Drive are very invasive. They drop seeds all over. Most of the trees in the area are in poor or fair condition. With the requirements for the storm water basins we saved as many as we could, especially on the turn on Holiday Drive, for the most part. We have a lot of overgrown pine, which are extremely soft. We figured we would start with a clean slate for most of the property, for the next generation of trees and plant something that would be durable and long-term and create a streetscape in that area. We are proposing between the evergreens and shade trees and flowering trees, there are 112 trees proposed to be planted on the site. 39 shade trees alone. We tried to create a streetscape along Kensico Drive, which does not exist right now. There are some very sad looking trees along there. So we tried to pick up on that was around the cul-de-sac where there are some oaks and that would create a nice corridor affect down there. One screens our building as well as the buildings across the street. We started a theme and down there with a long-term maintenance, relatively maintenance and disease-free trees. Along the back of the Toyota dealership, this is not the prettiest sight in the world. To create a future evergreen buffer in that area mixing in some pine, and some Norway spruce, so that there would be separation between the properties.

Doug Hertz: my only concern driving on Holiday. I know you have saved as much as the curve as possible. I trust your judgment. There seems to be a large number of mature evergreens.

John Slaker: For the most part, those are the ones that we saved. Unfortunately, as you come around the other turns on the S -curve there is a basin for the storm water and requires some removal of the trees. Bob is still working with the DEP on exactly what this basin is going to consist of for the water quality treatment.

Doug Hertz: If there is any reconfiguration of the basin that some more of that stands at least at the Pines could stay. I think those are an asset.

John Slaker: I hear what you are saying.

Doug Hertz: There is not currently a sidewalk on Kisco Avenue. There is a very inconsistent sidewalk system up and down Kisco. People walk that area. I see it all the time. I don't know the feeling of the other board members. It seems to me that if we are developing this, that incorporating sidewalks on Kisco Avenue would make sense.

John Slaker: There is room for it to fit it in between the curbing and a right-of-way.

Doug Hertz: You talked a little bit about the two front vehicle areas. With trees and lower screening. Can you give us a sense from Kisco, what are we going to see of those areas, driving down Kisco. How much is screening from what you're planting.

John Slaker: Of the actual parking lot itself? Basically what we're doing. It is a juniper that will grow about 2 1/2 feet tall as a ground cover versus lawn. The trees that we are proposing are a narrow column type pear. Similar to what has been used throughout the village. To create a clean and neat look, but get an attractive through the seasons. As you drive down, you will be looking below the tree canopy through at the lot, and a juniper will only be at 2 1/2 feet tall. The total length along the back is where I have a continuous hedge where all the car bumpers are facing the street. So the intent there we are using pin oaks, and planting a continuous row of taxus and which would be an evergreen hedge at 3 1/2 feet tall. So all those bumpers that you drive by, you will not see.

Doug Hertz: I'm just trying to pick up on a comment that you made about headlights. Not spraying the road, as you drive through here.

Gary Gianfrancesco: I was specifically referring to Kensico.

Doug Hertz: I thought you were saying, as you were circumnavigating the building.

Vice Chairman Sturniolo: John, we will have the traditional Stella Dora's up front:

John Slaker: I'm still waiting what they resolved with the DEP. And what we can plant around these basins, yes, we would like to make them as attractive as we can obviously.

Ralph Vigliotti: Going back to the buffers. I believe I brought this up at our last meeting. What is the buffer now from Kisco Avenue to the parking lot?

Gary Gianfrancesco: 30 feet

Ralph Vigliotti: what was it the last time?

Gary Gianfrancesco: 10.

Ralph Vigliotti: The buffer on the driveway going in. 30 is commendable, I would certainly love to see more. If you are going to put a sidewalk in there then that 30 are now going to come down to 25. The buffer going in, is that 10 feet? So from the curb to the parking lot is 10 feet?

Gary Gianfrancesco: Yes.

Ralph Vigliotti: For such a sophisticated line of cars. I think the amount of green space and buffering and the presence that you are giving is quite minimal. I think you are cheating yourselves and you're cheating the village. I don't think for a keystone dealership and what might be a keystone location for the village that this represents Lexus. It is my opinion. 30 feet is from here to that wall and 10 feet from here to the edge of the railing. I think the front of your dealership is a lot of pavement, and a lot of cars. I think you can do a much better job in making the Greenway, and you're not.

Gary Gianfrancesco: again, your point is well taken. We tried to balance for the most difficult things. And we know it is an important aspect from the village's perspective is that we are able to maintain our complete operation on our site.

Ralph Vigliotti: I understand. You look at it and it is all pavements. It is all about that driveway, going in ingress and egress all pavement. It looks like a landing strip into a hangar. Your neighbor across the street is also doing a dealership. The topography is much different. And I understand that. Their approach is much different. I am taken aback by the final plan. I think you could have done a much better job on that size of site. You are not buying a shoebox.

Gary Gianfrancesco: It is an irregular site and makes it very difficult.

Ralph Vigliotti: I am not happy with it.

Roland Baroni: Are you asking for additional landscaping?

Ralph Vigliotti: It is not the landscaping. There is just not a green patch there. It is all parking. You look at the front of the site. It is all pavements. There is a very large driveway going in, and it is all cars. You have two large parking spots, two large parking lots in front of the building with a very large driveway. That is all you see.

Gary Gianfrancesco: The driveway width is essentially the same width that currently exists. Except now it is one way.

Ralph Vigliotti: That driveway was there 35 to 40 years ago for an industrial plant. Now it is state-of-the-art dealership you're trying to create, I believe.

Roland Baroni: We are super conscious of trying to keep everything on the site. For instance, we know that the village is considering a no parking restriction all along Kensico. We are okay with that, because we anticipate having adequate parking on the site. It is kind of hard to do both.

Ralph Vigliotti: The most visual part is not Kensico; the visual to this dealership is Kisco Avenue. The most visual is the piece of property, which looks horrible to make. With all due respect if you look at the area, there is a lot of green space. If you go along Holiday Drive, there is a lot of green space; there's a tree. You might as well have this down on Central Avenue in Yonkers. It might even be better on Central Avenue. It does nothing to really improve the front of this spot. I don't think you have done anything to improve it. You have improved the site without any question but I don't think you have improved this as a dealership that fronts Kisco Avenue. The landscaping will be fine. I just have a concern.

Sam Scatterday: You mentioned the design of the building. The design and that is Lexus. Our dealership, right now, in Greenwich is in a historical building that could not be changed. Any Lexus building that is being built, that is the design. I know you voice an opinion that you did not like the design that is what is built in 50 states.

Ralph Vigliotti: Perhaps if you did not have the entire pavement and all of the parking lot in front of it would soften and tone it down. I see that and it looks like a hangar ready to receive a plane.

Sam Scatterday: There is and Roland that really hit it on the head. There is an issue in the village, of people parking off-site of not having enough for room to do a lot of things. What we have accomplished here is one main thing. We have kept everything on site. From the new-car delivery to the parts delivery to our employee parking to our storage. Everything is on site. The truth of the matter is you can't have it both ways. If we reduce the actual site for parking, then we cannot provide. We are going to be like everybody else and have a problem there. We are very aware of what we want this facility to look like. Because we are Lexus. We want to do it right. Not only for ourselves but for the village. Everywhere we have done it. We have done a very good job. We will take your comments. It is all give-and-take. And we thought the one thing that was said to us from the very beginning. You have to keep it on the site. You have to keep everything on the site, and I think we have done a very good job with that.

Stanley Bernstein: This board has never really done this in the past. I for one am on a crusade, and I will continue to do so. Developers that come into this village seem not to care too much for the village or the environment. You can witness almost any large project, and it just completely falls apart. Now I notice you have some beautiful silt fence and hay bales. And whenever it rains, you are on a flat piece of property, so it may not happen on yours too much. When it rains nothing stops it. The silt fence, the bales, everything else is gone. I don't know if any of you are familiar with the Taconic Parkway at Rts. 202 and 35 in Yorktown. They built a new overpass and a new ramp. It took them years. You cannot believe what went on there. All this wonderful stuff they put up there, and the mud was running all the way down to Peekskill. Across the street from your project you have to see what is going on there, and the few other projects in the village. I do not want to see that anymore. I want the proper construction practices. The absolute smallest area of disturbance at any given time before it is completed. I don't want to see giant machines on the project. Nothing bigger than is required. All it is going to do is compact the trees. And they will die in six years. No matter how much I fight with the other developers, that the equipment is too big, it falls on deaf ears. It is going to be my crusade in life that every developer that comes in to develop anything of substance, I am going to tell them how I feel about the quality of construction, while it is being done. I have been in the building construction business for 47 years. And you don't get too much past me. Every development is the same when it rains, and they don't seem to care. They come in and they give you lip service. The bottom line is getting it done. Regardless of what happens to the environment or what happens to our streets. Keep that in mind when you put your first shovel in the ground especially when it comes to demolition.

Doug Hertz: I agree with you Stan. There is striping everywhere else in the parking lot. The two front areas for the vehicle display. What exactly are we going to see with cars in that area? I have been to enough car dealerships and in those sections, what are we going to expect to see up here.



Gary Gianfrancesco: We will provide you with a layout for the next meeting. It was anticipated that the vehicles along the access drive would probably be diagonally parked. Similar to the rendering. You are really seeing the predominance of the car, as you get into this site. There will be vehicles parked perpendicular Kisco as well, but we have not laid them out yet. We will provide you with that.

Doug Hertz: Does this have to be striped to conform to a sense of parking spaces, but because it is not a parking space?

Nanette Bourne: It is storage.

Doug Hertz: How is it defined? Is it storage?

Roland Baroni: Customers will not have any access into that parking area.

Gary Gianfrancesco: That was my understanding that is why we did not delineate it.

Doug Hertz: We will see they will be parked in rows.

Gary Gianfrancesco: There will be some sort of pattern, and we will give you that.

Roland Baroni: It is anticipated that you can walk out there and show a customer a car and be able to open the doors and they can stand back and see the colors. That is not going to be a door-to-door storage area. It is a display and the customer needs to be able to walk around the vehicle. The storage areas will be in the rear of the lot.

Doug Hertz: No one is driving their cars in and out on a frequent basis?

Roland Baroni: There is no access by customers into those areas.

Doug Hertz: How many vehicles do you expect will be in those two front areas?

Sam Scatterday: I am not certain.

Doug Hertz: I will back a question up. If you are uncertain, the sizes of those areas are clearly from a design spec to provide a certain amount of display area. My question is, as well as Mr. Vigliotti's concern. How fixed and usable is the size of those spaces? They don't have to conform to village code for striping or anything else. Is there some wiggle room in there? You are designing this entire facility, and I appreciate absolutely that you have been able to maintain everything on site. There is some magic number that is being worked with a number of cars that you will be able to show.

Gary Gianfrancesco: I understand your question. This spaces that you see were not designed working towards a specific number. We came back after the last meeting, as we beefed up the buffer on the front. We tried to get a little more a long Holiday drive. These spaces shrunk considerably.

Doug Hertz: if there were a number that the facility needs to make successful that customers need to see this number of cars.

Sam Scatterday: We have not layed this out at all. I will tell you that on one side are a pre-owned lot. As one side would be a new lot. The idea is to display the cars with more room so that they are not just stored. They are displayed so people can walk around. You can't see that in a lineup situation. We have not laid that out yet, we will have to do that for you.

Vice Chairman Sturniolo: Then that what shall we do regarding the initiation of SEQR?

Nanette Bourne: As I mentioned, the first part one of the EAF my opinion has been satisfactory. It would be appropriate for you to declare your notice of intent, and circulate that to involved agencies. There are several modifications that should be made to part two and part three. Some changes made to the traffic studies. There is no reason to hold up. Notice of intent, if you would like to begin SEQR tonight.

Vice Chairman Sturniolo: Would somebody like to make a motion to that effect, that we can circulate the notice of intent that the Mount Kisco planning Board intends to become the lead agency for this project.

Stanley Bernstein: So moved.

Doug Hertz: Second.

Stanley Bernstein – Aye  
Doug Hertz – Aye  
Ralph Vigliotti – abstain  
Vice Chairman Sturniolo – Aye

Whitney Singleton: That is not sufficient to carry the motion.

Vice Chairman Sturniolo: Can we carry this over? We do not have enough votes to say yes to that, so Whitney can we carry this over for the next meeting? The next meeting is also a work session.

Nanette Bourne: If you want to put this on the agenda, I can work with the applicant and make the revisions to the EAF, so that it will be more complete.

Vice Chairman Sturniolo: When we look at it again and make the decision.

Nanette Bourne: The decision, again, it would be notification of intent.

Vice Chairman Sturniolo: We cannot do that tonight.

Board Member Ralph Vigliotti left the meeting which caused the board to have no quorum.

Nanette Bourne: If I could ask the board to let me know via e-mail, any issues for any revisions that you would like made to this part two.

Vice Chairman Sturniolo: Let us carry over number 6, 7, 8 and 9 onto the next planning Board agenda. This meeting cannot be closed until completed on the next agenda.

Respectfully Submitted By,

Stanley Bernstein