

**Minutes  
Meeting of the Planning Board  
Regular Work Session  
Village/Town of Mount Kisco  
Tuesday, October 14, 2008**

Meeting called to order at 8:05 P.M. at the Municipal Building Mount Kisco, New York.

**Members Present:** Chairman Joseph Cosentino  
Vice Chairman Anthony Sturniolo  
Stanley Bernstein  
Sol Gibbons  
Joseph Morreale

**Members Absent:** Doug Hertz  
Ralph Vigliotti

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

**Public Hearing:** Northern Westchester Hospital  
400 Main Street  
PB2003-02C

**Present: (Northern Westchester Hospital)**

**Joel Seligman, President and Chief Executive Officer,  
John Partenza, Sr. Vice President & Treasurer  
Michael Caruso, Vice President - Facilities  
Chris Shopinski, Director, Maintenance and Project  
Management  
Robert Marcus, MD, Emergency Room Director  
Peggy Hardy, Emergency Room Department  
Scott Blakely, Sr. Vice President, Principal Landscape  
Architect, Insite Engineering**

**From the Public:**

**Pat Reilly, 100 Woodcrest, Mount Kisco (former  
Mount Kisco Mayor)  
Richard & Pat Viscenti 18 Charcoal Ridge Road W.,  
New Fairfield, Connecticut  
Steve Grayson, MD, 22 Pine Hill Ct., Briarcliff  
Matt Jacobson, 32 Petersville Road  
Carola Bracco, 69 Beverly Road, Member, Board of  
Directors, Northern Westchester Hospital  
Diane Columbo Conte, 57 Park Avenue  
Skip Beistel, 249 Byram Lake Road  
Brian Skanes, 6 Laurel Drive, Mount Kisco, member  
of The President's Council and Executive  
Director of the Boys and Girls Club of Mount  
Kisco  
Mel Berger, former Chairman-Community Relations  
Committee, Drug Council and various other  
agencies.**

Chairman Cosentino: This application has been before us for over two years. The application was hard hit. The hospital has more than participated in doing the right thing. The Village Planning Board members have done the right thing. Mayor Cindrich has been on top of this right from the start. He knows as much as we know about it, and he likes the idea. With hospitals closing down, we are lucky enough to have our hospital here in the Village of Mount Kisco keeping the quality of life going. The new Emergency Room and parking garage is all for our residents. The plan is to complete the Emergency Room first because that is what is needed the most. Being a member of the Ambulance Corp., when I bring patients to the hospital I have to put them in the hallways; there is no room. Later on, the parking garage will be complete and during construction there will be other measures taken to accommodate the staff. There will be no construction on Boltis Street, or St. Mark's Place. We wanted to keep the residential area residential. We made sure of that. I can guarantee that because I live on Boltis as well. There was concern from the neighbors about it. To complete this

project and make it right they are spending millions of dollars. Our planners have been great during this whole program. SEQRA is mandatory and tonight if you stay you will see the process. Do not think of this as causing traffic jams. Think of this as an added feature to the Village of Mount Kisco in which we could be proud. I repeat it again; we will not touch the residential areas.

Vice Chairman Sturniolo: The Planning Board made a commitment to Joel Seligman and his staff that anytime the hospital has material for us to review, whether it's a regular meeting or a special meeting, we will accommodate the hospital on any agenda. So far we've had a couple of special meetings to accommodate the hospital. The Planning Board totally understands the priorities of the hospital, the loop road phase, the Emergency Room, the parking structure and the front entrance treatment. The Village has been behind it 100%. The Mount Kisco Government leadership went to their counterparts in New Castle, asked for help and support in accommodating the hospital's needs for temporary parking while this construction is taking place. This has been a good, professional, intelligent relationship between the seven members of this board and the hospital. We realize the importance of it and we're not going to allow any bureaucracy or red tape to bog us down. We know the outlying plan of the hospital, they know our plan and we are going to follow procedure. We have worked together in a very cooperative spirit with one goal in mind, and that's called accomplishment.

Chairman Cosentino: Joel Seligman, CEO, John Partenza and Mike Russo and a few other people who are here tonight put their heart into this. They didn't want to do anything to get anybody upset with the surrounding area. We had special meetings with them that we don't normally have concerning this. I think soon we'll be at the end of it, and we welcome any questions from anyone this evening. We will answer as best as we can.

Whitney Singleton: For the benefit of the public if they are not already aware, there are certain components of the hospital's application that require a public hearing. Incidentally, the site plan does not require a public hearing, but one is required for a permit to disturb sensitive natural areas; in other words, steep slopes on the property. A public hearing is also required for a special permit for the parking structure. For the Emergency Department, a special permit is not required. The applicant is proposing a parking structure that will straddle two properties in the hospital in the hospital zone district and the general retail district. That will additionally require a zoning modification for which a petition has been submitted to the Village Board. But for purposes for tonight's public hearing, the board is here to entertain any comments, questions or concerns for the steep slope permit and for the proposed parking structure.

At this point, Ms. Reilly, Dr. Marcus, Mr. Jacobson, Ms. Bracco, spoke in support of the project.

Diane Columbo-Conte: Will the parking be public parking for the stores?

Chairman Cosentino: The parking will be the same in the back as you see it now, expect you'll be able to see the parking garage.

Diane Columbo-Conte: And is the garage general public parking?

Whitney Singleton: There is a portion for each.

Michael Caruso: The stores will remain, and there will be adequate parking for each.

Joel Seligman: I would just like to look back on the last couple of years. It has been long collaborative effort for both our staff and the Planning Board. Our goal is to make this the best quality hospital it can be. It's about being a great quality hospital, not a big hospital. We are never going to be a much larger hospital. We're concerning ourselves with making the quality of what we do there and the environment excellent across the board. The Planning Board really helped us create The Cancer Center and Wellness Center. The ribbon cutting is October 22, and you are all invited. That is the kind of space we think healthcare should be providing. The biggest space problems we have the hospital are Emergency Department and parking. These are everyday concerns. This has been a really positive collaboration because the plan we have today, the end result, is much better than the plan we came in with; and that's because of the give and take we've had with the Planning Board. I am particularly grateful to the Chairman, Vice Chairman and Mayor including the rest of the Planning Board. It takes a while to get this done, but it's going to be there for decades, and it will be a facility that will be worthy of the kind of care that our professionals provide. Thank you.

Mr. Beitsel then spoke in support, as well as Brian Scanes, Ms. Hardy and Mr. Berger.

Stanley Bernstein: Since Peggy (Hardy) is here, I would like to give her very special thanks. My family has visited the Emergency Room many, many times. Unfortunately, I found myself at the Emergency Room of Weil Cornell Medical Center, which happens to be an excellent hospital. I was very satisfied with my operation, the staff and doctors. The Emergency Room for this large, midtown hospital on the east side was horrendous. I was there for 13 hours. The last time I was at the Emergency Room at Northern Westchester, not only was everyone pleasant like family, but they were competent. I had the right doctor for everything that was wrong, and they did a magnificent job. I hope this expansion will accommodate more people, but continue to stay the way in excellence. I thank you all from the bottom of my new, bionic heart.

Joseph Morreale: I wanted to add my voice to this. I am a newcomer to the community; I've only been here for 18 years. Listening to the longevity of all of you, three generations, is great. One of the things I've been really struck by in working with the hospital on the various projects they've come in with is the foresight that they have in anticipating what the community needs. That is very encouraging to me as I tend to think like a planner. Being in academia, the field I study is health care, so it's been interesting for me to both watch how well they do what they do as well as support the efforts they've been bringing us. Also, the professionalism they've shown is superior. I don't think I've run into a healthcare institution of this quality. I feel we're in very good hands, and it's been a pleasure to support you in all your efforts. Thank you for what you've done, and we'll continue to work together.

Sol Gibbons: I have been a volunteer at the hospital for the last 20 years, and I know the kind of care they give is extraordinary. I'm glad to see the people here are in favor of this project. It's been a long time coming and very important. I spent Labor Day on a gurney in the corridor of the hospital with a kidney stone for about four hours. The care I received was unbelievable; from the doctors down to the man who wheeled me for the CT scan. I appreciate everything the hospital does for this community and I wish you the best and I'm sure we'll see a great job done in the very near future.

Nanette Bourne: To focus back on the subject of the public hearing tonight, it is in response to the Natural Resource Disturbance Permit as well as the Special Permit for the parking structure. It is your choice to close it or keep it open for written comment for ten days.

Chairman Cosentino: I want to close it and keep the process going.

**Motion to Close the Public Hearing on the Permit to Disturb Sensitive Natural Areas including the Parking Garage for Northern Westchester Hospital Center and to Keep the Written Comment Period open for 10 Days**

**Motion: Vice Chairman Sturniolo**  
**Second: Joseph Morreale**  
**Aye: Stanley Bernstein**  
**Aye: Sol Gibbons**  
**Aye: Joseph Morreale**  
**Aye: Vice Chairman Sturniolo:**  
**Aye: Chairman Cosentino**

Nanette Bourne: If you will notice on page two of your agenda under SEQRA, there is another item for Northern Westchester Hospital Center. Did you want to combine this?

Chairman Cosentino: Yes.

Nanette Bourne: The applicant had submitted an expanded Environmental Assessment Form two months ago. There were comments provided to the applicant regarding areas that needed to be further developed and explained on the re-organization of the EAF, and they re-submitted their Environmental Assessment Form with the additional information, and for the most part made the changes that had been recommended by staff. There have been comments provided by the State Historic Preservation Officer regarding the need for further cultural resource work, and I believe that letter is included in your packet. At that time some additional work needs to be done, but not at this time for this project. There was another piece of correspondence from New York City DEP having to do with water and sewer capacity and demand. I believe the applicant was given a copy of the DEP letter and that may be an area of discussion for tonight. I bring that up because one of the actions that need to be taken to move this down the road is for you to make a SEQRA determination whether or not you feel that the information contained in the expanded EAF is adequate for you to conclude that

there are no significant potentially adverse impacts. If you don't feel that way, if you feel there needs to be some modifications, you should let the applicant know if you feel that because information that's contained in here raises your concern that there might be potentially adverse impacts, which would lead you to make a decision on having an Environmental Impact Statement prepared. It's up to you. Had it not been from the letter from DEP which I think deserves some discussion. Maybe the applicant can go ahead and address some of those issues before you go ahead and make a decision on SEQRA determination.

Scott Blakely: Our office met with the DPW and town engineer a number of years ago and discussed the sewer and water issues for the project. Our mechanical engineers have put together some projected anticipated flows from the new addition, and they're looking at about 7,800 gallons a day. Currently the hospital uses 66,000 gallons a day on average. This is information that was supplied by the water department. The 78 is a design flow. We would anticipate that the overall flow from the hospital would be less based on the fact that we're moving some facilities from the existing building into the new, so the total usage is projected to be about 74,000. We used a conservative number when we put together those numbers. We anticipate it being less just based on actual flows. We met with the water department, and the town engineering consultant at the time discussed capacities within the Village. At that time they felt that there is enough capacity for a tie into the water. There were some issues with regard to the sewer. I understand that during certain rainfall events the downstream sewer on the Moore Avenue section contributes. There is a section on that which gets overtaxed just due to inflow and infiltration (I & I) into the system. It was requested that we take the sewer connection from the new addition and run it to Main Street and bring it down the other way into the larger sewer main. It ends up in the same location, but the capacity in that line is much greater than the other line. That was the one change that we made based on comments from the engineering department. We also picked up some additional flow from the existing building, so we could relieve some of the issues off the Moore Avenue sewer. It comes around the other side and doesn't go to Moore Avenue. It ties into the Main Street sewer and runs to the south.

Anthony Oliveri: These questions were brought up very early on, and Scott is correct about the rerouting of the sewer and the water capacity. Those are things we will continue to look at as we complete our site plan review.

Scott Blakely: We did work through the process with the Village, and the consultants at that time were satisfied with our proposal. We can work through the final details with Anthony.

Nanette Bourne: Since that was not included in this, I would recommend that if you are ready to vote on this tonight, you do so subject to that explanation being written up and appended to this.

Whitney Singleton: Scott, as part of your explanation, you're saying that it will reduce the I & I?

Scott Blakely: We're not going to reduce the I & I but there is an I & I issue. We are going to be reducing the sewer flows to that section of the sewer and we're bringing them back the other way.

Whitney Singleton: In your EAF are you going to calculate the additional sanitary sewer capacity demand? We have limitations as to what we can pump from the pump station and I think what New York City is inquiring about is the impact that this development is going to have with regard to the capacity of the village to pump.

Scott Blakely: We can include some information in our response. We had done some investigation work with the engineering consultant at that time.

Whitney Singleton: But it would be roughly analogous to what the impact you have on the water supply as well?

Scott Blakely: That's correct.

Chairman Cosentino: My understanding is that right now the sewer goes out to Moore Avenue, down Moore, west across the river and down to the pumping station. You're going to split that up now. Less is going in that direction and you're going to Main Street and pumping into the Main Street line which is a larger line.

Scott Blakely: Correct.

**Motion Regarding the SEQRA Determination that it will not have any Significant Impact Subject to the Subsequent Report Regarding Sewer Flow and Water Consumption as Presented Tonight, Modified in the EAF, Predicated on the Presentation made by Scott Blakely Tonight.**

**Motion: Vice Chairman Sturniolo**

**Second: Joseph Morreale**

**Aye: Sol Gibbons**

**Aye: Stanley Bernstein**

**Aye: Joseph Morreale**

**Aye: Vice Chairman Sturniolo**

**Aye: Chairman Cosentino**

Whitney Singleton: I just ask the applicant make those modifications, and make sure Nanette sees them before they are submitted to you.

Nanette Bourne: Just to repeat, the letter from DEP that was received today regarding the vegetation still needs to be addressed and will be addressed as part of the landscape plan during the site plan review.

Chairman Cosentino: Right. I would like to thank everyone coming out this evening for their concern. I would like to thank the hospital staff for coming out as well.

**Formal Application:**

**280 East Main Street LLC (Getty Station)**

**280 E. Main Street**

**PB2008-22**

**Present: Chris Thomas, Manager, Montgomery Distributors, LLC  
Joseph Fedele, Operator**

Chairman Cosentino: They are here for a canopy to accommodate his customers for fueling their own cars.

Chris Thomas: This is our station now as it exists. As you know, we've done a lot of work on the site. We've repainted, re-landscaped it. We took over the site on May 1. This is not the picture of what we have; this is the picture of what we want it to look like. We took over for Getty Petroleum. I represent 280 East Main Street, LLC, and we supply the gasoline to the station through a subsidiary of Montgomery Distributors. We've done a lot of work on the site; repainted, re-landscaped, put two brand new trees out on the sidewalk. The old ones had died and been removed and never replaced. We took down the signage that was here and put a more colonial style AZEK trim board around to make it look more like a small town gasoline station. We propose to put a pitched roof single canopy over the existing gasoline station islands with a colonial style fascia that will fit the neighborhood. No signage, no colors. It will be strictly white with a gray style shingle that matches the church, the funeral parlors next door and most of the houses next door. We have gone before both the zoning and Architectural Review Board. The Architectural Review Board has accepted all of our color schemes and the existing pole sign that once the new signing ordinance is adopted, we'll go through that process. The zoning board, I believe has given us a tentative okay based upon coming to the Planning Board.

Vice Chairman Sturniolo: What did you request of the Zoning Board?

Chris Thomas: It was a zoning variance for a setback on the property from the street for the canopy.

Vice Chairman Sturniolo: Whitney and Nanette, is it normal that you go to the Architectural Review Board, get approval and then come to the Planning Board?

Chairman Cosentino: The ARB sent it back to us for review. We didn't call for a conceptual because the process is started already with the ARB.

Whitney Singleton: Right now this application requires approval by more than one board, so we have the issue of who is going to be lead agent under SEQRA. The Zoning Board chose to entertain the application is voiced to favorably act; however, they recognize that they cannot act under SEQRA until a lead agency makes it's determination of significance. They are adjudicating that role to your board, and they

are waiting to hear back from your board as to what you're going to do with this application and what conditions that they would like to see incorporated into a resolution of approval from the Zoning Board should your board act favorably upon this application. The Zoning Board is awaiting the determination and recommendations by your board. Why the Architectural Review Board has acted, I can't comment on.

Chris Thomas: In my write up to the Zoning Board, our main reason is to provide shelter for both the customers, Mr. Fedele's attendants, and to provide better fire suppression for the customers there. Right now the fire suppression that is there is just directed down to the top of the pumps, and it does not really provide protection to the customers and their cars, whereas the new canopy will. Everything will be up inside the canopy. It won't be seen from the street. The lighting that is there now will be replaced with flush mounted lighting in the canopy which will actually provide less light coming off the property. Ground water will be diminished because that water will be collected and taken off the property through the sewer. It's not going into the sewer.

Chairman Cosentino: It's going into the storm drains because in your application you put sewer.

Anthony Oliveri: Is there a storm drain close by connected to an existing connection?

Chris Thomas: I believe so.

Anthony Oliveri: You need to verify that.

Chairman Cosentino: If there is no existing connection in the front you need to make one.

Chris Thomas: Okay, that's not a problem. That's basically it.

Chairman Cosentino: The drainage was one issue, that's basically it, unless anyone else has anything to say.

Stanley Bernstein: On the drainage, are you having built in gutters around the facia?

Chris Thomas: The roofing will come down behind this and the gutter system is behind this. It won't be seen.

Stanley Bernstein: And what about the leader pipes?

Chris Thomas: The leader pipes will be inside the roof of this, the ceiling of this and they will come down inside the columns.

Anthony Oliveri: It looks like the nearest storm drain might be at the corner, so if there is an existing connection.

Stanley Bernstein: This was called the Triple L Station at one time?

Joseph Fedele: Yes.

Joseph Morreale: Are you reducing the number of bays to two?

Chris Thomas: No. This is a picture of one of our sites in East Hampton, New York, where we added the canopy.

Joseph Morreale: But it's going to look like this once it's finished?

Chris Thomas: Yes, except this one does not have this facia. The colonial style facia will be around here.

Joseph Morreale: So we're going to have the same volume of activity there?

Chris Thomas: Yes.

Joseph Morreale: Is it a 24-hour station?

Chris Thomas: No. It will not be.

Joseph Morreale: So will the lighting at night be turned off?

Chris Thomas: It will be turned off when the station is closed down. As it is now with the existing lights.

Joseph Morreale: And you mentioned trees? Where?

Chris Thomas: The two trees we replaced are right on the Village property by the sidewalk.

Stanley Bernstein: What kind of tree is it?

Chris Thomas: It's a cherry tree. We spoke with the young lady in the Building Department and she said she'd like to see cherry trees, so that's what we put there.

Joseph Morreale: Are you going to remain a Getty Station?

Chris Thomas: As of right now, yes.

Vice Chairman Sturniolo: Did you need any permits when you did the entire cobblestone changing?

Chris Thomas: No.

Vice Chairman Sturniolo: So what you changed matches the existing site plan?

Chris Thomas: Yes. We haven't made any changes to the site plan.

Chairman Cosentino: How did you put lines for parking spaces on the gravel?

Chris Thomas: Those are just proposed parking spots.

Chairman Cosentino: You have to eliminate them. If you want to put in parking you have to come back before us.

Chris Thomas: Okay, we'll eliminate them. We put that there just in case you guys wanted to eliminate some of the parking out in front of the building, we would push it to the back.

Vice Chairman Sturniolo: Take a look at the new proposed lighting guidelines for the Village. They are going to be adopted, and we've asked people to modify their lighting to match the new lighting codes for all new applications. If you look at your photometric lights plans there are a few spots where you far exceed the foot candle count. You can get a copy of the code from Whitney or Nanette. There are specific references to gas stations and canopies and full cut off fixtures in the fact that these are recessed lighting fixtures; so that addresses the full cut off issue. You may want to think in terms of changing to LED lighting. Besides saving you a lot of dollars in unnecessary light, you'll be able to also reduce the amount of foot candles. But you need to take a look at the foot candle count.

Chris Thomas: We did speak to our canopy supplier, and he did bring up that fact that they are doing the LED lights now, and we would be okay with going with LED and get down below the numbers.

Vice Chairman Sturniolo: Then you'd have to redo your photometric lighting plan because there are a couple of spaces where you're around 26 or 27 foot candles in and around the canopy, and then somewhere along the lot line you're at zero. Take a look at it with the new code because the maximum foot candle is five. There is a thing called a uniform ratio, which is four to one, which is the brightest to the dimmest area. It should be in that four to one ratio. Get a copy of the code and make your adjustments.

Chairman Cosentino: I have to say that most of our stations today have the canopies. I think it's a needed thing, and because of the price of gas and the economy, it's well needed.

Whitney Singleton: Someone now has to assume the position of Lead Agency. The Zoning Board cannot act until SEQR has been complied with. The Zoning Board has no issues with them, and they gladly apply that role to your board. I sat at the Zoning Board meeting where the applicant went before them, and I said I would relay it to your board. I apologize you don't have this in writing, but there was some concern by the Zoning Board as to how close this was to the front property lines, literally on the sidewalk, but when asked whether it could be moved back, we started to see that the

feasibility of this gets diminished significantly. It's not covering the person getting in and out of the car.

Chairman Cosentino: We took some measurements the other day, and if you move it, the structure doesn't look like it's there anymore.

Whitney Singleton: So the Zoning Board basically said in this particular circumstance, they would defer to the Planning Board on the SEQR review, and they would actually welcome any comments or conditions that the Planning Board thinks would be appropriate with incorporation of eventual resolution.

Chairman Cosentino: The only condition that we have is to remove the parking on the final site plan.

Anthony Oliveri: Also indicate that you're going to the storm drain.

Vice Chairman Sturniolo: How will this play out with them changing the photometric lighting plan?

Nanette Bourne: This isn't site plan approval. This is just SEQR. The photo metrics is not a SEQR issue. They still have to come back to you for approval of modified site plan with the revised photo metrics. Before you come back to us, you need to get your variance.



**Motion to Declare Mount Kisco Planning Board Lead Agency for SEQRA with a Determination of Significance:**

**Motion: Stanley Bernstein**  
**Second: Joseph Morreale**  
**Aye: Sol Gibbons**  
**Aye: Vice Chairman Sturniolo**  
**Aye: Stanley Bernstein**  
**Aye: Joseph Morreale**  
**Aye: Chairman Cosentino**

**Formal Application:**

**Matthew Jacobson**  
**40 Heathcote Drive**  
**PB2008-21**

**Present: Matthew Jacobson, Purchaser of Property**  
**Ed Devitt, 40 Heathcote Drive, Neighbor**

Chairman Cosentino: This is for a minor lot line change as we've done many times before.

Matthew Jacobson: About ten years ago I built a swimming pool, and I have kind of an informal easement from Ed. I put up some major series of trees, here and as a buffer. Now Ed is selling his house, and I don't know who is going to buy it, so I'd like to buy it from him to protect my buffer. Nothing is going to change, there is going to be no disturbance.

Whitney Singleton: A lot line change is a subdivision. It's entitled to a review procedure. If you have an expedited review you can follow that. It is, nevertheless a subdivision. I think you should have an analysis done by the Building Inspector as to compliance to the zoning.

Matthew Jacobson: We did that. We spoke to Mr. Cassidy.

Nanette Bourne: I think for the record we need to have it in writing. It doesn't slow down your process.

Whitney Singleton: I'll have to look at this closer. I see that you have the zoning conformity chart but in your application you put "not applicable" on everything. I don't know what the Building Inspector is going to think about that. So, you're seeking to incorporate a portion of Mount Kisco.

Matthew Jacobson: My portion of Mount Kisco. My swimming pool is in Mount Kisco; my house is in Chappaqua.

Whitney Singleton: I don't foresee any major difficulty, but I will want to meet with the Building Inspector just to try and figure out what impact it has on the New Castle side.

Matthew Jacobson: There is no New Castle involved.

Whitney Singleton: Right, but you are affecting a lot which is within the Town of New Castle.

Matthew Jacobson: No I'm not. It's totally in Mount Kisco. Ed's property is entirely in Mount Kisco.

Whitney Singleton: Aren't you appending to your parcel a piece of land in Mount Kisco?

Matthew Jacobson: Yes.

Whitney Singleton: And your house is in the Town of New Castle.

Matthew Jacobson: My property is in both.

Whitney Singleton: I understand we need to have an analysis done by the building inspector, even if you've already talked to him. For example, if we were entirely outside of Mount Kisco here, which we're not, I know that you could not do this if you had a septic system on both properties. You couldn't do the opposite of what you're doing.

You could not give part of your land in New Castle to your neighbor, but you're seeking to have your neighbor give you part of his land in Mount Kisco.

Matthew Jacobson: Right.

Whitney Singleton: I need to go through this a little bit more thoroughly. Generally speaking when you're doing a lot line change like that, for example if they have a septic system, DEP is not going to allow you to modify your lots without making sure that there is an adequate expansion area for your septic system. I have to make sure that there are no similar constraints applicable to Mount Kisco. The only way that I can do that is to have a memo in front of me from the Building Inspector saying he doesn't see any issues.

Matthew Jacobson: Okay. This has to be approved by the Westchester County Board of Health, also.

Whitney Singleton: Yes.

Joseph Morreale: What will be the size of your lot once the change is made? How many acres are we talking about?

Matthew Jacobson: I also own Lot 20. This lot is a total of 1.6 including the Chappaqua part, and this is approximately .17.

Joseph Morreale: So it would be about 1.8. What is the zoning?

Matthew Jacobson: One acre.

Joseph Morreale: But you own two lots.

Matthew Jacobson: I bought this as one lot. When I bought this lot it came this part in New Castle and this part in Mount Kisco from the Mount Kisco Country Club. I also own this lot, which is also buffer, but that is totally in Chappaqua, and it's not a building lot.

Joseph Morreale: I was driving at the addition of this won't run against whatever the zoning is?

Matthew Jacobson: It's minimum zoning.

Chairman Cosentino: We will put you on another agenda after we hear from Whitney and Austin and have more information.

Nanette Bourne: Did you submit an EAF on this?

Matthew Jacobson: I don't think so.

Nanette Bourne: Call Nancy Placona. She will give you a form to fill out and we will discuss this at the next meeting.

Whitney Singleton: You need to have an analysis done by the Building Inspector for compliance with our zoning law.

Whitney Singleton: Mr. Jacobson, you said in your existing parcel you combined two lots into one?

Matthew Jacobson: It was purchased as one lot. It so happened to cross the town line about 18 years ago. I purchased this from the Mount Kisco Country Club. I'm on Petersville Road, which runs parallel to Heathcote.

**SEQR:**

**Westchester Residence and Club  
Kisco Avenue  
PB2006-19**

Nanette Bourne: Westchester Residence is on the agenda because they submitted their preliminary final Environmental Impact Statement, so tonight you are to acknowledge receipt of it. For the next meeting we will have a review letter. It wasn't the idea that there would be any discussion tonight. At the request of the mayor and the village attorney, I attended a meeting at Westchester County with Deputy Commissioner Ed Burroughs, Patrick Hewes representing the applicant and John Saccardi. It was in

reference to a letter that was written by Westchester County. The purpose of the meeting was to discuss any outstanding items, any issues that the county had with regard to the project and whether or not there were any things that the applicant could discuss with them concerning the county issues. The county basically did not have any issues. They felt they had been briefed by the Mayor about the purpose and how the project came about. The three or four items that were brought up in the county letter were really very little to discuss. The meeting lasted maybe 30 minutes, and it was a stretch to find 30 minutes of discussion. I explained to them that I was not there as an advocate for the project, just to explain any aspects concerning the process, zoning and what the Planning Board's role was.

**Special Discussion:**

**Final Illumination Guidelines:**

Vice Chairman Sturniolo: Whitney wrote a letter to the mayor, attached a copy of the illumination guidelines and urged them to get it on their next available agenda.

Chairman Cosentino: Whitney, can you make sure they can do this as soon as possible?

Whitney Singleton: If this letter is fine, I'll make sure to forward it tomorrow.

Chairman Cosentino: It's fine. Let's get it processed.

Whitney Singleton: There was a recent staff meeting on the proposed sign ordinance. There was a petition circulated by a number of people in the business community that were voicing objection in today's economic downturn as to the cost associated with becoming compliant with the proposed sign ordinance and the amortization schedule. The Village Board will be considering this Thursday night the possibility of extending the amortization schedule for becoming compliant with the new sign ordinance. We had adopted an amortization schedule based upon the old sign ordinance. I presume that the board wants it forwarded as is with the understanding that there may be tweaks along the way. I wanted your board to be aware of a potential new direction going with the amortization of the sign ordinance.

Chairman Cosentino: I could see why they want to do it.

**Correspondence:**

Minutes from the Beautification Committee dated September 10, 2008

Letter from John Drake

Memorandum from James Palmer re proposed re-zoning of 262 Main Street.

Chairman Cosentino: I spoke to you about that Whitney, and you said everything was okay on that.

Whitney Singleton: Right now we are still awaiting an EAF from the applicant, but as you pointed out, the question is whether or not they have the consent of the property owner for that application. When they come back to us with the EAF, we will verify the information.

Vice Chairman Sturniolo: Now that we received the DEP letter on the Sarles Estates, what does that mean as far as the calendar on the project? Is that a sign of progress or motion?

Nanette Bourne: The Sarles Estates was left in their court to come back. They were told the strategy would be changed because it's been years. They were told to come back in sort of a conceptual, pre-FEIS, to show the Planning Board how they were intending to address the concerns and the comments so that you could say how to address it. Then, they could present that as their revised project in the FEIS.

Vice Chairman Sturniolo: So the DEP letter really doesn't affect anything as far as time schedule of the advancement of their project?

Nanette Bourne: Not at all.

Stanley Bernstein: DEP can determine that their storm water pollution prevention plan is not good and tell them they can't do it. They've got 45 days for a determination. All that it is saying here is that it's complete, and DEP will let them know within 45 days. If they don't let them know, it's automatically approved by default.

Nanette Bourne: It's interesting that you haven't made a SEQR determination, and their protocol is to do our SEQR determination first, and then DEP can respond. I suspect this has been in the hopper for years.

Vice Chairman Sturniolo: Thank you.

As there was no further business, on a motion by Vice Chairman Sturniolo seconded by Joseph Morreale the meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Stanley Bernstein  
Board Secretary

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