

Minutes  
Meeting of the Planning Board  
Village/Town of Mount Kisco  
Tuesday, April 10, 2007

Meeting called to order at 7:50 pm, at the Municipal Building Mount Kisco, New York.

**Members Present:**            **Chairman Joseph Cosentino**  
   **Stanley Bernstein**  
   **Sol Gibbons**  
   **Doug Hertz**  
   **Ralph Vigliotti**

**Members Absent:**            **Vice Chairman Anthony Sturniolo**  
   **Joseph Morreale**

**Staff Present:**                **Nanette Bourne**  
   **Whitney Singleton**  
   **Anthony Oliveri**

**Minutes: None**

**CONCEPTUAL APPLICATION:**

**Luna Bella – Little Tikal LLC**  
**454 Main Street**  
**Application No: PB2007-05**

**Members Present:**            **Vivian Delcid**  
   **Tony Delcid**

Chairman Cosentino: You want to open up a restaurant take-out on 454, am I correct?

Tony Delcid: She is the principal.

Chairman Cosentino: Tell us a little bit about it.

Vivian Delcid: Yes, we want to open a Central American take out restaurant. It's going to be mostly Guatemalan food.

Chairman Cosentino: I have the diagram that you presented to us here. I see a couple of things; maybe this is not the right diagram. Of course, we have a memo from the Building Department. Your bathrooms are through the kitchen. You need handicapped bathrooms; that is my understanding. You can't go through the kitchen to go to the bathroom. So you're going to have to put bathrooms someplace where it's handicapped also. That you'll have to work out with the Building Department; they'll tell you what to do on that. We have more of a problem than that. The problem is parking there. Right now there is insufficient parking. If you go there at 12:00, and I'm sure you have, there is not a place to be found for parking. There are a lot of restaurants there; especially noon time, and I guess Friday nights also?

Ralph Vigliotti: Friday and Saturday.

Chairman Cosentino: On Friday and Saturday nights the parking is somewhat more than that parcel of land can hold. We're very concerned about that; having another restaurant in that particular building. That I'll tell you right here; if my other fellow Planning Board members want to add anything to that; that's my major concern; the parking.

Tony Delcid: Even if this is a take-out?

Chairman Cosentino: Cars still have to come there and take out. Take out may be even more parking than sitting. You have six tables; 24 people, according to your diagram here. So it's not just a take-out it somewhat of a restaurant also.

Ralph Vigliotti: Actually, it's a combination, which exacerbates a parking situation to begin with. You have take out as well as a restaurant, so that in itself is going to need more parking. So it's not just take out. You have 24 seats, six tables. Are you aware of the restaurants that are there now?

Vivian Delcid: Yes. We know what restaurants are.

Ralph Vigliotti: You have Conte's, The Great Wall, Gerardo's, Buetti's Deli, which, I almost stopped going to, to get a nice wedge there because you can't get a place to park midday. At some point the bakery; how long has the bakery been there, three years – is adding to it. As a matter of fact, it seems like every other store there is a restaurant; and there is only about 25-28 parking spaces there. It's not a good situation for another restaurant, so I have to agree with the Chairman.

Chairman Cosentino: Anybody else?

Tony Delcid: I understand what you are saying. But is that a risk? The risk is on our part.

Chairman Cosentino: No. Understand something. That's our risk. We don't want traffic jams, especially in parking lots. I can appreciate what you're saying, that it's your risk; if you can go into the parking spot you go into the restaurant you eat; if you don't. Our job is to make sure that doesn't happen, where you have traffic jams. That's why we're called the Planning Board. I can appreciate what you're saying, but we need to know that there is going to be parking there, and right now there is no parking.

Tony Delcid: In keeping going with the same thing; if you could tell me, what kind of business could be okay there? Or is there no chance to put a business there?

Chairman Cosentino: You could put a business other than a restaurant.

Tony Delcid: Other than a restaurant?

Chairman Cosentino: Yes, you could put something else that is not a great impact.

Tony Delcid: Can you mention an example?

Ralph Vigliotti: An insurance firm, pharmacy.

Tony Delcid: But they need to come in with cars also.

Ralph Vigliotti: But not 24 people.

Chairman Cosentino: It's not as great.

Vivian Delcid: If we decrease the number of seats, would that make any difference? If it was mostly take out without having the restaurant part?

Chairman Cosentino: It would help, but I'm not saying it will cut the mustard. It will help.

Ralph Vigliotti: Two tables. We know what the generation is going to be with the service help and the kitchen help never mind the take-out customers and the customers that may eat in. That could be ten to twelve people at any given time, which means you need parking spaces for that. I drove by there this evening and Mondays and Tuesdays aren't very well heavily trafficked times of the Village for eating out, since most people have had some times on the weekend to do that. There were four parking spaces in the lot. But if you go on a Saturday night, you'll make a decision to not even – there is a traffic confusion that takes place there in the lot, because people can't get in, they try to double park, it's a one-way street at some point there, and people park in the neighborhoods.

Chairman Cosentino: As a matter of fact, on a Friday night, or some afternoons they are parked on the upper lot where the dentist's office is, they won't be there pretty soon. They'll be eliminated. So that is going to compound the problem.

Ralph Vigliotti: People right now are parking in the neighborhood.

Chairman Cosentino: This is a conceptual. You are more than glad to bring in an application; I can't stop you from doing that. But you have our view, it's a problem.

Tony Delcid: So this is a no.

Chairman Cosentino: I'm not saying it's a no; I'm saying that right now it's a conceptual. You come here and we let you know how we feel about it. We're not telling you to stop the process. We would be more than glad to have you go downstairs and fill out an application, come back before us and then we can study it more. We're just telling you how we feel right now.

Tony Delcid: Can you be more specific on how many tables you can accept? Because I'm not going to pay another \$400; she is not going to go and pay another \$400 for you to review it.

Ralph Vigliotti: I think one of the issues the Chairman brought up, as a restaurant you have to provide handicapped bathrooms.

Tony Delcid: That wouldn't be any problem.

Ralph Vigliotti: This has to meet the building code, and the parking is quite an issue.

Chairman Cosentino: Did you get the Building Department memo?

Vivian Delcid: No, I didn't.

Doug Hertz: I'll provide it to them.

Tony Delcid: Thanks.

Chairman Cosentino: You can read what the Building Department's comments are on it.

Ralph Vigliotti: Austin Cassidy is indicating that this is going to require a Change of Use Permit.

Tony Delcid: The first time we spoke with Mr. Cassidy, he even told me that if this was going to be a take-out, we did not need to come here. But we insisted that. We wanted to get as many tables as possible, because that would insure the success of this small business.

Chairman Cosentino: You can go back and talk to Mr. Cassidy if you want and see if maybe he has a suggestion.

Vivian Delcid: So the main concern pretty much is not really the bathroom, it would be the parking.

Chairman Cosentino: The bathroom is not our concern. That's a Building Department matter. Our concern is the parking; that's the main concern. Maybe we would require you have no tables.

Vivian Delcid: How many parking spaces do you require?

Chairman Cosentino: We'd have to take the total amount. There are probably not enough parking spaces for the amount of restaurants that are there right now. That's why we don't want to compound the matter having another restaurant that takes more parking spaces.

Doug Hertz: Whitney, if it were just take-out, what is the code required number?

Whitney Singleton: The code requires for retail one space per 150. The code requires for a restaurant one space for every 75 feet, plus an additional space for every three person seating capacity. So it would be double the number of spaces plus an additional eight spaces of parking, based on what they're showing here.

Doug Hertz: Just so they understand the formula.

Whitney Singleton: I believe; I am deciphering what Austin has told the applicant, they didn't need to be before this board if they had no seating; is that he would interpret their use as not being a restaurant, but as being food retail, which has the same exact parking requirements of 1 per 150.

Doug Hertz: As the pharmacy?

Whitney Singleton: Yes. Therefore, anything that would constitute this as a restaurant would throw it over the top.

Chairman Cosentino: It's the seating.

Doug Hertz: I wanted to be clear.

Tony Delcid: I just want to make a comment. What she is intended is to open a restaurant open for anyone who wants to come. We know because she has experience,

that a great number of customers would be walk-ins. What I mean is, most of our customers are just going to walk in.

Chairman Cosentino: So you won't need the tables. Work this out with Mr. Cassidy.

Doug Hertz: Our problem - and I understand your thinking behind it. Our issue is if you are successful.

Chairman Cosentino: Hope you are.

Doug Hertz: What will happen is, you won't have enough space. You'll move to a bigger place, and then the next restaurant, which doesn't have walk-in customers, is going to say you allowed this as a restaurant use, and now they need parking. So we will basically open a precedent that can't be sustained in any other building. There is no way for us to require that all your patrons arrive on foot, even though that may be the reality of what you expect your patrons to be.

Chairman Cosentino: My secretary tells me Little Tikal. How do you pronounce that? It's a town right?

Vivian Delcid: Yes, a town in Guatemala.

Chairman Cosentino: That's what she told me. Talk to Austin Cassidy, see what he can work out and come back and see if we can help you out.

Tony Delcid: I appreciate your time.

**FORMAL APPLICATION:**

**Jorge Naranjo  
77 Smith Avenue  
Application #PB2007-05**

**Present: Representing Fannie Naranjo: Jorge Naranjo  
Peter Gregory, PE; Vice President, Keane Coppleman  
Eric Jacobsen, Attorney**

Chairman Cosentino: The next thing on our application is a Formal Application for Jorge Naranjo. Please come up and identify yourselves for the record, please. Now, is Jorge Naranjo representing Fannie Naranjo? Is this my understanding?

Eric Jacobsen: Yes he is. Quickly, for those that weren't able to hear me introduce myself; Eric Jacobsen, I'm an attorney in Bedford Village, New York. This is Jorge Naranjo, and his wife is Fanny Naranjo, and he is representing her here this evening.

Chairman Cosentino: Will the record show that? Okay, why don't you start the ball rolling? You know what we have here. This has been a problem for a few years.

Peter Gregory: Yes it has. We have submitted some plans and drawings showing what the existing conditions were in comparing what had been previously approved at one time, showing the work that was performed out there, basically the increase in the area that was disturbed. Since all of this started there was landscaping that was implemented, there were plantings that were done, and I think since the last time we were actually before here, we've actually been able to have some soil testing done that was requested at one time to determine if the soil that was there was suitable, if there were any signs of any sort of contamination at all. I think within the past four or five months we've had a lab take some samples and they found pretty much for the most part that the soil is clean. Anything that was found was below I guess the detectable limits or exceeding any allowable limits. The thing we have that we never really had before was a landscape plan. We were looking to possibly provide additional landscaping mitigation to further stabilize the area and provide additional screening, and this is a new document that had been submitted since the last time we were before the Planning Board.

Chairman Cosentino: Nannette, you're familiar with this, do you want to take over now?  
Nanette Bourne: Sure. We looked at this a couple of years ago as a result of a fill that had been put on the site. There was a concern about what the fill would do to existing specimen trees and the impact that the fill would have on the drainage channel or stream channel at the bottom. It is a designated stream; you created a disturbance within the buffer of the stream, which required that a permit to disturb natural resources

be obtained, which is the reason for your appearing before the board tonight. At our request you did soil testing. Unfortunately, the results that you provided are really not adequate in that you may have this back up with the people that did the soil testing, but we need to know where the soil was tested, the depth of the test, and the number of samples. The application that you provided to us suggests that there are actually two metals that exceed the standards. Not necessarily problematic, but they do exceed the requirements. If you could provide us backup demonstrating that those are background soils, then you might be okay. But that is an essential part of what we need. If Gallanger Environmental Management Corp. did the soil testing can call me, or I can get them in touch with our Environmental Scientist to make sure that either the information that they already have is adequate, or what is missing.

Eric Jacobsen: May I ask who that person would be?

Nanette Bourne: I can provide you the information. I'll give you my card later. One of the big concerns, number one, is what is happening to the run-off from the illegal fill and what is happening to the existing trees. I'm not sure if I am reading the plans correctly, but you have the existing and your proposed condition, and you identify trees that are to be removed. I can't tell if what you provided here identify the trees that have died or are dying?

Peter Gregory: No. We basically show originally the trees that were to be removed, and then with the as built survey that was prepared, it shows what trees remain and the disturbed area around those trees.

Nanette Bourne: It's very important that Nick Poudier was here to give us his assessment. He probably has this information and you can add it to the...

Peter Gregory: Okay. The status of the condition of the...

Nanette Bourne: Right, because we wanted to know exactly what was the existing condition before the fill was placed on the site and the impact that the fill had on the existing trees, what trees died as a result of the fill, what trees you want to remove, and then what you are proposing to replace. The Village does have a tree protection ordinance, and if you are not familiar with it you should go on line and get a copy of it so you make sure you meet the requirements as stated in that. Other than that, I don't have anything else.

Peter Gregory: Thank you.

Chairman Cosentino: Weren't we to talk about some mitigation on the bottom here, by the stream?

Nanette Bourne: Yes. I think we need to understand whether or not the fill that has been placed on the site needs to be removed entirely; because if it's removed you have a different kind of mitigation. If the fill is actually clean and the board decides that you would rather leave it there instead of having it removed, you'd rather have the mitigation include additional tree planting.

Chairman Cosentino: What is the process? How long does this take? I'd like to put them back on the agenda. This has been on here for a couple of years, and I'd like to for the sake of everybody to move this on.

Eric Jacobsen: I think that we could have – what you suggested we do, or recommended that we do; I think we could have that done within a two week period.

Chairman Cosentino: But I don't know whether Nannette would be ready.

Nanette Bourne: Yes. You may have that already. It's something that you may be able to produce by the end of this week.

Eric Jacobsen: We're flexible, we want to work with you, so whatever you find most convenient – we're ready to make the next board meeting, most likely.

Chairman Cosentino: Just let me know, Nannette. Is there any other board member who wants to discuss anything?

Stanley Bernstein: Yes, I'd like to ask a few questions. Nannette alluded to this that there is nothing here showing the existing trees; what was there before the fill? I remember we went out there on a field trip, and I noticed at least four large trees, specimen trees. I don't see them listed anywhere. And those trees are dead. So, in

effect, the fill killed at least four specimen trees that I can remember. There might be more. So we would have to know that. And the mitigation: based on the code that we have in the Village, is that it has to be mitigated by a basal tabulation. In other words, the amount of wood on the tree that was destroyed has to equal the amount of wood on the trees that were put back. You can't take a 36 inch tree and put back six (6) 4 inch trees. You can't do that. Now, the mitigation does not necessarily have to be on the property. It could be elsewhere in the Village; but it's by code. We have to have it done. I really want to see next time, and I know you have it because we had looked at something at one time; what was there before? Before the fill? There is also a stream. It's not an intermittent stream, but it's an unnamed tributary of Branch Brook in the Village, which is a tributary of the Kisco River, which dumps into Croton Lake, which is part of the New York City Water System supplying ten million people. There has to be a hundred foot buffer by any stream. Now, with this fill going in, and even if you did put a retaining wall in, it seems as if that buffer is destroyed and lost. Now, even though you can mitigate the storm water run-off, that doesn't help us with DEP or DEC. I think you have to illustrate that more conclusively; what you're doing, why you're doing it and how it is in conformance with DEP and DEC, especially DEC Storm Water Phase II. I notice you had straw bales, which are disallowed under Phase II. You have to show exactly what you are going to do to stabilize that back slope. The back slope is less than the front slope. But it has to be stabilized in such a way that it doesn't destroy or encroach upon the stream itself. And also, when the run-off goes down based upon the slope of the land to the east and west, that that storm water doesn't encroach upon the two neighbors. That has to be contained somehow or another and I don't see that any of these plans. You have to show us that. I think your work is cut out for you. I hope you understand what I spoke about, and we can do that.

Eric Jacobsen: I think I do. May I ask this? Are you open to discussion, so if we have something prepared before the next meeting we could review that with you?

Chairman Cosentino: You need to do this with Nannette.

Eric Jacobsen: That's what I understood. I just wanted to make sure.

Chairman Cosentino: Anybody else?

Doug Hertz: I'm looking at the placement of your dry wells. It seems to me you are going to be removing more trees to get those dry wells in.

Eric Jacobsen: That had been something that was in a conception that has not been done yet. We were hoping, actually, to avoid that. From what I understand; I'm, for lack of a better phrase, new to the game. I was not involved in the prior appearances, so I am playing a little bit of catch-up. I think that when this was designed or conceived as a plan, there was a concern that there would be perhaps a lot more run-off or a lot more problems. And I think what time has shown is, if anything, is there really doesn't seem to be a dramatic run-off or erosion. I don't know if these are necessary now, but of course, we can discuss that with Nannette. It was not our current plan to install those.

Doug Hertz: I'm not clear what I'm seeing, then, because this top sheet is not really marked. It says updated Site Drainage Plan. I don't know if this installed, not installed, intending to be installed.

Chairman Cosentino: It's not installed. Nothing is installed there.

Eric Jacobsen: Nothing is installed, and I believe that we were asked to show what was there, what was planned, and what's been done to date, and that's kind of what we're trying to show I guess. I apologize for the confusion.

Doug Hertz: So on these two plans here; can you identify of what you just said?

Peter Gregory: The drawing to the left shows the different shading, what had been previously approved, and then the overlay is the disturbance. Then, what we tried to do was to come up with a mitigation plan for the storm water run-off that was being generated from the new asphalt parking area to the back of the house. And the idea was that we would collect that in the corner and then -

Doug Hertz: But this is proposed to be installed there?

Peter Gregory: When we submitted this last year, we were proposing to do that work.

Eric Jacobsen: This had been submitted last year, but I think what time has shown, in between the time it was submitted and to date is that perhaps it's not necessary.

Chairman Cosentino: Or perhaps...

Eric Jacobsen: Perhaps it may be.

Doug Hertz: Or perhaps it's not even adequate.

Chairman Cosentino: It could go either way.

Anthony Oliveri: If I could respond to that. With the increase in impervious area, the drywells are going to be necessary to increase the quantity in storm water that has to be mitigated. We had some questions on the drywells. I wasn't sure if they were in yet or just proposed. If they are proposed, we'll need to see calculations on that, show a zero net run-off increase. We had a concern about the overflow piping. It's discharging to a.... area that's parallel to the contour. It looks like it's going to go to the property line, not down. And also you should look at erosion possibilities there. That's a concern. We actually produced a memo about this; we will get you a copy on that. We brought up a concern about the sloped area. Whether or not that needs some type of turf reinforcement or some other slope stabilization. Nothing is proposed. Something that was already brought up, you show a drywell directly under a tree. Again, I wasn't sure if it was proposed or in yet like that. You can actually take a copy of this memo.

Eric Jacobsen: I think we had – and you obviously had more expertise than me. I think we had proposed some, what was the planting?

Peter Gregory: He was going to put in some form of a wild flower seed mix.

Eric Jacobsen: Would you prefer a turf over a wild flower seed mix?

Anthony Oliveri: It looks like a one-on-two slope. That's pretty steep. It might be wise to put some type of stabilization fabric in there. Normally you don't want to get much more than one, one and a half. Over time – there is a discharge for the overflow showing near the top of the slope. You should probably address that and maybe bring that down lower to prevent any erosion on that slope, being that you are so close to the stream.

Nanette Bourne: I have a question. On your top drawing, you said this was a previously approved area of disturbance? Previously approved?

Peter Gregory: Initially we were requested – when the work commenced out there, we were requested to prepare a grading plan for the work that was taking place in the rear yard. We came up with a plan that showed a limited disturbance of erosion control for that regarding that was going to take place.

Nanette Bourne: Was it approved?

Peter Gregory: It was approved administratively. We did not come before the Planning Board for – and I believe the Steep Slope Ordinance was in effect at the time when that plan was prepared. It originated after the work had commenced out there.

Nanette Bourne: Steep Slopes has been in place for six years.

Peter Gregory: We weren't before the board to discuss a permit for steep slopes; I think it was handled administratively, and we didn't come before the board for that. And then we asked H. Stanley Johnson's office to prepare an as-built survey, and based on the as built survey we were able to observe where the limit of disturbance was and what the actual tope of the slope and limited disturbance was based on their information. That was extended further down by the lighter color shaded area on that plan.

Chairman Cosentino: Anybody else? Okay, you've got your homework.

Eric Jacobsen: Thank you very much. We appreciate your time and patience.

**FORMAL APPLICATION:**

**Lutheran Church  
15 South Bedford Road  
PB2005-13**

**Present:                   Rev. Jack Horner  
                                  Jeff Fritz**

Chairman Cosentino: Nannette, you are familiar with this, you know what's going to happen to this. This is quite unique here. Whitney, do you want to continue?

Whitney Singleton: This was a site plan that was approved several years ago by your board, and the applicant didn't take any action at that time, and they're approval expired. They want to get an extension of their approval, which they can't do because it's already expired and you can't grant them any extension. So what they would like to do is simply have the approval that was previously approved re-approved by your board without modifications. They have submitted an application with an application fee, they have requested certain waivers from the Village Manager, and they would like to have their existing approved, expired plan re-approved.

Chairman Cosentino: Normally under the conditions, we wouldn't do it, but if you read the letter from the Reverend you can understand why they're here and what they want to do. I appreciate that. I don't have a problem, just tell us what we have to do, and the board will take over from there, if anybody wants to add anything to it?

Nanette Bourne: There was a revised draft resolution in the agenda that has just been updated.

Chairman Cosentino: So we just vote on this one, right?

Doug Hertz: Not everyone was on the board when this was approved. Can you just briefly describe in narrative form, so that everyone is familiar, what the project is?

Reverend Jack Horner: Sure. If you've ever been to the church, as soon as you walk in you basically walk into a hallway. We talked about it and prayed about it and we decided to add on 1,200 square feet to the front of the building to be a gathering spot for people as they come in. It would be a better first impression as people come in, and then also a gathering spot following our worship services for fellowship. We think it's a design that fits in with the building and would really enhance not only that corner of Mount Kisco but also certainly our ministries.

Chairman Cosentino: Doug, it's not adding any sort of square footage where they would use it as an office or anything like that.

Doug Hertz: I was on the board, I don't think Sol was.

Sol Gibbons: Yes I was.

Doug Hertz: I apologize. So everyone is familiar.

Reverend Jack Horner: We also have an entry that is already 500 square feet there, so that would be added on to the 12. I think the document says its 1,700 square feet.

Chairman Cosentino: Nannette, we just need to vote on this.

Nanette Bourne: I think their practice has been to agree to waive, no actually you're in a regular session so you can go ahead and do that.

Chairman Cosentino: Since I need the help up there, I'm going to make the motion. I don't normally make a motion. I'll make the motion for approval for the modification, approval for the site plan.

**Motion: Chairman Cosentino**  
**Second: Stanley Bernstein**  
**Aye: Sol Gibbons**  
**Aye: Ralph Vigliotti**  
**Aye: Doug Hertz**  
**Aye: Chairman Cosentino**  
**Aye: Stanley Bernstein**

Chairman Cosentino: Next on the agenda Northern Westchester Hospital, 400 Main Street. Will the applicant's come up and identify yourselves for the record.

**FORMAL APPLICATION:**

**Northern Westchester Hospital Center**  
**400 Main Street**  
**Application PB2003-02A**



**Present: John Partenza, Northern Westchester Hospital Center  
Mr. Paget, Sive, Paget & Riesel  
Donald Clinton, Cooper Robertson  
Patrick Hewes, Zaccardi & Schiff  
Steven Barshov; Sive, Paget & Riesel  
Anthony Monteleone; Monteleone & Monteleone**

Chairman Cosentino: Let's start the larger project right now. What we're here tonight for is two things, right Nannette?

Anthony Monteleone: If we may be off the record for a moment?

John Partenza: I'll take care of that later.

Anthony Monteleone: The prior applicant – we'd like to talk to you about.

Chairman Cosentino: Okay. Do you want to do that now?

John Partenza: We weren't aware they were this far down the road there. We were just unaware that this tenant was this far down the road at 454 Main Street, so we would like to have the courtesy of having a discussion with him tomorrow about his future plans there.

Anthony Monteleone: We heard you loud and clear.

Chairman Cosentino: Let's start the larger project.

Nanette Bourne: Yes. There are two items before you. One is to acknowledge receipt of a preliminary draft Environmental Impact Statement that all of you have been receiving over the last couple of weeks, and upon formally acknowledging the receipt then you may choose to direct staff to conduct a completeness review and compare what's been submitted with the adoptive scope.

Chairman Cosentino: Why don't we do that first and get that out of the way?

Nanette Bourne: Okay. What we had been anticipating is to begin our review, report back to the Planning Board the first meeting in May with preliminary completeness comments, hear your comments and begin to put together a completeness review to provide the applicant so that any revisions that have to be made to the document to be consistent with the scoping outline could be done.

Chairman Cosentino: That's done by motion.

Nanette Bourne: You could do it by motion.

Chairman Cosentino: Okay, do we have a motion?

Doug Hertz: Motion to accept the document?

Nanette Bourne: Not to accept it, just to acknowledge receipt.

Doug Hertz: Acknowledge receipt and begin review?

Chairman Cosentino: Yes. Then the clock starts.

Nanette Bourne: Correct.

Chairman Cosentino: In other words, the 45 day, the clock starts, so whatever motion we're making just keep in mind that you've started the clock; it's 45 days.

Nanette Bourne: Of course, if you need more time you can request that of the applicant and I doubt if they would deny you that.

Chairman Cosentino: Request more time to study it more if you want and do this at another meeting. I give this to you fellows to decide.

Doug Hertz: I ask you this question, and I'll do it in this form before we go to that. Being that this is the first time that we've really seen this Phasing Plan for the Emergency Department, it brings up, to me, a couple of questions that ideally are answered in here, but I don't know that they are answered in here completely enough, which is, all of what is happening with Phase 1A, doing the Emergency Department; there is going to be a tremendous amount of construction on the south side of the

property; the parking lots, taking down that, the current building. It brings up the overall question of where parking lands on the site when all the phases are complete. We've had discussions at the last meeting and prior meetings about the size of the parking lot on the north side, the raised parking lot, the discussion of how much is underground, how much is above ground, but I'm wondering, seeing this and seeing how this is going to phase out, whether there has been adequate discussion of shifting parking to the south side on a permanent basis, and whether this phasing plan is going to make sense; whether or not it makes sense to build the larger parking structure that is proposed down the line in the south lot at an earlier point so that you can accommodate construction vehicles, all the disturbance on site, and perhaps shift some of the burden of parking near Moore Avenue to the south side of the lot, or perhaps, even though it might not be the most convenient spot, it might be the best sheltered spot for purposes of the Village.

Chairman Cosentino: Not unless they are proposing something somewhere else to park in the interim while the construction is going on. And I think that's what we're really talking about.

Doug Hertz: And that being said, I don't know how this question relates to accepting the document. But I'd like to get that answer.

Chairman Cosentino: Those could all be addressed later on also.

Nanette Bourne: If we can try to avoid using the word acceptance. It's receipt of, and I think that what you are referring to is something that is extremely important and very appropriate that it be fully detailed in the EIS, and it probably isn't. So that is likely to be a comment from us, a comment from you, it will be expanded, and the applicant will need to address it in greater detail, and revise it.

Chairman Cosentino: I would hope that the minds have picked out an area where during construction vehicles are going to be parked, whether it's where the building is coming down, or whether it's a house that is coming down on Boltis like we did before. I don't know, but there needs to be an area – and I'm sure there must be one picked. I mean you're not just going to start the Emergency Room without these workers coming to park someplace.

John Partenza: I apologize for my voice. We are talking about construct-ability; a place where we can store equipment and materials as we're building as opposed to the actual plan itself. I think we worked out a comparable - or a plan that worked for both the hospital and the building when we did the cancer center.

Chairman Cosentino: That's what we need to know. Is that what you need to know, Doug?

John Partenza: Is that what you're talking about?

Doug Hertz: I'm not just talking about phasing. I'm talking about that this brings up – you're constructing a parking lot. You are going to the expense of constructing a parking lot, and then at a later point demolishing that parking lot replacing it with a structure.

Steven Barshov: I understand your point. Your point is, as I heard it was, if we have all of these activities that are going on on the site, and they will require space, does it make sense to construct the southern parking garage earlier in order to provide a home for those various construction vehicles and so on?

Doug Hertz: And secondarily, have we explored, or will we be exploring shifting some of the burden of parking an entire lot more heavily into that southern structure? Because I know we repeatedly had questions about the size of the parking lot on the northern side.

Steven Barshov: I think the fair answer to your question is we certainly have looked at where parking and construction equipment and vehicles and material will be stored during construction. I don't believe we have set forth that possibility as you've articulated it. I think that if it's one of the comments that you have that it is something that we should address in response to your suggestion, or the board's suggestion, we certainly will. I think it is the exact kind of thing that is the type of comment that we would expect to get from you as you review the document for completeness.

Doug Hertz: So, that all being said, there's no reason why we shouldn't essentially acknowledge receipt of the document and begin reviewing these.

Chairman Cosentino: I don't see a problem with that because these all can come up later on. We're not doing anything that we shouldn't be doing.

Doug Hertz: I only bring it up because we have this nice large set of plans, and it brings things to mind that looking at very small plans and hundreds of pages of narrative don't necessarily –

Chairman Cosentino: I don't want to stop the process.

Nanette Bourne: And once we get through this decision about just acknowledging receipt, then I think we need to jump right back into this Emergency Department.

Doug Hertz: Right, to content.

Chairman Cosentino: If that's what they chose to do, well then, so let it be.

Ralph Vigliotti: There is going to be lots and lots and lots of dialogue with regard to Phase I, Phase II, Sub I, and so on, so be prepared. There is going to be lots and lots of dialogue by individual board members.

Chairman Cosentino: I think they know that, and I think they're prepared for it.

Ralph Vigliotti: I hope you know we all need be prepared for that.

**MOTION TO ACKNOWLEDGE RECEIPT:**

**Motion: Doug Hertz**  
**Second: Ralph Vigliotti**  
**Aye: Sol Gibbons**  
**Aye: Stanley Bernstein**  
**Aye: Chairman Cosentino**  
**Aye: Ralph Vigliotti**  
**Aye: Doug Hertz**

Chairman Cosentino: Okay that's the first thing. The second thing is –

Nanette Bourne: The second thing is to receive a sub phase of Phase I, which is the Construction and Redevelopment of the Emergency Department. We had asked the applicant to bring this in to provide a complete application for your review. So, they have done what we've asked them to do. We will be beginning our review. What we need to do is to compare this with the overall Master Plan that is discussed in the Environmental Impact Statement. I believe they have a presentation.

Donald Clinton: I thought it would just be helpful since it's the first time this level of detail to come before the board just to give a quick overview as we did, and as Nannette said there will be subsequent submittals and a lot of discussion I am sure. What the hospital's intention has been is to file an have reviewed concurrent with the new zoning.

Chairman Cosentino: Excuse me, just one minute. Is there any way, since this is such a large project, that we can get your firm or somebody to put this on a disc?

Donald Clinton: In terms of the drawings, you mean?

Chairman Cosentino: It would really help this process go faster.

Donald Clinton: You mean like a Power Point?

Stanley Bernstein: This was made on a cad. This was not hand-drawn. Whoever made it has the disc that this was digitized from, and that disc could be projected.

Donald Clinton: We have made Power Point presentations before.

Chairman Cosentino: I think it's going to help this board with the process, to go a little bit faster.

Stanley Bernstein: Opening a bed sheet... we were annoyed with the little plans but we're also annoyed with big bed sheets covering this entire table. Now if it was just a normal application, and you're here once or twice, it's one thing. But you're going to be here a lot.

Chairman Cosentino: And we're going to reserve time at a meeting.

Stanley Bernstein: And we have a screen; a lovely screen.

Donald Clinton: We'll be happy to do it that way. It's a little easier to carry. So, the hospital's intentions, as I said, had been to proceed with the zoning application and the EIS that is associated with it in parallel with the site plan application. The site plan application that they want to make is for what in the EIS is described as Phase I, and it includes a series of sub-phases, what we call Stage 1A, Stage 1B, 1C and 1D. I brought examples because they are part of the set that you have before you, of the very first phases which are 1A and 1B, which are the south end, and ultimately in Phase II, that's when the south garage gets additional in-patient space, and additional diagnostic and treatment space. So the questions that you asked about where it's appropriate to have the phases, it has to be looked at in that larger context, and that's how we should look at it when we address your questions. Again, because this is the first time that you're seeing this, Phase 1A is essentially doing the site work, the creating of the consolidated parking lot, and landscape parking lot for the new Emergency Department, Phase 1B is building that building, Phase 1C, before the Medical Office building is built, and before this parking lot is removed is to build that parking structure so that then this landscaping and the office building which is on this foot print and, as you know, this is all parking today, would be converted to landscaped area and driveways and draw...

Nanette Bourne: Donald, before you go to the next one, I'm just trying to provide you some input as to some consistency issues. Would you please double check how you're numbering for your site plan submission and what's in your EIS?

Donald Clinton: In terms of the phase designation, you mean?

Nanette Bourne: Yes.

Donald Clinton: You mean this description, here?

Nanette Bourne: Yes.

Donald Clinton: We are, as we anticipated; one of the things that we thought would be helpful; had we just submitted the EIS I think your ability to put into these details is hampered, and so I think having a site plan is good for the hospital in a sense that by the time we get to this end of this process they'll have a build-able plan, but you'll also really, and we will really understand the details of building it. I brought this, and edited a few of the drawings out of that set, but this is the first part of Phase 1A, which is essentially the removal of the existing surface parking here, and the doctor's parking area behind here. The immediate surface area of the Emergency Department is not affected in this phase, and the small commercial building at the south end is demolished, and the parking and retaining walls that are part of that south end are also demolished, so that a larger and better laid out parking lot can be organized with buffers and proper entrances. It has also been built into the plan from the beginning, the ability to make the connection around the back of the hospital, so that there is not a reliance on this exit here. This is not an exit that is open, it's a closed fence exit, but it is now the only way sort of a back up for getting into the Emergency Department, and now there is another opportunity here. We also see in this site plan as we prepared it, it follows what we described in our last meeting with you as Alternative III, where we made a number of improvements including taking a road that was here, that was up on the upper level of the hill and dropping it down lower so that what you see here is a raw cut, and the trees that are along the back of the houses on Boltis that are on the hospital property; the property line is right here with the houses, those trees can all be saved. It both lowers the level of that roadway and also preserves the trees. So you see here the landscaping is associated with making that parking lot.

Ralph Vigliotti: May I stop you, just for that point? You are putting a lot of site work in for the surface parking. Do you have a set of plans showing the phasing in of the parking garage and ingress and ingress to that parking garage and how it fits into everything?

Donald Clinton: This is just a lot.

Ralph Vigliotti: I know that, but you're talking about a phasing, which my gut says the parking garage in that south lot is not going to happen. That's my gut, and I hope we reach a point of honesty here whether or not that parking lot is truly going to be phased in, and how many years down the road? I have the suspicion that with all of the ground work and site work that you are putting in place, with landscaping and ingress and egress, that you are not going to waste hundreds and thousands of dollars to five years later put in a parking structure. So what I would like to see, and I think the board would like to see, how are you going to when you phase that parking structure in, if you're

going to do that, I'd like to see how the flow of traffic is going to take place onto the campus.

Donald Clinton: We should provide that, and if it is not adequate in the EIS now, we will provide more information. To answer your question, we did investigate the plausibility of investing and building the footings for the garages as part of this construction. It's not cost effective; this is a big project for the hospital to undertake the entire Emergency Department project as it is. It's funded not by developer but by the hospital itself. So this is an ordinary surface parking lot. It's a lot less expensive than structured parking and the idea of getting ahead of ourselves by building the footings was really not a practical option. But the intention when the garage is built, if you see in the plans here, most of this area becomes buffered here; the garage plan in that Alternative III. This is the drawing that is in the EIS, which essentially is tracking down. When the garage is built, this area here becomes landscaped. In other words, the width of the structured parking is more compact than the surface lot. In a way one of the pluses of doing the garage will be that we are able to come in at I believe 60 feet. A fully 60 feet from St. Marks. That's, I think, one of the good things about – in general, of course, the garage doesn't allow us to landscape the whole site much more extensively than it is today. So to answer your questions, there is no doubt when you look at this as a stand alone project it's a lot of money.

Ralph Vigliotti: I guess my common sense says why are we putting or why are you putting in several hundred thousand dollars into the surface parking? With all of the infrastructure that is required for the surface parking knowing those three to five years down the road, you're going to put in a parking structure. Why would that parking structure be part of Phase I, and the north structure take place later? The orientation of the hospital is that parking lot. The actual Emergency Road – I see the shift.

Donald Clinton: There is, if you see the way the hospital site is used today, the preponderate bulk of the parking is in the north end today. The out patient activity is in the north end, and obviously when the medical office facilities are built, that activity will increase. So the reason the garage is in the north end, and it's obviously something we'll have to flush out, as you phrase, is because that's where the demand is the highest by the time Phase I is complete. What we're doing here is essentially trying to take advantage of a more rational surface parking layout to try and get the best amount of parking you can here in a good layout, but it's a lot less expensive than building a structure. And the balance in terms of demand is better met by this in this first phase. At least in our analysis it was, and we'll have to do the back up to show you that.

Ralph Vigliotti: We'll discuss that later. Thank you.

Donald Clinton: Just to finish this little overview, the next step in doing the Emergency Department is the moving back; turn around that's part of the Emergency Department today that is the foot print in fact of the expansion that occurs here that has Emergency Department on its ground floor. And then there is some additional landscaping that occurs at that point. Most of it has already been completed as part of the first phase. So, I didn't bring every drawing in the set. The purpose of tonight wasn't to really do a detailed examination, but we will file the drawings that go with these other two phases and additional grading and utility plans that are normally part of the site plan review, and review that with the board as we go through the process.

Stanley Bernstein: What will happen with the existing Emergency Department when the new one is under construction?

John Partenza: That will operate as the ER.

Stanley Bernstein: How are you going to build the building on top of the Emergency Room?

John Partenza: It's not on top, it's in front of.

Stanley Bernstein: In other words it will be completely operational the way it is today. Ambulances will be able to get in?

John Partenza: Yes, but they'll be a different entrance, because we're going to be building in front of the entrance. We'll be building a temporary entrance into the existing space, and that's why we're doing it this way, so we can maintain the ER.

Donald Clinton: There are complications even beyond the level that I've shown you just to get this done, obviously. It's a pretty critical part of the hospital's operation.

Chairman Cosentino: Anything else?

Nanette Bourne: I think there is a challenge in reviewing these in terms of your proposed project and your preferred alternative. I am assuming that this is drawn as a sub-phase of your preferred alternative, not of your proposed actions.

Steven Barshov: That's correct.

Nanette Bourne: And you don't have any discussion of the Emergency Department as a sub-phase of your proposed action?

Donald Clinton: Not as a site plan application, nor as a stand alone site plan application.

Nanette Bourne: So your EIS need to reflect this set of drawings in your Alternative III.

Donald Clinton: Yes.

Nanette Bourne: And it has to be consistent.

Donald Clinton: Yes, the EIS Alternative III in this should be consistent, yes, that's the intention.

Nanette Bourne: So we can check to see consistency for entrances and exits. Some of your parking scenes – I was trying to follow it in your phasing plan with your Alternative III, and we should probably walk through to make sure that that –

Donald Clinton: Absolutely. We heard that you raised some issues like that; we just took a look ourselves and couldn't see anything right away.

Steven Barshov: And I think Nannette, there has been some evolution in the site planning simply because of the accelerated process to get that site planning in, and so when we come back to you with our revised PDEIS in the terms of Alternative III, that gap to the extent that there is any, will be closed.

Chairman Cosentino: Whitney do you have anything, Nannette, are you all done? Anthony?

Nanette Bourne: And change these so that it gets reflected as Alternative III.

Chairman Cosentino: Any board members?

Doug Hertz: You are essentially shifting completely to Alternative III. So, Alternative III becomes –

Steven Barshov: The simplest way I think of understanding this is... I think of viewing it as...

Doug Hertz: I understand. I just want to be clear.

Chairman Cosentino: Nannette, when can I schedule them?

Nanette Bourne: As truly planned, they will be on the agenda for the board to look at some preliminary completeness comments the first meeting in May, which is May 8.

Ralph Vigliotti: I know early on, three, four years ago, and I can't keep up with the time line, you had a model. I know it was cumbersome to bring it up in parts and kind of fit it together.

Steven Barshov: We're actually going to take a picture of it and give you a power point on it.

Ralph Vigliotti: If you could update it. Things have changed dramatically since you put that together. Flat surface parking and the shape of the building, and the proposed parking structures and so on. There might be at least two members of the board who did not see the original piece.

Chairman Cosentino: This guy is making money tonight and he doesn't even know it.

John Partenza: If you give us an artistic license here.

Chairman Cosentino: So let's put them on the agenda. We don't have the other group on the agenda, so let's put them on the agenda for the 8<sup>th</sup>. Thank you. Okay the only last

thing on the agenda is correspondence, minutes of the Beautification, Notice of a Public Meeting with Metropolitan Transportation Notice of Comment.

**Motion to Adjourn: Ralph Vigliotti**

**Second: Stanley Bernstein**  
**Aye: Sol Gibbons**  
**Aye: Doug Hertz**  
**Aye: Chairman Cosentino**  
**Aye: Stanley Bernstein**  
**Aye: Ralph Vigliotti**

Meeting adjourned at 8:55 pm.

Respectfully Submitted By,

Stanley Bernstein  
Board Secretary