

**Minutes
Work Session of the Planning Board
Village/Town of Mount Kisco
Saturday March 25, 2006**

Meeting called to order at 9:30 a.m. Saturday March 25, 2006 at the Municipal Building Mount Kisco, New York

Members Present: Joseph Cosentino
Anthony Sturniolo
Doug Hertz
Stanley Bernstein

Members Absent: Ralph Vigliotti
Joseph Morreale
Sol Gibbons

Staff Present: Whitney Singleton
Nanette Bourne

Staff Absent: Michael Stein

Chairman Cosentino: Today is March 25th and this is unusual for a planning board meeting to be on a Saturday, but we did want to accommodate Town and Country. This is a conceptual application. Please come forward and identify yourselves for the record.

**Town and Country – (No application received)
Chase Caro, attorney for the applicant, John Saccardi, Saccardi & Schiff
Planning Consultants, Patrick Hewes, Saccardi & Schiff Planning
Consultants, Martin Seaframe.**

Whitney Singleton: I will be presenting anything with the legalities, such as historically, how we got here through the Village Board. As your board will recall, there is litigation with Town & Country, and there was a proposed settlement whereby Town & Country would turn over their land to the village and in exchange, and in addition to money exchanging hands. We would convey to Town & Country, and/or its successor of interest. Approximately 18 acres of land on the lower end of the property formerly known as Swiss Homes Property. I know the attorney for the applicant is not going to like this. But for the lack of better terminology in my mind, and the assisted living facility are not more than 175,000 ft.². It is going to be situated on the lower end of the property, and hopefully a very small portion. Our settlement with Town & Country will be contingent upon approval by this board. Anything else such as DEC or DEP is the responsibility of the applicant. We have entered into a stipulation of settlement. They would like to make a conceptual presentation to your board of how they intend to lay out this project. Can you just state the intended use, because I know you do not like the word assisted living.

Chase Caro: there are certain specific statutory definitions. The one that comes closest to the code is senior assisted living. This is because state law no longer readily permits a differentiation between over 55 living and a project such as this, which tends to attract people, which are on average, 75 to 85. But not yet requiring as a child, we would call a nursing home, type care and intermediate aging place. Not for the people that have just turned 55, in general. Although they would be eligible. But they are you'd generally not attracted by a facility of this sort. I guess the phrase that is closest to the code is senior assisted-living housing.

Whitney Singleton: It is not for purposes of this board's consideration. It is not independent, assisted living. Like what exists at Jobco or Woodcrest.

Chase Caro: This is why you don't have 55-year-olds in general.

Vice Chairman Sturniolo: What is the name of this application? Are you going to use the archaic Town and Country or do you want to get away from that?

Chase Caro: I would like to get away from that, but that is what the contract stipulates. We are subject to an order of a federal judge to settle this. Without going into too much detail, the easiest way to do it and I believe it will be called Mountain Living.

Vice Chairman Sturniolo: Just so everybody in this building knows is it the term Town and Country is what we are going to see on papers and documents?

Chase Caro: Unfortunately that is what you will be seeing.

Whitney Singleton: You can put on your formal application, anything that you want.

Chase Caro: All the court papers and legal documents read Town and Country.

Doug Hertz: But we may also hear a Mountain Living?

Chase Caro: Yes.

Vice Chairman Sturniolo: If you could explain, who is the applicant behind this?

Chase Caro: Town and Country is subject to this planning board. Approval. Going to be bought out by a group of investors, and I will head up that company. We have a number of projects in the West Chester area and the Rockland area in the past. The foreign investors tend not to get too involved in running it. Who actually will run this facility is Life Care. They will actually run the operations of it. This is the largest company of its kind in the United States. I think they have made a couple presentations in excess of a half a million units around the country that are currently under their care. They are called Life Caring. I believe the board has received their brochures.

Whitney Singleton: Yes and if they don't, we will make sure that they get everything. I know that the Village Board has previously in anticipation of selling visited at least one Life Care facility in Manchester, Connecticut. There are facilities in the area that can be visited by your board in the future.

Chairman Cosentino: I do not think this board wants to get involved in the legalities of it and that is your department Whitney.

Chase Caro: They will be running it, but somebody else will own it. I doubt they will ever see the inside of Mount Kisco.

Vice Chairman Sturniolo: so somebody else is a group of foreign investors that you're heading out. And they have the applicant of record.

Chase Caro: No, the applicant of record has to be Town and Country. The company owned by Michigan, which shares with Mountain Living.

Whitney Singleton: In other words, part of our stipulation of settlement town and country is the plaintiff. And Town & Country has agreed to settle their differences with the Village whereby an organization or a group of investors headed by Chase has agreed to buy out Michigan's interest.

Chairman Cosentino: the bottom line is, Michigan's buyout has no obligation to them, he is not running this place, and he has nothing to do with it and is out of the picture.

Chase Caro: Absolutely, he is not running this place. It is going to be run by Life Care, and it will be done professionally. We have brought to life care people in; they are on the contract contingent on the board's approval.

Chairman Cosentino: I am surprised somebody was not present here today from them.

Chase Caro: They have made a couple presentations on what goes on inside the facility. What it looks like from the outside, and the engineering aspect. Those are the people that we have buried today. Just to make sure that you are okay with what we are proceeding with.

Chairman Cosentino: I guess someday we will meet them, though.

Whitney Singleton: The reason I mentioned them before, being located in Manchester, we will be able to do site visits at other locations, if you would like.

Chairman Cosentino: I think it is within their budget that we should go and visit.

Whitney Singleton: Unfortunately I have to tell you that their headquarters is in Iowa.

Power Point Presentation.

Martin Seaframe: I still that everybody knows the area of Mount Kisco that the project is in. I took these aerial photographs, just to get a little context of it. This is where Kisco Avenue and the Saw Mill are located, and this is in the far north corner of town. I am zooming in to show you how big it is. This is the site and the buildings will sit roughly in the lower half of the access road, leaving a lot of the top untouched.

Doug Hertz: The area in red. Is that the 18 acres?

Martin Seaframe: Yes. The entry drive will start off Kisco Avenue, and we have a lot of topography to make up as we come up the hill. Those of you who have walked aside and been around it, we have to get up and elevation over 100 feet.

Chairman Cosentino: Where is it going to start?

Martin Seaframe: This is the entrance to the Holiday Inn right here, so we will line up with the entrance to the Holiday Inn.

Doug Hertz: Directly across from Holiday Drive.

Martin Seaframe: You would come in at that point. Curve up and around and get up to the entrance on the top side. This is roughly how the building will lay out. This is the residential piece and the bulk of where the program is. And in the middle will be where all the support spaces are, dining and fitness. Architecturally, we would like to come up this drive and have this be as park like as possible. As you get up to the top there would be visitor parking and you would walked in through the front doors. And you would see through that space and it would be very transparent.

Chairman Cosentino: You show visitor parking. Is there any residential parking?

Martin Seaframe: It is under the building.

Chairman Cosentino: In the building itself?

Martin Seaframe: Yes, for two purposes, one to get them off of the site so we don't have to deal with storm water.

Chairman Cosentino: How many parking spaces, are you talking about?

Martin Seaframe: Somewhere above 1 unit. We are working out some of the details here. We are trying to get at least one space per unit underneath the building.

Vice Chairman Sturniolo: do you have a slide that would orientate to the projection here to the current Swiss Home?

Martin Seaframe: It is over here. (Showing of the slide). Here is the water tower right here. This dark area here is a very steep drop and the same up here. Where the buildings are is the flattest place on the site. This area down here at the base is quite steep as well. So you have to come up to get to this flat spot. From a visual impact perspective. When we get into this. I will draw you up some sections through your. I think it is highly unlikely that anybody on Mount Kisco Avenue is going to see any piece of this building, because it goes up and then it is flat. I think the crest of the hill will prevent anyone from seeing this at all.

Doug Hertz: generally just so you know, the concerns of this board have been. Not particularly the views from Kisco Avenue, because it is a commercial Street, and quite frankly, coming off of there no one is certainly looking up. It is really the views from across the valley. You basically have residential.

Martin Seaframe: One of the things that we are trying to do here because we have a lot of cut fill. All we really want to do is try and save as many of the trees along in here. If somebody is up at our elevation across the valley, it is going to be a fairly small building, and all the trees up here will be taller than the three-story building. If we can all trees in this area. I think the building will be very well screened. Even when the leaves are off the trees.

John Saccardi: I have been working with Labriola, and he believes best thing to do in those areas, if the tree cannot be saved. He is to build up a berm and put in a 20 foot tree.

Martin Seaframe: architecturally, we are showing the ends of the wings that you would see from a distance. The scale of it is small. The ends of these wings will not be not much bigger than the larger house that you would see. You would get these pieces from a distance.

Doug Hertz: Do you have breaks into roof heights?

Martin Seaframe: it is a little early to be that specific. That is what we are after. From a marketing perspective, we would really like this road to be pleasant. From about here, you would start to get glimpses through the trees. As you're driving up you would get little pieces of it through the trees. You will never really perceive it as a whole. We have parking underneath the building. So you could come up the drive and swing in. The resident would come in, and this would be a security access card. From a resident perspective you would know the building by the parking entrances, and the elevators. You would come in park your car and go up the elevators and you would be in your building. From a visitor's perspective you come in and park and calm in the building to the elevator towers. There is a handful of staff parking. Over on this side. We're trying to keep the parking broken out. So we don't have to deal with the storm water. I like to show the board, some of the goals and the look and feel. The image above that you are looking at is another place, but it has some of the same feel that we are looking for. We are trying to get that familiar domestic feel to it. So that it looks like a home where people live. It is very down to earth, and more approachable. It is not stately or mansion like. It is a more comfortable architecture. We really want to be responsible and resource sufficient at how we use things. Like the irrigation water and utilities. We are looking for simple architectural forms, not to be fussy or fancy. To be genuine and real about the materials that we use. We want to look for timeless and enduring. Nature is going to be a big part of the program. How the building fits in, but also how the residents and programming works. It will be a health and fitness model for the residents here. As the next generation of seniors come up. They are much more interested in fitness and health and their environment. We really want to emphasize that with the architecture as well. This is my view of what it means to be inspired by nature. (Viewing of slides)

Vice Chairman Sturniolo: To pick up on the nature thing that you are talking about. The nature the residents the architecture, the beauty that you are discussing. I hope you will be able to expand that philosophy to the nature and the view and beauty as the residents of Mount Kisco. Your folks would be residents as well. But as the residents of Mount Kisco see this facility, see it at night, and hear what is going on in the facility. That nature thing needs to be expanded in my opinion beyond the four walls of the building.

Martin Seaframe: Absolutely.

Doug Hertz: What will be the night lighting?

Martin Seaframe: Will the building light at night, we will have a lot of parking lot to light.

Doug Hertz: Just so that you know that on Premier we did extensive work with them on their night lighting, to the point of making sure that there wasn't a single office that faced Kisco Ave. that would have an emergency light on at night. Precisely because that hill is the most prominent feature of Mount Kisco and night lighting will be visible across the valley. Again parking underneath would have a minimal impact as it is enclosed.

Martin Seaframe: the access road that comes up, how much lighting, we will have to have on that road. How much street lighting, will we have to have all the way up? Some of that will come from your guidance and do we need to light it and we could possibly treat it like a park road and have it not lit at all. This is a dialogue that we need to get into. People are always concerned about safety, if it is not lit. If we are going to light it and how much are we can a half to light it. Those are questions that we will need to work with. We do not have a predisposed to view of that. I don't think we are going to see a lot of residents out walking down the drive at night. I do not think that will be an issue that we need to be concerned about.

Doug Hertz: There are multiple applications before us on Kisco Avenue. We have been to talking about sidewalk access to the village. That clearly is a discussion and ongoing.

Martin Seaframe: we would like to look at using natural materials on the exterior of the building. We are going to try and avoid vinyl siding. We would like to find things that age well and fit into a natural environment. That would look good in the sun and shade and have some color differentiations. So it is not all the same. We are working hard at

connecting indoors and outdoors. So we will get some exterior materials coming inside. We are looking at the apartments and corner windows. So that we can open things up and you can be much more connected to the outside. The public spaces will have a much more open feel. So that it is very inviting. We are also going to be using natural materials inside. We are looking at simple ways to derived nature and bring nature into the building. The color will be of browns and grays. That is about all I have so if you have any questions.

Chairman Cosentino: As far as marketing, how is that going to work? I heard you say, approximately 75 years old, not younger.

Chase Caro: I can address that. The type of model that this facility Life Care runs is called the entrance theme model. Where a person moves in, they put down a deposit in the area of 400-500 hundred thousand dollars. When they have to go to a more health care intensive facility, what their heirs receive 90% of their deposit back. That together with the type o facilities offered tends to attract a crowd so and to speak, whose average age is 77. The average stay of a resident is approximately 10 years. I have learn all of this and from listening to presentations.

Chairman Cosentino: What is their monthly fee?

Chase Caro: It runs about \$3000 at most health-care facilities. I assume it'll be about the same here. It usually includes one or two meals.

Chairman Cosentino: That is the only fee that they have?

Chase Caro: Yes and there are all these activities on site available to them.

Chairman Cosentino: You're saying that there is no other fee and it is approximately \$3000, that's it?

Chase Caro: As I recall looking at the other Life Care facilities. They did charge extra for hair and nails to be done. Arts and crafts are included.

Chairman Cosentino: That is all included in the \$3000.

Chase Caro: I am not telling you that it is exactly the dollar figure.

Martin Seaframe: Life Care developed a model in the 70's and has spread it all over the country and other people have picked it up. There is a facility in Sleepy Hollow. That follows this model. There is also a facility in Greenberg that follows this model.

Chairman Cosentino: So what we are saying the average family is not going to be moving into here?

Chase Caro: A person of 55 years old does not want to tie up \$500,000.

Chairman Cosentino: Could they move in at 55 if they wanted to?

Chase Caro: Yes, they are allowed to.

Chairman Cosentino: So you don't have to be 75. You can be 55 and still purchase.

Whitney Singleton: What was the name of the representative at Life Care facility?

Martin Seaframe: Joe Pracila.

Whitney Singleton: Basically the way it was explained to the Village Board. Between a by in, and the payment of services it doesn't pay in good health at 55 years old. To move in to a facility like this. Its cost prohibited. You are paying for services that you were not requiring. The more services you require a monthly fee goes up was the way that it was explained to us. Roughly you pay half \$1 million to move in, and then on top of that you have to pay a monthly for services. It is like joining a country club that you never go to.

Chairman Cosentino: That is what I am saying. It is somewhat like a country club. But if you take your mortgage and interest and purchase a home you are over \$3000. The question was that if somebody wanted to sell their house and sell it for eight or nine and invest \$500,000 into this. They lose 10%, and pay \$3000 a month and they get treated like a king.

Chase Caro: you are implying if the model holds true that over 75% of the people calm from within 10 or 15 miles that will visit this live here. This would allow people that would otherwise move to Florida to stay in Mount Kisco. That is actually one of the nicest things about it. They can stay near their friends. They haven't moved it that far away from family and friends.

Chairman Cosentino: My last question would be a may be a selfish question. If it is successful and we hope it would be. You get an abundance of calls that want to move in there, would Mount Kisco get priority?

Chase Caro: I would have no problem with making local residents a priority. That is something that we want.

Chairman Cosentino: It is a selling point.

Chase Caro: I will make representation on behalf of the Company. I have no problem whatsoever with giving priority to the Mount Kisco resident's. In our model, it looks like very few people would be any further away than Scarsdale would be moving here.

Chairman Cosentino: There are also people in the village that might be interested. And I feel I would not want to leave them out.

Martin Seaframe: It is usually family and residents. For instance, it might be your parents that might be living in Florida and want to move back. Those kinds of priorities are not unusual. There is usually a priority deposit program.

Doug Hertz: I would like to ask you to go back to the second slide, the one that shows the larger view of the hill. I think you've done your homework. You of hit most of the right notes. We all as a community feel that this hill is a very valuable resource. It is visually very prominent. It is the last large undeveloped piece in the Mount Kisco. Obviously we are going to be concerned about, whatever development goes on there. What amount of those natural resources can be preserved enhanced. How this is going to visually affect the rest of the community in every other aspect. I like what you are showing. I think the idea of breaking the buildings up. So they don't appear monolithic mass. Those are things that we worked against, and I think you're done a very nice job. At least conceptually, of showing that. I like the underground parking. So that we are not again creating huge amounts surface. Two things strike me one of which is and I know the difficulties of making your cuts getting up to that lot. The corner of the curbs, that is next to Premier's property are going to be exceptionally close to their parking lot. To preserve the park like nature of your entrance. I don't know if it is possible to create more of a buffer there.

Martin Seaframe: We have a lot of engineering work to do. I think those were all the factors.

Doug Hertz: I think it would be a benefit to you, so that as you are coming up. You are not just looking at the parking lot or the edge of a parking lot. I think whatever you can do to buffer that space would be a positive. If it is possible and not move the entrance, the entrance being across from holiday drive would probably be the best idea, but to move that southerly curb away from the property line. I think it would be beneficial, and I would also ask you to consider and I know you are thinking about preserving as many trees on site. Especially on the lower section. I think it would be beneficial to possibly consider clumps of evergreens that would help break up the view from across the valley year-round. I don't know if that would end up removing some trees. I think that is something to seriously look at. So that you would have the aspect of more individual buildings.

Martin Seaframe: Many towns ask for screen walls, which is not very natural.

Doug Hertz: It would not fit in this location. The view from across the valley would only get partial aspects. In every other way so far, I think you hit the right notes. Are you going to encourage people that would be living there to use the rest of the green space?

Martin Seaframe: Yes, there are some topographical challenges.

Doug Hertz: To me, that is a selling point. I happen to live on the other side of that property, and I walked that property on a regular basis.

Martin Seaframe: there are some opportunities to whether we do sidewalks along the edge of the road that meander into the woods. In some places. Those are all things that we will be working on, what the nature of those pads will be. Whether there will be

crushed stone or natural or a harder surface. We are in the process of getting a landscape architect.

Vice Chairman Sturniolo: To build a road is expensive obviously. Why did you pick this site to build this assisted-living facility with wetland issues course of the road. Why here in Mount Kisco? What was the business judgment?

Martin Seaframe: There are people here that want the services. There is a very large market here. It is hard to find the perfect piece of land.

Vice Chairman Sturniolo: So this being less perfect. You are willing to bite the bullet for that load. What about wetlands and DEP. Where is that whole issue?

Martin Seaframe: That will be our biggest challenge. Right now our site plan is only in the conceptual stage. We will meet with the DEP and work with designing the storm water. So that we can comply.

Nanette Bourne: This will be governed by DEP.

Martin Seaframe: I will need to know what my guidelines are for DEP.

Nanette Bourne: The experiences that this board has had, and this is a lovely site plan, but this is a very challenging site. It is very rocky.

Chairman Cosentino: The way I look at it, it is not the village's money being spent. It is their money that is being spent. If they are so heavy on doing this so let it be. If they want a site plan before the DEP, I have no problems with that. And I do not think that this board has a problem with that. It is their money and they wanted to do it. Go get it. I'm not going to discourage you from sidestepping whatever you want do and slow the process.

Patrick Hewes: We are not saying that DEP is going to govern the site, but we are going to design the site so that it will get approved by DEP. Right now, that is our biggest challenge. There is only one way to get up the hill, and that is to meander up the topography. We would like to integrate that requirement permit able design by DEP.

Chairman Cosentino: you are going to have to deal with that. And I think Nanette is right. It may be a hurdle, but that is your hurdle, not ours. And we expect that.

Patrick Hewes: We are going to have to take the plan just a little bit further.

Chairman Cosentino: you are going to be working with Nanette.

Nanette Bourne: we have a very good relationship with DEP. And they will not finalize their actions, but they will work with the board and provide feedback and they will review a storm water prevention plan in advance of SEQR. I think that the board is going to be hesitant finalizing SEQR before they know what the environmental impact is going to be and DEP's requirements.

Patrick Hewes: We need to do a grading plan and seek out DEP.

Chairman Cosentino: My suggestion is to work all along it with Nanette and our engineer on this. Nanette will give us some feedback on what is happening. I would not want to hold up the process. If this isn't it something is going to be put there. And I think this is the best thing that should be there. It takes up less land. I am delighted that there is not going to be a parking area except for underneath. I think our village has somewhat of a lotto here, if it works.

Vice Chairman Sturniolo: How much blasting, do you anticipate? Do you a guess?

John Saccardi: Just fight walking the site I am going to guess that there is going to be some.

Vice Chairman Sturniolo: This piece of property will totally be on the tax roll?

Chase Caro: We are not asking to be exempt.

Vice Chairman Sturniolo: Do we have any zoning issues?

Chase Caro: No.

Vice Chairman Sturniolo: You had mentioned the second generations that use this facility would be more concerned about health and fitness and exercise room and that kind of thing. The health and fitness exercise room, will that be restricted to the residents of this facility only? Or can anyone for a fee or what ever come in and use the facility?

Marin Seaframe: from an architectural perspective, anyone could come in and use it. From an operational perspective. I think that is something that needs to be worked out.

Chase Caro: The mayor had asked this question, and there does need to be a fee of people coming in from outside. Because you would have to get extra insurance.

Chairman Cosentino: But you do not have parking.

Chase Caro: There are a limited number of spaces. Most people who move into these have a car. They wind up not using it very often. Quite frankly, that during the week visitors spots, even though the limited number. I think we were talking about 1.1 per unit. We use enough for what you might expect from the town to come up and use it. They are not going to be competitive with an in town, fitness center.

Vice Chairman Sturniolo: this part is going to be very troublesome for me. The outside resident coming in, paying X amount of dollars, and using your life cycle machines.

Chase Caro: Then we don't need it.

Chairman Cosentino: I have to be honest. When Tony asked that question, the answer surprised me. What is the square footage of the recreation center?

Martin Seaframe: It will probably be about two or 3000 ft.².

Chairman Cosentino: I do not envision this being a public place for anybody else, but from within.

Chase Caro: We do not mind restricting it to only the residents. If the planning board feels that would be more appropriate.

Chairman Cosentino: I feel it is more appropriate, and I think if I'm going to be spending \$500,000 to get in there and \$3000 a month. I do not want somebody from the public coming and using my facility.

Chase Caro: There is no benefit to the developer to leaving it open. It would only be done as an accommodation to the town.

Whitney Singleton: I think we're mixing apples and oranges here. There was a request by the mayor or an inquiry by the mayor. Based upon presentation of the types of facilities that are going to be provided here. Arts and crafts programs for the seniors. Whether or not the Mount Kisco Senior Center and the people at the Mount Kisco senior center would be able to use the facilities.

Chairman Cosentino: That is a different Apple.

Whitney Singleton: That is where we are confusing things here. This is not somebody paying for a membership.

(Too Many People Speaking)

Doug Hertz: This is an internal discussion between the village.

Chairman Cosentino: We feel a lot better knowing that is for our seniors here, which is completely different.

Doug Hertz: Where the rest of that discussion goes is the parking and to the use and to everything. We can't have that internal discussion.

Vice Chairman Sturniolo: Could you talk to us about the facilities that the village would need to provide besides, fire protection.

Chase Caro: Because the first responders are on the premises. You do not have a lot of extra burden on ambulances and police calls and smoke alarms going off. Because you have the first responders are the staff on the premises. Those eliminate the need.

Chairman Cosentino: Just let me correct something here. Getting back to if the toast burns. If the automatic alarm goes off it is mandatory to send the fire department out. Whether it is a large fire or smoke, whatever it may be. It is mandatory that they go out. As far as a 911 or first aid of course, the police would go out there, and most of the time. When you get to be that age they are going to dispatch an ambulance. It's not a problem.

Vice Chairman Sturniolo: What is a first responder?

Chase Caro: There will be staff there. The staff will be trained at a life care facility in first aid, among other things.

Vice Chairman Sturniolo: Will you have your own ambulance on site?

Chase Caro: This is generally not and when you get to that age and need ambulances you get your deposit and move to a more health care intensive facility (nursing home)

Vice Chairman Sturniolo: The village is going to provide water? Who is going to provide sewer, the village?

Chase Caro: These issues have not been addressed. I'm assuming that we can hook up.

Chairman Cosentino: This is not going to be septic.

Vice Chairman Sturniolo: Can you give us an idea or a time frame or a schedule of how you envision, what is going to take place, starting at the conclusion of this meeting.

Chase Caro: a lot will depend on agencies beyond our control. I see this as not taking more than a year, to commence.

Martin Seaframe: There are two issues and one is the land use permit. We will also have to do a pre-sale of some of these units. At the end of those processes we will break ground, and it will take about 21 months to build.

John Saccardi: We will have to work with Nanette on the SEQR and a full environmental assessment. We can either do a full environmental impact statement and throughout the final findings, for it can be an environmental assessment form would attach studies that address all the questions that you have raised so far. There are time bars on both, and that will be determined by the boards. Once we get to that that will have an effect on how long it will take.

Vice Chairman Sturniolo: You mentioned the board and the village board.

John Saccardi: The reason why I said that. I am not sure who is going to be the lead agency, and whether it will be the Village Board or the planning board.

Chairman Cosentino: Is there talk of the Village Board being lead agency?

Whitney Singleton: No. What will be involved from the village's perspective on this application? It is not just going to be a site plan. We are going to have to enact zoning for this property. We are also going to have to enact this subdivision of this property. Right now, this 18 acre parcel is a part of the larger 53 acre parcel. So we will have to have a subdivision, and we will have to put zoning in place. Then based upon that zoning, depending on whether or not, this is a principal use for a special permit use. We will then have either a site plan and or a site plan special use permit. You will also have applications for permits to disturb natural sensitive areas. You are going to be participating as the primary driver of everything that is going to go on with this project. The Village Board has not entered in to any stipulation, which forces you to do anything. They have left everything with you in your discretion. The Village Board will ultimately need to adopt that zoning, but they are looking for you to handle all aspects of it. Those are the things that we are going to need to do. We will need to take a look at how they go through the zoning process.

Nanette Bourne: We actually anticipated this kind of a use. We have done this similar with Woodcrest. Even though we did not include assisted-living as a permitted use, we went back to the zoning so that assisted-living could be a part of that. We have this structure in place for those uses. I am not that concerned about the zoning.

Whitney Singleton: You are going to have and with all due respect to the applicant. This is not somebody that currently owns a piece of property. That is coming to you and saying, I owned 10 acres of land and this is the zoning and you have to give it to me.

You have a blank canvas to work with here. There are a lot of things under your control. Some of the things that were already set the parameters by the Village Board. I am not saying in your Board's discretion, that it cannot be changed. This applicant has already relegated to a footprint not to exceed 50,000 ft.². The applicant has relegated to not only the number of units. But the number of occupants. The applicant has relegated to what can not disturb. They will be very limited at future expansion. The applicant has already agreed that they would consent, and I don't mean consent verbally, it has been put in the document as part of the site plan. They would put walking trails on the property and open to the public, along with parking spaces for the public. There is a lot of broad discretion on your Board's part, and I think the applicant has been very evident at working with the town. To accomplish the things that you would want. I do know that you are very concerned about the visual effect, and that has been conveyed to the applicant. One of the other things that have not come up directly today is regard to the storm water. I think that visual from the road is not going to be a problem, but detention will be necessary. I think down at Kisco Avenue. I think the water is a concern. If you are proposing any basins down there.

Chairman Cosentino: That is engineering.

Doug Hertz: It is clearly anesthetics. I think Whitney is absolutely correct.

Nanette Bourne: I point you to Woodcrest and the retentions basins that are right on the road. I think there are ways to provide. I think what happened with Woodcrest is that DEP designed those basins and had the applicant design them in a way that met the storm water numbers. I think that is why it is essential the board be involved with the design of those basins early on. So that we don't have to experience the big empty basin.

Vice Chairman Sturniolo: things that you have enumerated in the document you quoted those are not necessarily etched in stone and can be changed? If you could reference walking trails open to the public and parking associated with that.

Chase Caro: I agreed to that.

Vice Chairman Sturniolo: Is that something that could be changed?

Chase Caro: Sure.

Vice Chairman Sturniolo: A walking trail open to the public is a double sided sword.

Chase Caro: It is there at the town's request. I am happy to put it in as you dictate.

Whitney Singleton: It says the village shall make the final determination of the land on the lower portion so that it does not adversely effect the development of the property. It may be a lesser amount. We may include conservation easement along the entire perimeter of the property so long as they can accomplish their 60,000 thousand square foot print their 177,000 total square footage for the site and they can get their 129 units with not more than a total occupancy of 163 people and not more than three stories. Whatever we want on the balance of the property is free game.

Vice Chairman Sturniolo: When you talked about zoning awhile ago, is the applicant going to pay all zoning and subdivision fees to the village?

Whitney Singleton: Yes.

Doug Hertz: I want to address something that you brought up. The 18 acres the magic number that is floating, which is in the contract. That number came about because that is felt that roughly the size that would be required for this? Because a lot of it is proposed as not being developed. How did that number come about?

Whitney Singleton: That is a number that existed before. It was just what the village had previously determined to be the line and lower portion of said property that they want to develop is not etched in stone. If it is determined by the village that it should be a lesser or greater amount or more importantly to have the contour of that lot changes, so long as their project follows those rules we are allowed to make those modifications.

Vice Chairman Sturniolo: On Mountain Ave and Emery the corner piece of property on the left is that part of Town and Country?

Doug Hertz: My understanding is that it is part of the village's property at the moment.

Whitney Singleton: Where the gate is, that is part of the Town and Country property.

Vice Chairman Sturniolo: This piece of property here is still going to be owned by the village once this application takes place.

Whitney Singleton: Not only does that piece of property will be owned by the village, Michigan's property will now be owned by the village and everything roughly south of that red line will be owned by the village.

Doug Hertz: That is the beginning of the access road up to the water tower. I would like to make one comment. As one member I like what I have heard here. One of the issues that we have been having with applicants throughout Mt. Kisco, but specifically in that corridor is traffic. My feeling is this is a use that would be beneficial in the sense that it is not going to generate the types of traffic that other uses might. I think coordinating how the traffic lays out and with the other applicants that are currently in front of us. Whether that becomes a new intersection that is signalized is something that we need to look at. I think this is a step forward in that the property gets developed and the traffic becomes a quantified and not overly stressed. You have done your homework and you have hit the right notes with regards to the importance of the site and the esthetics and natural resources there. I think this board will hold you to the things we have heard today. We have had some less than positive experiences with other people that have come in and made promises. I think we are wiser than we have been. I think we are slightly more cynical. As one member I will hold you to the things that we have heard.

Chairman Cosentino: I echo your comments.

Nanette Bourne: We have talked about DEP and talked about blasting. Once they do some soil boring and we know the borings and the topographic data that was produced when Premier was going on that site, so it will be interesting for them to follow up and build on that. The slope failure will be an issue as we have seen at the front of Premier property. Tony brought up the wetlands issue which that wet land I believe has been flagged as part of Premier, so you can probably take that wet land and work with my office on that. I don't think you will have to flag it again. I may be wrong, but they will be disturbing within the buffer but it does not look like you are disturbing the wet land. We have discussed the traffic and this is a great opportunity and the timing is really quite good because we have so many projects that are in the approval stage or under construction as a result of Lexus and Northern Westchester Hospital. We have the traffic data and are assembling a corridor study for Kisco Ave. So they will be able to drop into that. This will be good. I have been in touch with the village assessor for the village to organize the various commitments that have been made over the last ten years. There have been applicants that have been contributing either signalization studies or monetary contributions. The board has talked about green construction and this would be candidate. The designs of inside and out and bringing in the nature elements, this would be a great opportunity to try and incorporate some of that. Not on this agenda but he following one I will be providing some information to the board on the construction and begin discussion on how you want to move forward with that. I think it would be helpful for the board to see a topographic model not a model that has these buildings set in yet. But something for you to understand exactly how it will work. There will be a lot of adjustments. You will need a study model as you transition and the project evolves then you can drop the buildings in. A model that will enable us all to understand the site. Will there be a shuttle?

Chase Caro: There will be a shuttle to take them into town for shopping.

Nanette Bourne: I agree with what the applicant said. The populations that have cars don't use them and it will be car storage space.

Martin Seaframe. My question is on the procedure aspect of SEQR. Even though we have to do a grading plan for DEP, we should probably start on lead agency so that process can take place.

Nanette Bourne: This is a conceptual and as soon as you come in with an application then we will do a notice of intent.

Chairman Cosentino: You will need to submit an escrow fee with your application of 10,000 dollars.

Nanette Bourne: As you use the escrow it will have to be replenished.

Chairman Cosentino: Since there is nothing else we appreciate you coming and taking your time on a Saturday.

Vice Chairman Sturniolo: Motion to adjourn

Doug Hertz: Second.
Board All Ayes, Meeting adjourned at 11:00 am

Respectfully Submitted By,

Stanley Bernstein
Board Secretary