

Minutes
Meeting of the Planning Board
Regular Session
Village/Town of Mount Kisco
Tuesday, May 13, 2008

Meeting called to order at 9:00 PM at the Municipal Building Mount Kisco, New York.

Members Present: **Chairman Joseph Cosentino**
 Vice Chairman Anthony Sturniolo
 Doug Hertz
 Ralph Vigliotti
 Joseph Morreale

Members Absent: **Stanley Bernstein**
 Sol Gibbons

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

Conceptual Applications:

Lexington Avenue Gym
342 Lexington Avenue
PB2008-09

Present:

Louis Loria, AIA, Atmosphere Design Group
Perry Verrone, Owner, Lexington Avenue Gym

Louis Loria: 342 Lexington Avenue is a building that recently had a fire and is in pretty bad shape. Right now there is just one occupant in the basement, a printer, and the building is not habitable for any other occupants right now. There are no lines on the pavements for the current parking that is there, it is just a blank macadam property line with no indication of how many spots are usable and effective. Because Perry's gym is a very specific type, one on one contact with personal trainers and clientele, we spoke to Mr. Cassidy about it and it's the right use for that area. We've outlined a parking plan on site plan that shows that the parking requirements are adequate for the use.

Chairman Cosentino: Because we need to figure out adequate parking for the complete building, what else is in the business?

Louis Loria: Lexington Avenue Gym is going to take the entire first and second floor and build out their space. We had planned on demo, but nature did that for us. It is now pretty much demolished inside. There will be a total of 12 trainers during peak operation of the business.

Chairman Cosentino: How many square feet do you presently have?

Perry Verrone: 2,400.

Chairman Cosentino: How many trainers do you have now?

Perry Verrone: At peak we have seven.

Chairman Cosentino: Now, you're going to how many square feet?

Perry Verrone: Almost 10,000.

Chairman Cosentino: And how many trainers will you have?

Perry Verrone: We'd like to have 12.

Chairman Cosentino: So that's 24 people, and there are 27 parking spaces.

Nanette Bourne: You have seven trainers in 2,200 square feet, and you want to get 12 trainers in 10,000 square feet?

Louis Loria: Right now it's incredibly tight, and they need more space. It's not the kind of training that you can do in 50 square feet. You really need to move around the whole facility.

Nanette Bourne: The code requires one space for each staff member and one space for every two clients at peak utilization.

Louis Loria: Then they have additional two parking spaces for support staff, and then there are three accessory offices approximately 600 square feet, which require an additional two. That's a total of 23, and there are 27 that are there, so there is a little growth.

Chairman Cosentino: How many total parking spaces can the parking lot handle?

Louis Loria: 27.

Nanette Bourne: Are you taking the whole building?

Louis Loria: Yes.

Whitney Singleton: This is where Apple Antiques was. It's a separate and distinct parcel. Is this a membership club?

Louis Loria: It's not like a gym membership. When I say I'm a member, I only mean that in a sense that I go there frequently. You buy blocks of time, essentially. So you have to purchase say, 10 half hour sessions, and when you're done with those ten sessions, you have to buy more.

Chairman Cosentino: I know it's the big brick building; there is another building next to it?

Perry Verrone: Yes. It's a separate lot.

Chairman Cosentino: So your parking lot is right in the back of it.

Doug Hertz: You said there was a printer in the basement? Will there still be a printer in the basement?

Louis Loria: Yes, and they're accounted for in the calculation. That's one spot, and we have a total of 23 including that additional spot for the basement. Again, we have 27.

Chairman Cosentino: What is the square footage of the building itself?

Nanette Bourne: The whole building is 10,000 square feet; they are taking the whole 10,000 square feet minus the basement.

Louis Loria: We are proposing to turn that building into a usable building, make it nicer and functional and the parking clearly complies. We have two handicap spots with a total of 27 including the total of two handicaps.

Chairman Cosentino: Was there some kind of a formula?

Louis Loria: Yes.

Nanette Bourne: What I'm grappling with is that it's looking a lot like gym.

Louis Loria: It's not a gym at all.

Nanette Bourne: I think what's happening, and I don't mean that in a disparaging way. But maybe it's a unique use that may appear to function a lot like a gym. Do you ever have groups?

Chairman Cosentino: There are no weights in here?

Louis Loria: Yes there is weight training.

Chairman Cosentino: What do you do differently than the MAC would do?

Louis Loria: It's not a membership. The biggest thing is the boxing. It's one on one training. It's not a classroom setting. You come in, you're with a guy, and he walks you through the whole facility working out with you and only you.

Perry Verrone: The biggest difference is the boxing. Half the people do boxing, maybe 25% do weight, and maybe another 25% do sport conditioning along with a trainer.

Louis Loria: But it's cross training. In other words, if you're interested in overall body conditioning, you'll do some boxing, you'll do some yoga or some other type of stretching exercises, so there is a lot of different spaces that are required. It's not your average working out facility. It's a one-on-one training experience.

Doug Hertz: You understand what we're grappling at here?

Louis Loria: Yes, I totally get it.

Doug Hertz: You're going to have 10,000 feet of usable, multipurpose training space, not calling it a gym, and 23 parking spaces. Another facility, another organization with that same physical plant would have 200 people in it.

Louis Loria: Yes, if was a gym membership.

Perry Verrone: We want to do the boxing the first half, then a wide open area where it would be all sports conditioning in the back half, and then upstairs have the weights and then have all the offices in the front.

Vice Chairman Sturniolo: You basically buy a block of time for X amount of dollars. The block of time is broken up into one hour or one half hour increments. You choose to spend half of that time doing boxing and another half lifting weights. So while you're doing your boxing, you're saying that trainer is a boxing trainer who is going to work with you on that subject and that subject alone, and then when you go to your other half and you lift weights, you're going to have a different trainer to do weights?

Perry Verrone: Yes. You've got it.

Vice Chairman Sturniolo: Are you going to have shower facilities and eating facilities.

Perry Verrone: Yes. Shower facility and a juice bar, which is being discussed.

Louis Loria: The important distinction is if you go to a gym, and you're a member, you're on your own. Nobody bothers you, you shower and you leave. This is completely different. You're with a trainer at all times, and it's very specific. This is the core of his business. People that go to his facility are not going to go the Mac. This is a completely different type of business operation. It's just a one on one training session. That's why it's more expensive. It's exclusive.

Vice Chairman Sturniolo: Where do you operate now?

Perry Verrone: Right next door.

Ralph Vigliotti: How many parking spaces do you have?

Perry Verrone: 14.

Ralph Vigliotti: And you have 2400 square feet there?

Perry Verrone: Yes. It's very tight.

Louis Loria: Part of his decision to take the whole space is because there are some business aspects of it where the owner wants to have this one tenant. It's part of the deal with the owner that he takes the whole space. Quite frankly, he doesn't need the whole space. He could probably do with 8,000 square feet.

Joseph Morreale: This is an interesting concept, and I'm dealing with the flow of people. What is the maximum number of people you normally have in your present facility?

Perry Verrone: Peak would be between 9:30 and 11:30. We could have six trainers going at once with six clients.

Joseph Morreale: How long does a typical client stay?

Perry Verrone: Usually an hour.

Joseph Morreale: And then you've got another six coming in?

Perry Verrone: Right.

Joseph Morreale: So there will be overlap, because the first group is probably going to take a shower and linger and then leave.

Perry Verrone: The morning women don't usually take showers. They are in and out right away.

Joseph Morreale: So the hour is fairly fixed.

Perry Verrone: Some do half hours, some do 45 minutes, some do the full hour. We sell blocks of all three.

Joseph Morreale: In watching the car flow; the requirement here is one space for two clients. If I've got 12 clients in there and 12 clients coming, I could need 24 spaces because there is going to be these overlap that could occur. Does this requirement meet your need, or do you need one space per client?

Louis Loria: Quite frankly, he hasn't had any problem with parking.

Perry Verrone: Austin suggested we make 45 minute packages, so we starting selling 45 minute packages to offset that about a year ago, and we have not run into any problems.

Joseph Morreale: If it's a one to one, that requirement is a lot bigger. We don't want to see a real jam up of cars like we've had in a couple of other places around town. Since it's so upscale and unique, what happens if you're not totally successful, and then decide to subdivide and use the rest of it for some other business, because you're going into 10,000 square feet here.

Perry Verrone: I hadn't planned on that.

Joseph Morreale: Well, I have to ask these questions. We're in a recession now.

Perry Verrone: I do roofing, but I don't do roofing out of there. I have no intention of doing anything like that.

Joseph Morreale: Are you in any other collateral business from this?

Perry Verrone: No. I have every intention of it working.

Joseph Morreale: Suppose this doesn't quite work, and maybe you can use 5,000 square feet, and the other 5,000 square feet becomes a gym to generate an increased volume of people to stabilize the business.

Louis Loria: Then we'd have to come back and discuss that.

Joseph Morreale: Yes, you'd have to come back and we would automatically see there wouldn't be parking.

Perry Verrone: When we were applying for this with Austin, he made it clear that this cannot be a membership gym.

Louis Loria: And actually it's very successful with this model. It happens to be working very well, so I think it has a chance of being successful. It's already successful to the point where the numbers look like it's going to work for him, and I think it's a good, unique type of facility that there is a demand for it.

Ralph Vigliotti: Be prepared; in the formation resolution as we move forward, there will be wording that will prohibit any kind of open gym versus a scheduled appointment with a physical trainer.

Chairman Cosentino: Also, when you make formal application, we are going to look at the condition of the parking lot and it will be your responsibility to line it and make it

look presentable as well as the front of the building with shrubs and trees. You will go before the ARB for that.

Whitney Singleton: Is this the existing layout of the parking lot?

Louis Loria: No. What you see there is proposed. When I first started explaining the project, I said there is no striping of any kind, and it's just an open kind of parking lot.

Whitney Singleton: You are aware that this doesn't comply with our code?

Louis Loria: No. I followed the guidelines right from the code.

Whitney Singleton: Right, but you should look at 110.28 as to the requirements, aisle widths, etc. If this is to scale, it doesn't appear as though the aisles are any greater than the parking spots themselves.

Louis Loria: No, it does. I beg to differ. Its 18 foot 6 and then 24 feet.

Whitney Singleton: I would suggest that you look at 110.28.

Chairman Cosentino: Make formal application, and we'll put you on the agenda after you do that.

Vice Chairman Sturniolo: Also, please come up with a business plan and an organization plan that shows peak utilization hours, parking, turn around time between one client leaving and another coming in so we have a clear, visual picture of the entire operation on a given day.

Chairman Cosentino: You're also going to need outside lighting.

Perry Verrone: Okay, thank you.

Conceptual Application:

**Mount Kisco Diner
252 Main Street
PB2008-10**

**Clifford Munz, Munz Associates
Lucille Munz, Munz Associates
Kent Johnson, Kent Johnson Architects
Mr. and Mrs. Frank Georgiou, Owner**

Clifford Munz: Good evening. In short, we have the Mount Kisco Diner, and Mr. and Mrs. Georgiou have purchased the adjacent property. We'd like to enlarge the diner; combining Lot #10 with Lot #9 so that we can accommodate some additional parking. We plan to go to the Zoning Board to get a rezoning on that. Lot 10 happens to be an OD, and the diner is over in a C2. But by doing that we're just intending to add some additional square footage to the entry for a new enclosed entry and then enlarge the dining room. Then we'll add the necessary parking to increase the size of the diner.

Chairman Cosentino: Is this going to be a banquet room for parties? The resolution will state that, there are no parties. I want to be frank with you.

Frank Georgiou: I would like to have this as a private room and open it up on the weekends when I'm busy and I could use the extra seating.

Chairman Cosentino: So it will be a banquet?

Frank Georgiou: Yes. Private parties.

Chairman Cosentino: Private parties. Music?

Frank Georgiou: Yes, music, maybe for the Lions Club.

Chairman Cosentino: Bar Mitzvah, Christenings?

Frank Georgiou: Yes.

Chairman Cosentino: What is the seating capacity going to be?

Clifford Munz: The expansion on the room will be 66.

Chairman Cosentino: You have a banquet for 50 people. 25 or 30 bring cars. Where are you going to put them? I know his business on a weekend now, and it's hard to get a parking spot there. Where are these 25 cars going to park if you're only providing 15?

Clifford Munz: The way I have been looking at this is that this is an extended dining room. This is movable seating.

Chairman Cosentino: The statement that was just made that it's a banquet room.

Clifford Munz: It is my understanding that it was not intended to be a banquet room; it is intended to be additional dining for the restaurant.

Chairman Cosentino: It's going to be a banquet room. Let's establish that. I will repeat my question. If it's allowed 66 people and half of them bring cars, where are you going to park those automobiles when you're only providing 15 more parking spaces?

Clifford Munz: I have to say the calculations I've been working with have been as a restaurant, which is a one per three.

Chairman Cosentino: This is only a conceptual, and the restaurant is good for the village. It's time now to find out where you can load and unload. It's been reported many times that trucks unload in front of the diner. Now that you're redoing this, you need some kind of an unloading platform back there.

Clifford Munz: Absolutely.

Chairman Cosentino: What other changes?

Clifford Munz: Kitchen stays the same; bathroom stays the same except for adding one fixture which is a toilet.

Ralph Vigliotti: Will you lose seats that are currently here now, booths, because of an entrance to this area, how many seats will you actually lose?

Kent Johnson: It depends upon how we do the attachment.

Clifford Munz: That which we lose in the connection we recoup here. So, when the overall count says plus seating, plus employees, that is saying that there was enough square footage for 72 people. However, I took away 12, so we're absorbing.

Joseph Morreale: You are going up 50% more in the space with the number of people that will be there, but you're not adding 50% of the parking.

Clifford Munz: A new construction only requires we put 75%, first of all if you get new square footage to begin with. Secondly, if we're going by patrons, we looked at it more than one way. We looked at it as if you were to tear down the entire building, rebuilt the whole thing, and we still had adequate parking, actually more parking than necessary. We also looked at it as if it's an existing building with an addition, being that the addition was by square footage we also do a square footage, and we end up with 64 spaces that we're proposing is better than 57 spaces, which is what it was if you took it by square footage. We also looked at it by the capacity method, which is one per three people. We end up with exactly the right number of spaces; 64 required, 64 provided. If we take the more stringent of them, the more stringent being the capacity method, we've got enough parking.

Joseph Morreale: I understand that statistically, but I'm also thinking about the present use and the volume of cars that come in here and how difficult it is, and you're adding a significant amount of space. Whether the numbers are there are now, I am a bit concerned. I'd never like to see a restriction of expansion. You really do have a wonderful place, but I am concerned. We've now raised two issues. One is the banquet room, and just the sheer proportional increase of 50% would suggest that you might need another 25 spaces, not 15. I am concerned, and I think we are probably going to want to look at some kind of traffic flow.

Chairman Cosentino: It's good that those eye sore buildings are coming down anyway. We will help you as much as we can. If you're having a party, cars are going to come in and stay there longer than somebody just coming and having a dinner and leaving.

Chairman Cosentino: Understand this is a conceptual, but you're going to have to work something out with parking. We have a responsibility and if there is an overflow, they are going to come back to us.

Vice Chairman Sturniolo: The nice new plantings outside; is that in and around brick areas and pavers?

Clifford Munz: There is a pedestrian way there, and that pedestrian way is for the purpose to get from the parking lot to the sidewalk vice versa; also, to avoid folks from walking in that one way.

Vice Chairman Sturniolo: And how much square footage are the pavers going to represent?

Clifford Munz: The pavers actually are very small. If you go to the developed/undeveloped areas, you will see we are clearly within the 10% of undeveloped. The pavers are less than 1,000 square feet.

Vice Chairman Sturniolo: The tree plantings in the back corner there, are they paving?

Clifford Munz: It's very important and especially helpful for you to know this is a comparison, and we tried to make it very visual. This is the present undeveloped. This Lot 10 is 100% developed. Now, we've actually identified undeveloped existing E-4-3 in each of the square footages, which have been tallied, come up to 1,389 square feet. Knowing that now I have a combined lot, if you have 90% coverage, we're interested in 10% non developed. So we tried to make it a little easier that way. 10% times the 34859 to combine for the two lots is a 3,000 and change. What we tried to make rather clear is all our new undeveloped proposed in an oval is identified in each case and none of this paver area was considered undeveloped. So we clearly identified side by side that we're complying now.

Chairman Cosentino: I know you do good work, and I know you're a good team, and what you've done so far is fine. We're concerned on parking. We need to ask these serious questions.

Clifford Munz: To increase parking one could decrease undeveloped. That's finite.

Kent Johnson: Basically we're meeting the parking standard and I understand your questions about parking and catering and the staff and the overflow. How do we quantify additional parking that you're looking for, and what standard do we use? We are basically following the standard that's there, and you're asking us to go beyond that. What is the next step?

Vice Chairman Sturniolo: What happens if there were a bachelor party, where the likelihood of more cars with single driver occupants arriving so that 33 could be conceivably a higher number as well.

Kent Johnson: I perfectly understand your point, but you understand the difficulty from our point? If there is no code to follow or any standard that's set we can projector all day about how many people you could get at any given time; whether it's customers coming in to eat or coming in to party.

Lucille Munz: Or people that have parked along the street and have gone shopping and now decide to walk and get something to eat and haven't driven, or have parked their car elsewhere. Part of what we tried to do here with just the general entrance is make this much more attractive so that people, who are walking along the street, hopefully as we move on and price of gas goes up, people will be walking and instead of driving from one end of town to the other might want to hope you might want to walk.

Doug Hertz: I don't see a bicycle parking area.

Lucille Munz: We could easily do that.

Doug Hertz: Is there a definition in the code for a catering hall or something else that has a different parking requirement?

Mr. Singleton: As with regard to a parking requirement, I believe it's a TBD by the Planning Board. But then again, any of these parking requirements in many respects are to be determined by you.

Ms. Bourne: Catering hall is one space per 100 square feet of gross.

Clifford Munz: It would be nine parking spaces.

Nanette Bourne: Plus one space per employee.

Clifford Munz: Right now we have an eight count figured in there.

Whitney Singleton: If I could just follow-up on a point that you raised previously. We're focusing on the number of parking spaces, and I want to be clear with regard to the issue that you brought up about the two different zones. They are proposing a portion of this restaurant or catering facility whatever you want to call it, in a zone where it's not permitted.

Clifford Munz: We are looking for a zoning change.

Ralph Vigliotti: If you're looking for a change in zone because the 910 square foot extension goes into this new zone; if it was shortened and it didn't go in the zone, you wouldn't need a zoning change, correct?

Clifford Munz: You can leave zero or six feet.

Ralph Vigliotti: So if this was sliced off, you wouldn't need a zoning change?

Chairman Cosentino: Yes, because they are marrying the two properties together.

Clifford Munz: We made some evaluations with what one could do with such a property, and after we went through enough scenarios, this is probably the best use for the property because it is what it is presently, and because we know the business he has now is a good business, and we'll get rid of an eyesore, have much more green than we had before, and we're trying to orient back down to the pedestrian way. It's a dual action thing. The chambers for the storm drainage for this property are here. We keep them in the green area and continue to use the storm treatment system that is there, we only put it in five years ago, so there is positioning here that is real specific and a logic that is there. That being said, we are looking for the standard to try and help us understand how to design such a thing. Without a standard I need to know what I'm doing.

Joseph Morreale: What does that do to the traffic flow? Now you've got in and out the same entrance and you're moving away from the stoplight and moving back further and coming up to the street.

Clifford Munz: Reasonable point. We also have Jiffy Lube who's got an entrance directly adjacent to this one. Putting the two of them together created its own congestion. By separating, we're thinking that that alienation from one to the other is really a positive thing.

Joseph Morreale: Except you've got two-way traffic there.

Clifford Munz: This is true.

Joseph Morreale: I would like to have that looked at, because I would like to see what it would do to the flow.

Lucille Munz: I think in some ways it actually would help. When this light is stopped and there is traffic all in front, you can't make the left going down. This always seems to be a congestion point at that intersection. Maybe in some respects by pulling the traffic further down it would actually help that one corner. We could certainly show it within context of the plan within the corners and distances so we can have a better sense.

Nanette Bourne: Your way in is 20 feet and it goes to 24 feet; and, the requirement is 24 feet, so you're short 4 feet?

Clifford Munz: Minimum requirement for in and out is 18. Two rows of nine, I think.

Kent Johnson: It's the road in and out; it's not the travel aisle, the 20 feet.

Nanette Bourne: Did Austin confirm that?

Lucille Munz: Generally when you have the 24 feet it's for backing out. The travel lane is traveling back and forth, and it goes to 24 when you have the parking back to back.

Anthony Oliveri: The aisle requirement is 24, I'm not sure of the driveway.

Clifford Munz: I think you'll find it's 18.

Lucille Munz: We did discuss this with Austin; honestly I don't remember the exact conversation.

Clifford Munz: And I don't mean to shrink it. I'd like to obviously go as wide as possible, but when you're playing a very delicate game with your 10 percent green and whatnot, obviously if you get a little relief here you get a little more expansion there.

Lucille Munz: More importantly it has to function first and foremost, because that is the way in and the way out, so we'll be sure to take a look at that.

Whitney Singleton: How about deliveries?

Clifford Munz: Presently, he's got a loading spot here as well as how they are being delivered right now through here. These spots are empty at a certain point, but there is a designated berth.

Whitney Singleton: So there will be no deliveries in front?

Clifford Munz: No.

Doug Hertz: What size vehicles typically deliver?

Frank Georgiou: Panel trucks, step vans.

Whitney Singleton: There are presently tractor trailers parked illegally in the front to deliver.

Doug Hertz: Whatever delivery you receive, it has to be able to come in, back up, unload and make these turns. Anything but a small truck isn't going to do it there.

Lucille Munz: We can put the radius arcs actually on the drawing so you can see what the turning radii would be for specific trucks.

Chairman Cosentino: The positive is that we are getting rid of an eyesore, but you have to see what it weighs with.

Doug Hertz: Is there a magic number to the size of the addition?

Clifford Munz: It worked with capacity, and that's how we forked it out. It was the backing off of green to addition, so as long as we had enough undeveloped, and it started to yield the number of square feet that we could build onto this.

Lucille Munz: Part of it was also solving some problems like the waiting area. When you come in the diner right now there is a very small area for waiting so one of the concerns was providing a larger space for the waiting area. One of the concerns was how to make this more useful, and the other was that you are increasing the square footage to include more with a closed space and what size would that work.

Ralph Vigliotti: When you're talking open dining versus a banquet area. Will this be closed off when it's not used as a banquet area?

Frank Georgiou: On the weekends when I'm busy I'm going to open it up.

Ralph Vigliotti: Will there be free standing booths or a combination?

Kent Johnson: It would probably be a combination of booths and free standing tables.

Ralph Vigliotti: I'm encouraged with the attempt to create some green space and to make this a much more attractive site, although parking is an issue I'll have to address.

Kent Johnson: We also would like to mention we are going to have a much more attractive building. The building is going to be quite enhanced and lend a lot to that area of downtown.

Chairman Cosentino: Okay, make a formal application.

Ralph Hertz: What is the process as far as merging the lots?

Chairman Cosentino: They have to go before the Village Board. He's got to get a zoning change before he comes back here.

Nanette Bourne: Normally they would submit a full application to the Planning Board referring to the Village Board so that the Village Board will understand all the issues involved.

Chairman Cosentino: That could be a Catch 22 situation for him too. Supposed he goes before the Village Board and gets a re-zoning, and this Board turns him down on what he wants.

Nanette Bourne: That's why I suggest it be a full application that includes the zoning petition, site plan application, environmental assessment.

Clifford Munz: Thank you very much.

Formal Application:

**Finger Lakes School of Massage
272 North Bedford Road
PB2007-19**

Present:

**Daniel P. Hollis, III, Esq., Shamburg, Marwell, Davis & Hollis
Joseph Sarchino, RLA, John Meyer Consulting, PC
Amy Vona, Education Director, Finger Lakes School of Massage
Cory Hughes, Project Manager, Finger Lakes School of Massage**

Daniel Hollis: We made a submission on April 18, which was basically in response to a letter from Ms. Bourne that was in furtherance of a memo of Mr. Econom from January. This is a Change of Use application, and there were a number of questions in Mr. Econom's memo and then in Ms. Bourne's letter, which we believe we addressed adequately with regard to open building permits, and Mr. Sarchino will walk you through the analysis of the parking that is there now and the parking that we anticipate upon your approval of this project based upon the utilization projections that Finger Lakes has.

Joseph Sarchino: We did a study of existing conditions. We have 178 existing parking spaces basically around the building here. A portion of those are compact parking spaces; approximately 42. We are going to re-stripe the parking lot as suggested by the Village, and we end up with a total of 169 parking spaces now. We looked at the parking requirement for the use, and Richmond Group, 75; the day spa, 20; Finger Lakes, 44; vacant office space, which would exist, 25; so 164 are required. So 169 with the re-stripping of the parking lot, 164 required by zoning.

Daniel Hollis: We recognize if you approve our application for this change of use, that if there were a use for the vacant unallocated spaces other than the office, we would have to come back to you.

Joseph Sarchino: We tried to simplify it as much as we could, because the parking calculations were getting very complicated. We just looked at what the proposed uses were for the building, and that's what we came up with, so we're about five parking spaces over what we calculated on site.

Daniel Hollis: I know there are two memos that are listed on this agenda item. We have not seen either one of them, so we don't know what the comments are, so we can't address them, but we are glad to try if you wanted to articulate them for us.

Vice Chairman Sturniolo: Mr. Sarchino, the second bullet point from the bottom.

Joseph Sarchino: Yes, the 1994 approval did indicate that there were 184 parking spots; 45 of those were compact.

Doug Hertz: Why doesn't that jive?

Joseph Sarchino: What I indicated as existing as 178. I think what happened is there has been some re-striping of the parking lot here, they provided a fenced-in enclosure for the dumpsters that are here, so there were some spots eliminated. That's probably worth four, and then two others, maybe the re-striping of handicapped during 1994 and now probably accounts for the other two.

Daniel Hollis: We tried to figure that out, and we couldn't find out where they went. That's why we went to the field.

Joseph Sarchino: I should also make note that the 178 parking spots also re-stripes the entire handicap parking as well. It did not meet the Village code the way it is striped presently. That includes re-striping them all, handicap as well as compact.

Vice Chairman Sturniolo: The other related parking spaces for the day spa; how much weight do you put into that statement about underutilization of parking spaces by the other tenants, and are you encouraged by that, capitalizing by that?

Joseph Sarchino: Rather than even looking at under utilization/utilization; the calculation indicates we need 164, the maximum for The Richmond Group is 75. The Day Spa and Finger Lakes School is in accordance with the zoning code for that, and then the vacant space that was left, which was about 6200 square feet we applied office to it, taking a conservative look at it. We got 25 spots. We think the 164 that was generated on our table here is an accurate and conservative number.

Vice Chairman Sturniolo: You're not putting any credence in that paragraph.

Corey Hughes: That is my original application without consultation of John Meyer Consultant. This was based on the Conceptual Application that I submitted back in January, and then recycled it, at that point, to meet the needs of the Board. The landlord was kind enough to retain Mr. Hollis and Mr. Sarchino.

Daniel Hollis: Richmond has a sort of unique operation in the way they have their students arrive. Most of them are bused. We looked at it from a conservative standpoint so that in the event the Richmond School is substituted for a school where more of the students drive, we've shown you a real number as to the square footage and what would be required.

Vice Chairman Sturniolo: So that paragraph really has no impact on what we're discussing tonight.

Joseph Sarchino: That was not authored by us.

Daniel Hollis: Since a public hearing is not required for this since the whole point of the Change of Use is a referral to the Planning Board if the building inspector feels there is a need to take a look at the parking or traffic, and that's what's happened to bring us here, we are open to your suggestions as to what the next step should be.

Doug Hertz: Can you give a brief description of the traffic by the students?

Cory Hughes: What we are expecting, based on some preliminary studies that we completed in terms of leads flow and certain calculations that are used throughout the college industry is that a number of our leads are coming from the five boroughs, so those people would be coming in via train. We have contacted a number of agencies to do pricing on a shuttle that would go from the Mount Kisco station to the school. We are a very green company. The fact of the matter is we are looking to have as many students use mass transit as possible.

Doug Hertz: Do you image you would be subcontracting that or do you think that will be something that you will eventually purchase?

Cory Hughes: On the immediate side, we would subcontract, but eventually we could look at doing it ourselves.

Doug Hertz: Are students coming for a full day?

Cory Hughes: They are typically coming for a 9 to 5 day. They will be here definitely for lunch. There will be small groups of students in the building until 7:30 completing their clinic requirements. It is a full day, six month program.

Chairman Cosentino: I was impressed with what I read.

Daniel Hollis: I think it's a good use; it's not a lot of turn over in traffic. It's a very professional outfit, and I think it would be a plus to the community.

Joseph Sarchino: It will be a lot less busy than what the previous use was.

Nanette Bourne: I have had several conversations with the applicant and several changes have been made to the plan to address issues that I had. I'm satisfied with the parking, and I recognize how the vacant is eventually going to be used is not their issue, but the issue of the landlord. We've talked with them about their lighting requirements, which they brought down. We talked about your fixture and what kind of a fixture you have. Is it a full cut off?

Joseph Sarchino: They are a shoebox type fixture. The poles are not that high off the ground; whether they have full cut offs or not, I'm not 100% sure. If you look at the site plan as far as lighting goes, where this parking is here, it's adjacent to North Bedford Road. There is a light in the roadway here. Along this portion of the property where the parking is, there are lights in the adjacent parking lot here. I did take lighting levels in the back in the residential property here, and at the light pole here the grade rises very abruptly. Acts as basically a light cut off. I went in the woods here, and I found zero level readings here. The grade rises, and that was before the leaves were even on the trees. So, I think the grade, just that way that it goes, acts as a cut off in itself. We have ambient light surrounding the property here, so there is not much we could do about that even if we had cut offs. Back here, the way that the slope rises, basically cuts off the light even before it gets to the property line.

Nanette Bourne: Your light levels are within realm what they are supposed to be. Considering you have a residential area, it's really the glow, and it may not be spill over, but they are still looking into a light fixture. I don't think the Board's illumination regulations require it, it's not an option, but it does require a full cut off.

Joseph Sarchino: Luckily here, the only place that you can really see a bright light is that if you're below it, kind of looking up. If you're above it looking down, you just see kind of the light coming off the light fixture. Here, this residential property is probably 20 feet or more above the parking lot. There is no way you are even going to see that bright, brilliant light of the shoebox light there. You would just see basically the bottom of the parking lot lit. I don't even know if there was a cut off on the back of the light that is going to make a difference at all, because you're just going to see the pavement that's lit. If the residential development was lower and kind of looking up at the light, it would be a definitely different situation.

Vice Chairman Sturniolo: Mr. Sarchino, the Planning Board requirement of full cut off fixtures and a complete photometric plan has absolutely nothing to do with the residential area. It's a requirement that we have of every applicant, whether it's adjacent to a residential or not, and we would like to see full cut off fixtures in addition to the full photometric light plan of the property. It's not this applicant, there is an applicant behind you that's had to do the same thing, and we've been at this applicant after applicant after applicant.

Daniel Hollis: Would you consider that we provide that plan to the satisfaction of Ms. Bourne and the engineer as a condition of the approval? Just because there is a transitional issue here between Soundview and the school, and it's very important for the school to be able to start their classes. If the sense of the Board is that they are in favor of this, and you've made it a condition of the approval, we would obviously have to do it.

Vice Chairman Sturniolo: Well, I mean, that's part of our normal resolution; that it would specify full cut off fixtures and we see that listed on the plan.

Whitney Singleton: I think Dan is asking whether or not the issuance of a Certificate of Occupancy for the school would be conditioned upon all these things being done, recognizing that perhaps the lighting installations might take longer.

Chairman Cosentino: I wouldn't want to hold up the application because of that.

Daniel Hollis: Obviously if it has to be done, it will be done.

Nanette Bourne: If they could just provide us with a detailed sheet.

Vice Chairman Sturniolo: A full cut sheet that will show it's full cut off, along with all the photo metrics of the entire site.

Joseph Morreale: 45 to 60 students every six months. That's what I read. Is that right?

Cory Hughes: Yes, sir.

Joseph Morreale: And when would you start?

Cory Hughes: We are looking to have a start date of October 20 of this year.

Joseph Morreale: So the school year runs from October to March?

Cory Hughes: I'm sorry; we're a non-standard term school, so our school actually runs over a six month time period. So the end date for this particular class would be April, and then as soon as we get this approval, we are hoping to actually come back to the Board and make several internal changes; removal of walls, but that would be down the line, and then we would go into a January/July time frame.

Joseph Morreale: Do you have graduations every six months?

Cory Hughes: We do, and typically we hold them off-site at a larger facility. A Ramada, a hotel, something equipped to handle a larger group of people.

Joseph Morreale: Sixty students every six months graduate. Is the demand for massage therapists that large?

Cory Hughes: Thankfully it is. There have been several recent applications to the New York State Department of Education Office of Professions, and the Office of Professions has very willingly granted these licenses because there is such a demand. The nice part about it is it falls under Holistic Care, and it's now being more widely accepted by insurance companies and covered that way.

Nanette Bourne: Mr. Chairman, if you'd like a draft resolution can be prepared for your first regular meeting in June.

Chairman Cosentino: Yes.

Conceptual Application:

**919 Mountain Avenue Associates, LLC
133 West Main Street
PB2008-11**

Recused: Mr. Hertz:

Present: William Balter

Bill Balter: We're here for a conceptual review of a subdivision that we are intending on doing, and we also need a variance for. If you look at the application that we made, there are two pages of sketches. The first page has a line drawn across it that shows you the lot line that we want to draw. The reason that we're putting the lot line here is that we want to preserve the existing barn that's been with the house. If we were to do a conventional lot line we would have to take the barn down. As you know, we have preserved three houses in the neighborhood, plus this house, and our goal has been to restore the house, and I think we really have done that. Unfortunately, we really do need to subdivide off a small lot in order to essentially help us. At one point, had we not restored the house, we could have knocked the house down and easily subdivide this into three lots, and obviously we chose to restore the house. The main two variances that we need are essentially an 83.5 foot setback when the code requires 100 feet. At the property line we're 85 feet, but where it's measured we're 83.5 feet. Like a lot of houses in the neighborhood including my own, we're going to need a variance to have a detached garage pretty close to the property line. Our lot line will be within about five feet up off our garage that exists right now.

Chairman Cosentino: Whitney, should they start their variance first?

Whitney Singleton: Correct. You're going to have to make an application to Austin and he's going to have to issue a Notice of Denial for it, and I think Austin is looking for a little bit of feedback from your board as you can see in his memorandum. He points out

that there are two alternatives worth consideration before the issue and Notice of Denial. He is basically suggesting different ways to approach it, some of those are discretionary, and your board might want to consider those. The angling of the lot line and it also has to do with a provision for the relocation of removal of the garage in the event that the other one is actually built on.

Bill Balter: Basically we did look at Austin's suggestion, and the problem with Austin's suggestion is technically it may be a less severe variance, but since the goal of this, especially at the Planning Board level, is to do a well-planned site. It's a much more poorly planned subdivision. You would have a much odder angle. It's also in your code. Your code suggests that you want to have parallel property lines perpendicular property lines. This is almost perpendicular. Its 88 degrees versus 90 degrees.

Vice Chairman Sturniolo: While I appreciate the Building Inspector's suggestions about only having to request one variance, I'm of the opinion the applicant wants to go through the procedure with the ZBA of asking for two variances. It's a call that the applicant wants to make, and if they want to go ahead with that approach I would endorse that as well, and the fact that the lot line is not 90 degrees to the property line; it's 88 degrees, which is like 120 seconds if you look at it with a protractor. It's very minimal to me, and there is a certain amount of discretion that the Planning Board has regarding this. I reviewed the drawing and in my opinion, sound planning requires two variances as the applicant wants to do.

Chairman Cosentino: I agree.

Bill Balter: You're all more familiar with this than I am, but can your board actually do a denial?

Chairman Cosentino: We can't; the Building Inspector has to do it. We will make a recommendation to the ZBA.

Bill Balter: And then Austin will now do a denial letter so we can go to the ZBA?

Chairman Cosentino: Yes.

Bill Balter: So, all we're asking for tonight is that you make a recommendation to the ZBA.

Chairman Cosentino: We will make a recommendation favorably to the ZBA.

Bill Balter: Thank you very much for your time.

Continuing Review:

Buckingham Properties (Morgan Enterprises) Morgan Drive - Lot 3 PB2005-19

Present: Brad K. Schwartz, Attorney at Law, Zarin & Steinmetz
Eric A. Kaeyer, AIA, Kaeyer, Garment & Davidson
Jon Dahlgren, Tim Miller Associates
Ronnie Ross, representing Edward Cohen of Buckingham Properties

Nanette Bourne: Previous to this meeting you identified this action as an action that needs to comply with SEQRA, and requested that the applicant prepare a draft Environmental Impact Statement. The next step is for the applicant to provide a draft scope for your review. The applicant has provided the draft scope. I have a couple of comments, and you may have additional comments. All in all, in my opinion, it's a good beginning scope for this project. Tonight, just consider my comments as part of the discussion, schedule a public hearing on the scope, and then hear any additional comments that the public might have, and then you would be in a position to finalize the scope and adopt it so they can go ahead and prepare their EIS. Briefly, the description of proposed action, I would just add the number of parking spaces and the pervious and impervious surface because it's critical to how your project is proposed. On Page 3 of your proposed description of proposed action, I believe you had discussed some kind of LEED construction or green construction?

Eric Kaeyer: It had been talked about in front of the Board here.

Nanette Bourne: Right, and so I think your proposed description of Proposed Action, it would be important that you have a section that really identifies the kind of green construction and features and how you want to move forward in getting LEED certification, and what level of LEED that you want.

Eric Kaeyer: I am not sure we are planning to do that LEED certification route or not. It would have to be decided by the owner whether or not they want to go ahead with that.

Nanette Bourne: That might be an issue that the Board has as to whether or not you should, and they would request it since that its an issue that the Board is considering.

Chairman Cosentino: It would be.

Nanette Bourne: We have been involved in this property for a long time and know well the difficulties that the historical use of the site has been. I think, even though I know that you have included an issue of public health and environmental assessment as a Chapter in the EIS later on in your scope, I think it would be appropriate to include something about the history of the site and how you intend to clean it up, because it really is central to your proposed project.

John Dahlgren: In the project description?

Nanette Bourne: Yes, in the project description. And you can even refer the reader to the chapter where you're going to fully look at it. On page 4, Soils and Topography; in your existing conditions I noticed that the soils on this site; you use the Soil Survey for Westchester and Putnam Counties. With all the work you've done on this site, I would think that you would know every inch of the soils.

Jon Dahlgren: That is just a reference.

Nanette Bourne: But you've had so much work done on the site, you don't really need something as general and non-site specific as the county, am I correct?

Jon Dahlgren: That's correct.

Nanette Bourne: So I think you can provide something that's tailored for the site. On Page 10, you will probably be providing a more extensive narrative concerning water supply and demand based on existing data that has been provided, and if you look at the EIS that was prepared on the Westchester Residence and Club, they have consulted extensively with the Village and have some pretty good data that they have included.

Vice Chairman Sturniolo: On Page 10, under night lighting, because of proximity to the stream and wetlands, etc., we need to see something how the lighting could or could not impact certain amphibious animals that are in that area. Thank you.

Nanette Bourne: Finally on Page 12; the alternatives; I don't think we need to go into it tonight, but I would suspect that you would want to spend a little bit of time thinking about what alternatives you would want. The two alternatives that they are proposing are the "No Action" alternative which is a requirement of SEQRA, and "Describe alternative building location and layout," and I would think you'd want to direct them to be more specific in exactly what you're looking for. Going down to Chapter VII; Other Issues, Energy Conservation Measures; again, bringing in LEED or sustainable construction, and you can reference this to whatever chapter you fully develop to what you're intending to design.

Chairman Cosentino: Thank you, Nannette.

Brad Schwartz: As a matter of procedure, the Board didn't issue a Positive Declaration last time.

Nanette Bourne: I thought we did, but it would be appropriate tonight if you formally did it.

Motion to Declare Mount Kisco Planning Board to be Lead Agency and Declare Positive Declaration the Environmental Impact Statement be Drafted

Motion: Mr. Hertz
Second: Dr. Morreale
Aye: Mr. Vigliotti
Aye: Vice Chairman Sturniolo
Aye: Mr. Hertz
Aye: Dr. Morreale

Aye: Chairman Cosentino

Chairman Cosentino: Thank you very much.

Conceptual Application:

**Northern Westchester Hospital Center
400 Main Street
PB2003-02C
Emergency Room/Parking Garage**

Present:

**John Partenza, Northern Westchester Hospital Center
Warren Geller, Northern Westchester Hospital Center
Joel Seligman, Northern Westchester Hospital Center
Chris Shopinsky, Northern Westchester Hospital Center
Scott Blakely, RLA., Principal Landscape Architect, Insite Engineering**

Nanette Bourne: The applicant is before you to present their responses to comments that were raised by my office and Anthony Oliveri. His comments are focused on the Emergency Department. As we've discussed, the parking structure is still a work in progress and it is not the intent that that will be discussed tonight. It will be discussed at a subsequent meeting.

Scott Blakely: We also incorporated some of the comments that the Board had discussed at that meeting as well. In response to AKRF's memo, Section, Lot and Block numbers have been added to the drawings as they requested. Property line dimensions and easements are shown on the surveys. We included the surveys that were previously submitted in this most recent submission. Anthony's office had the same comments, so we're doing that now. There is a question about water courses or wetlands; there are none on the property. Existing zoning district boundaries were added to the surveys. There was a question on the operation of the light fixtures on site, and those are going to be on a photometric sensor, coming on at dusk and coming off when the sun comes up.

Vice Chairman Sturniolo: In the lighting submission drawing that you gave us, there are two different types of light fixtures. One cut sheet specifically referred to full cut off fixtures. The other one, I believe did not.

Scott Blakely: Our office did not prepare the lighting, but I can double check that for you.

Vice Chairman Sturniolo: We are looking for full cut offs on the other light fixture that you are planning to use.

Scott Blakely: The existing and proposed building square footage has been added to the layout drawing, which also includes the retail building that was in question in our last discussion. We have added the heights of the proposed ER addition to the drawings, along with the setback requirements for the parking structures, as we discussed. We show the overall dimensions of the proposed parking area in the southern portion of the lot. We put overall dimensions in all directions. There were questions that came up on the parking garage, and basically we did not address those specifically, as Nannette mentioned. Hopefully at the next meeting of the Board, that will be a separate discussion. There were some comments with regard to the parking stall size. I had a specific discussion with Austin about parking stall size for the hospital use, and handicap stalls for the hospital use. Based on my discussion with Austin, we indicated nine foot stalls for both the standard parking and for the handicap stalls for the hospital. I can confirm that with Austin.

Nanette Bourne: There was a change from what the Village had been requiring for handicap, and you may have been told the handicap requirement before the change.

Scott Blakely: But it's definitely 9 foot six.

Nanette Bourne: That's what it is.

Scott Blakely: We can make that change definitely. We have some flexibility in that area. There was a question on why we hadn't shown the side yard setback as not applicable. The reason is we have three front yards; St. Mark's, Main Street and Moore

Avenue, and we considered Boltis as a rear yard, so there is really no side yard to the application. It made sense to us.

Whitney Singleton: You have frontage on three separate streets. Do you have frontage individually for the hospital on St. Mark's, or is it via another lot?

Scott Blakely: We have frontage for the hospital lot on St. Marks.

Chairman Cosentino: Is that a different lot? It's not the same lot, because if you built the garage, you'd have to get a change in zoning for St. Marks. It's not H zoning on St. Marks.

John Partenza: I thought part of the hospital parking lot was part of the hospital lot. I thought that was H.

Chairman Cosentino: Where the dentist's offices were is not H.

Whitney Singleton: I think this is the only property in Mount Kisco that is a triple corner. I know we have provisions for corner lots and double corner lots.

Chairman Cosentino: If the parking garage was going to be on the south side, you would have had to get a zoning change. Now you don't have to because it's probably not going to be there. The questions were the zoning.

Whitney Singleton: It does say in the code "All corner lots should have two front yards, two side yards and no rear yard."

Scott Blakely: So we wouldn't have a rear yard? The lot line that abuts the Boltis residential would be considered a side yard?

Whitney Singleton: There are two corner lots, which are a combination of a thru and a corner lot, which has three street lines. A two corner lot shall have two front yards on the two street frontages and two side yards. So I think that you're looking at three front yards and one side yard, and no rear yard. Again, Austin is still the determining body on that, so just confirm that with him.

Scott Blakely: Definitely. There was a comment relative to the access road, and it being located within a buffer, and whether that was an issue. I know AKRF brought it up, and I believe that SLAM had a discussion with Austin, and the word I got back was that the access drive/ring road was permitted within that buffer.

Nanette Bourne: As long as it's there to serve parking.

Scott Blakely: Correct. On the steep slopes plan, they wanted to see the Emergency Room addition, which we have done.

Vice Chairman Sturniolo: Obviously the plan is going to be revised as the garage moves northward, but on the steep slopes, your plan shows 20,000 square feet of steep slopes, which are 25 percent or greater. I'm not asking to verify, but that number obviously is going to change, and my guestimate is that it would change downward predicated on where the garage is now going to be, which is advantageous from your point of view and the steep slopes point of view, as if we could put a name on it.

Scott Blakely: That's correct. The orange color on here is the steeper slopes, and depending on where that garage ends up, this configuration of this proposed lot here will be modified also, and there will be minimal, if any, disturbance associated with these areas in here. We'll still have some disturbance in the back to get the ring road in and that rock area back in here, but a lot of the disturbance in these, what are man-made steep slopes, will be eliminated. We will obviously revise the site lighting once the parking garage revisions are made. Cultural Resources; there is a comment that a Phase One be studied and undertaken. With the reconfiguration that is in progress, we were originally proposing some five parking spaces to expand this lot and get into the steep slopes area. We have basically eliminated any construction activities in this portion, so we don't believe that further study is going to be warranted if we stay out of that area.

Vice Chairman Sturniolo: And that a study by the New York State Parks and Recreation?

Scott Blakely: Right. There were some comments that they made addressing our consultant's submission, saying that they thought we should continue with the next phase of the study.

Vice Chairman Sturniolo: And that was tied into the Rochambeau encampment?

Scott Blakely: I believe so. We'll have to correspond with our archeologist.

Nanette Bourne: And you are now not planning any disturbance?

Scott Blakely: No. We are not proposing there anything right now, we believe, but we'll have to get our plans to our archeologist and have her review them so she can respond to Cynthia Blakemore's comment letter. We will do that formally. Visual impacts, that will be parking garage modifications and then Anthony's comments; site plans will be signed by appropriate design professionals, phasing plans will include the parking garage as soon as we finalize those plans and get them into you. Existing condition surveys have been included. We show the proposed modifications to the sewer lines on the plan. In discussion with Jeff Econom in the initial stages, there were some issues with regard to the downstream sewers. During heavy rainfall, the capacity of those sewers is taxed, so they were looking for us to divert sewer from the new addition to the sewer on Main Street and bring it around where you have additional capacity. We have shown those sewer connections in detail on these drawings. Pipe size and calculations; catch basin flow rates have been included. The steep slopes narrative was included in this submission.'

Vice Chairman Sturniolo: And again, that will need to be revised predicated on the garage.

Scott Blakely: Correct. We included an erosion control plan and phasing plan in this submission. Again, modifications will be needed based on the garage final plans. We've added notes to the erosion control plan regarding the geo-technical engineer's sign off on the rock slopes that we were proposing. Retaining wall designs will be induced for review and sign off by the Building Department, and Anthony' office, if that's required. Light pole details have been added, and we modified that light cut sheets and put those in a separate package so it will be easier for you to read and understand. Details for the New York State DOT permit have been added to the drawings with regard to the trench replacement and other things. We have made some modifications to the storm water treatment units based on discussion and comments received from Anthony and the DEC. We have been working concurrently with submission of documents to the DEP for storm water review and also to the DEC Storm Water Division, and we have received a letter from DEP with one outstanding comment, which is for completeness. They can't go any further until we have a SEQRA determination, based on the letter from Andrea Oncioiu. We received four comments from the DEC and they are ready to sign off on the storm water. Obviously there are going to be revisions based on the parking garage, but we are very close to getting their sign off on this also. Anthony wanted some notes to the drawing with regard to the wet tap for the hydrant connection off St. Mark's Place and we've added those to the details. The actual details for the hydrodynamic separators have been added to the drawings. We have an underground detention system in this back area. There is a slight increase in impervious surface for this ring road in the back. We are working with a manufacturer to detail this, so as soon as they complete their analysis and get us the drawings, we will include that in our next submission.

Anthony Oliveri: Typically, what we have been doing now is using hay bales in conjunction with silt fence. You don't want to use hay bales alone to protect inlets. They should have a silt fence or a trap designed for inlet protection. You don't want to see the hay bales as inlet protection.

Scott Blakely: Depending on certain project locations, we've been putting the silt fence and then backing up the silt fence with a row of hay bales. You will see that on the library project. We've done a row of silt fence, hay bales and then another row of silt fence to protect the brook.

Whitney Singleton: There are separate parking provisions in the code relative to the dimensions. There are some long term uses and certain uses such as specifically for the hospital that only requires a nine foot width as opposed to a normal 9'6".

Joel Seligman: We are moving forward with the interim parking plans that we have been talking about.

Chairman Cosentino: Yes, we are, and Nanette is going to give us a report on that.

Joel Seligman: I appreciate all you're doing in trying to move some dates along. We appreciate the effort.

Vice Chairman Sturniolo: Is the plan to have shuttle buses leave the parking lot in the morning and then shuttle all 140 employees to the hospital and then back again? How are you handling shifts within the hospital?

Warren Geller: It will be the non-clinical folks that we are shipping off, and there will be a two hour block in the morning, and a two hour block in the afternoon, and there will be about a 30-person shuttle bus. So we will have two buses running to Chappaqua Crossing, Readers Digest and as one pulls up, the other one will leave. This will be between 7:30 and 9:30 in the morning, and then 3:30 and 5:30 in the afternoon.

Vice Chairman Sturniolo: And that will handle all your individual shifts within the hospital.

Warren Geller: Everybody. It works well because they are mostly on the same shift.

Joel Seligman: We are concentrating on that 8-4, 9-5 employee group as opposed to the nurses who are 7-7, etc.

Warren Geller: We don't want to run it during the day, and we will have a provision for employees, emergencies, cab contracts, etc.

Vice Chairman Sturniolo: Does that include weekends?

Warren Geller: No, Monday through Friday.

Nanette Bourne: What we have told them based on your direction is that if they can provide an alternate site layout for the parking garage that you'd waive the submission requirements, and as long as it's done in enough time so that we can review it and get some feedback, so then our feedback can be included in your packet. That would mean if the next meeting is on May 27, we would need something by Monday so it can be included in the packet for delivery the Wednesday prior to the meeting.

Chairman Cosentino: Thank you for coming, gentlemen.

Correspondence:

- Minutes from Conservation Advisory Council dated April 9, 2008
- Letter from Jeffrey Econom to Natasha Court, P.E., Westchester County Department of Health dated April 23, 2008 re Irrigation Well, Lexus, 275 Kisco.
- Minutes from the Beautification Committee dated April 2, 2008
- Memorandum from Austin Cassidy dated April 21, 2008
- Memorandum from Austin Cassidy dated May 6, 2008 re 448 Main Street, Conte's Fish Market.

Vice Chairman Sturniolo: Whitney, if I could just ask you as a reminder to read the e-mail that I sent you regarding the memo from Austin dated May 6, 2008 regarding Conte's Fish Market.

Whitney Singleton: I don't recall receiving the e-mail. I will go back and go over it. Clearly, they were supposed to have associated parking, and they were to have a least arrangement with the hospital. If you recall, they are only supposed to be open Thursday, Friday and Saturday night, and in order to have the supported parking associated with it, they are supposed to maintain that as a condition of the permit. Austin is calling that to your board's attention.

Chairman Cosentino: I told the hospital that they may have a problem if they do it, and they agreed, so they are going to talk to them. Nanette, you are going to go over the hospital? Please brief us on the parking lot.

Nanette Bourne: We asked the applicant about creating a parking structure that is along the frontage, and it would be a low, two story parking structure that would create this kind of an image. Here is the hospital, and this is the architecting. It had some archways; it had windows, and it would allow for some undulation of some sidewalk and some nice landscaping. But, what happened is that in order to get this parking lot along there and make the parking requirements and get up to that almost 999 spaces, the length of this came all the way here and would almost look at little San Quentin-like.

So, when they came up with the sketch, as we had wanted in order to get this two-story down, when we looked at the elevation it was too much. It was too long.

Ralph Vigliotti: Have we abandoned the original?

Chairman Cosentino: So far, yes.

Ralph Vigliotti: How?

Chairman Cosentino: We didn't like it.

Ralph Vigliotti: Who are we?

Chairman Cosentino: Six members of the Board didn't like it.

Nanette Bourne: I'm sorry, I should have... Chapter one was for them to move the parking structure on the south; to put it along the frontage on Main Street.

Ralph Vigliotti: When was that going to be rolled out if it wasn't tonight?

Nanette Bourne: It's not developed.

Ralph Vigliotti: Why are we allowing this to go so far?

Chairman Cosentino: Because we want to see what it looks like.

Nanette Bourne: They are developing an alternative to bring to you.

Ralph Vigliotti: Okay. I thought the alternative was they were going to shorten the south lot so you wouldn't see it.

Chairman Cosentino: When Ira saw that; the person that we hired, he said coming down 172 seeing a parking lot full of cars doesn't look very nice. We can dress that up with trees in the front and have a low cut garage, and it wouldn't look like a parking garage, and it would be very nice. We sort of liked that idea.

Ralph Vigliotti: Who are we?

Chairman Cosentino: The board. I don't know where you were.

Nanette Bourne: It was at a staff meeting attended by the hospital staff, Joe and Tony.

Ralph Vigliotti: Why wasn't this rolled out to the Planning Board?

Nanette Bourne: Because it's not finished; it's not ready.

Whitney Singleton: Also, there hasn't been a meeting.

Ralph Vigliotti: Why is it, you have a consultant, it's just being rolled out now; we're halfway down the road, and this hasn't been rolled out to the entire Board.

Nanette Bourne: Actually, it's not ready to be rolled out.

Ralph Vigliotti: It sounds like a couple of members decided to move it off to Boltis without discussing it with the rest of the Board. We're thinking one way, and now we've moved completely to a different direction without even discussing it with the Board. It can't be that two members of the Board meet separately with the planners and don't discuss with the rest of the Board this is moving forward.

Chairman Cosentino: It's not finished. I'm sorry, it's not finished. When it's ready, you'll see it. Until then, you're not going to see it.

Ralph Vigliotti: I don't understand that.

Chairman Cosentino: Because it's not done.

Ralph Vigliotti: A decision was made to move it, and I don't even think there are members of the Board that know Ira Granberg is even is a consultant. What's going on?

Joseph Morreale: Couldn't it have been brought forth as a conceptual so we could have at least seen the idea?

Ralph Vigliotti: What's happening behind closed doors here, gentlemen? This is not fair. Friendships or not. Doug, are you aware that Ira is on Board with this?

Doug Hertz: I was aware that Ira was hired.

Ralph Vigliotti: Okay. I found out a couple of weeks ago. This has to be rolled out differently. Why are we sitting on a Board if things are happening behind on Thursday mornings and it's not coming before us?

Chairman Cosentino: You are building this out of proportion. Things are held out when you have private meetings. These were not private meetings. We had meetings with the Village, our planner, our counsel there, the Vice Chair and myself.

Ralph Vigliotti: What about the rest of the Board? The rest of the Board should know well before this is being developed. All of a sudden it's been taken away from an area that we've been discussing for years.

Chairman Cosentino: This is an alternative.

Ralph Vigliotti: The alternative was never discussed as a Board in total.

Chairman Cosentino: Because we don't know where we want to put it.

Ralph Vigliotti: But if we're going to move on an alternative, the entire Board should have discussion on this.

Chairman Cosentino: That's what we're doing now.

Ralph Vigliotti: It's okay to be out of the loop. It's another thing when we're not discussing this as a total Board. There has been a lot of time put in this already, and this is being rolled out without the Board even discussing the alternatives. You just moved ahead without the rest of the Planning Board.

Chairman Cosentino: It's not without the rest of the Planning Board. We're presenting it.

Ralph Vigliotti: It should not have gotten this far.

Vice Chairman Sturniolo: Why not?

Ralph Vigliotti: I don't think it should have gotten this far without the whole Board being part of the process.

Whitney Singleton: I understand your concern. I think the only thing I can say is I sat at the meetings where this initially occurred. This is the first meeting since there were any sit downs because the last meeting was cancelled due to quorum issue. This is the first opportunity that this is before your Board. I'm not advocating or attacking what they're doing, but I sat at the meetings and I heard this become a project not so much of any particular Board member pushing it, but it was kind of an artistic view of Ira. This was something that he viewed as being a potential good way to go with this thing.

Ralph Vigliotti: But there were members on this Board who had opposition to Moore Avenue and Main Street, and we moved ahead without even discussing it with those members that were opposed to it.

Whitney Singleton: But this is the first meeting since we've had since then.

Ralph Vigliotti: But we've moved on this without even having any kind of formal/informal discussion. Let's meet our consultant. Let's have some conversation with our consultant. Let's find out what he is thinking as he is listening to what the entire Board is thinking.

Nanette Bourne: The concerns that were raised by the entire planning Board for Boltis were brought up, and we were trying to come up with some alternative treatment.

Ralph Vigliotti: To that site. We spent a lot of time visiting and discussing that site, and there was no discussion at all that it was being moved. I thought it was going to be

redesigned to move it back off St. Mark's, and it would be hidden from the Village in the same location. Now it's back to exactly where they were.

Nanette Bourne: When they were developing their program to try to put it along the Main Street frontage, we looked at it, and it was uncomfortably long. The structure was much too large along Main Street, and so we asked them to look at some alternatives to compare with the Main Street so that you could see, including instead of having a very long two story, a smaller three story that is one-half story below grade so that you compare it with what you see on Boltis compared if you achieve the same parking supply with this long building along Main Street along with a smaller three story, taller building that would take up less. The longer building on Main Street still turns the corner on Moore Avenue; it has to in order to get the parking in it, so they came up with an alternative that still made the turn along Moore, but it was a smaller foot print that allowed more landscaping and a different entry feature. So we asked them to develop both of those.

Ralph Vigliotti: At the same time, was there any conversation about redeveloping the parking lot that was proposed on the south portion of their lot? It was a total "stop what you're doing; we're moving to the north lot." I don't see any proposals here to show what could be done at the south lot; with this being set back, on top of that hill, on top of that retaining wall from that point onwards so you wouldn't even see this from Main Street. There are no alternatives. Now there is one alternative. A couple of members decided that we were moving with this without discussing it with the Board.

Chairman Cosentino: That is not true. How long have you known us guys? Do you think we'd hide something from you?

Ralph Vigliotti: We are just getting it now.

Chairman Cosentino: It's not even finished yet, and we're giving it to you.

Ralph Vigliotti: We are not even discussing the original alternatives.

Chairman Cosentino: Do you want to come to every meeting I have with the hospital.

Ralph Vigliotti: I haven't been invited and I haven't been asked, and this hasn't even been discussed.

Joseph Morreale: Let's think about this for a minute. This is a significant change from anything we've looked at, right?

Whitney Singleton: Yes.

Joseph Morreale: The whole time we kept talking about a north lot and a south lot. Now all of a sudden we're on Main Street. Yes? No?

Chairman Cosentino: Just to show you what could be. It's not set in concrete that it's going to go there.

Joseph Morreale: Now there is one being considered for Main Street as an alternative to Boltis. This is the first time I heard this.

Chairman Cosentino: Yes, it probably is.

Joseph Morreale: Okay, would it have been advisable to let all of us know that this was under discussion, because it is a significant shift.

Chairman Cosentino: When you say that it makes me feel like we're hiding something from you.

Joseph Morreale: I'm not saying that. I'm saying that if such things are under discussion, is it appropriate for all of us to know that that's an alternative that is being talked about, even before it comes to the Board. Isn't it a good idea?

Doug Hertz: I have an idea. Because of how busy the Board is and because a Thursday meeting has been instituted with staff, maybe it would be useful to send an e-mail memo, weekly, to Planning Board members just to keep us on top of what Planning Board issues get discussed at those meetings.

Whitney Singleton: This is taking on a new face now. Those Thursday meetings evolved out of the fact that there was a need to relay information to the Building Department

because, as you can see in this room there is not a single Building Department member. It was an opportunity to have a sit down and say while it's fresh in our minds, following the Tuesday night meeting to be able to say, "okay, Austin, this was passed on Tuesday night, just remember they have to do A, B & C before they get any building permit or C.O." The only reason for those meeting was a housekeeping issue. On a regular basis, we do not substantively discuss any one application. We don't invite people in. That was not indicative of what goes on.

Ralph Vigliotti: I understand that. This goes beyond that. This goes beyond administrative Thursday meetings. This has nothing to do with Thursday meetings. This belongs totally in front of this Board from day one, and every member of the Board should have received a memo. Every memo of the Board should be totally aware that we have a consultant.

Chairman Cosentino: This is the only meeting that we've had. I told you I was meeting with a consultant.

Ralph Vigliotti: This has moved very differently. I think, before we spend money on consultants, the Board needs to direct a consultant which way we are thinking as a Board, and it's the majority of the Board.

Nanette Bourne: I think it would be very helpful at our next meeting if Ira were here. I think there was a rational series of steps, and I apologize for presenting this to you in the middle.

Ralph Vigliotti: It's not even on the agenda.

Nanette Bourne: Joe had asked me to bring you up to speed on this.

Ralph Vigliotti: The whole idea of having a committee of this size is that we check and balance one another, developers and consultants. That's why we're here. If we begin to operate as individuals collectively, we've lost everything that we're trying to do. It's an important piece, and I want to make sure that we don't lose it. We've moved along on this without the majority of the Board saying let's look, let's abandon, or at the same time have this consultant look at both options and present both; not abandon one without the Board's approval.

Chairman Cosentino: We didn't abandon any. It's an option. If you don't like it, voice your opinion like you're doing now. It's only an option. We wanted to get something together to show the Board what another option was. You don't have to like it.

Ralph Vigliotti: It's more than an option; it's the abandoning of an option.

Chairman Cosentino: The Vice Chairman and I honestly thought that we were doing this Board a favor by presenting something as an option; obviously it backfired.

Whitney Singleton: I think there is one thing that also goes on associated with the hospital that all of us recognize. I'm not trying to minimize what you're saying, Ralph, because I understand your concern; but I think there was a recognition on everyone's part that there was a certain urgency to this E.D. We talked about the possibly of special meetings, and staff level meetings and different things going on, and that is perhaps why that happened. I think the delay in presenting this to you is amplified by the fact that we didn't have a meeting last month. This is the first meeting since you met, and I don't think there was any effort on anyone's part to keep anyone out of the loop. I think it just looks worse than it is because we didn't have a meeting.

Ralph Vigliotti: It would look a lot better if there was a plan by the consultant for the existing site that we had talked about on the south lot; creating and giving us alternatives and making a presentation to the Board.

Chairman Cosentino: That's what we're doing.

Ralph Vigliotti: We have one tonight; it looks like we may get another one at some point. As a majority of this Board, we abandoned the site on Moore and Main and went to behind Boltis, which is St. Mark's. Maybe we need to modify that, but we don't need to abandon it.

Chairman Cosentino: We didn't abandon it. We're giving an option.

Nanette Bourne: There will be three alternatives that work that you can look at.

Ralph Vigliotti: All three should be presented at the same time.

Nanette Bourne: And that will be the next meeting, but the two options, in addition to the St. Mark's, have to be developed so they can be engineered to the same level that they've done on St. Mark's. This was a massing study in order to look at what those two additional options could be.

Ralph Vigliotti: But if we're looking to do an alternate to shrink St. Mark's, then that should be presented here.

Nanette Bourne: When you say shrink it to St. Mark's, what do you mean?

Ralph Vigliotti: It doesn't need to go down to St. Mark's Place. It could stop right on the hill and there could be surface parking where it is right now. There is a retaining wall. The parking garage ends at that large retaining wall, and you have flat surface parking as it is now, which doesn't change the topography, and you won't even see the parking garage.

Nanette Bourne: You can't get the number of parking spaces there.

Ralph Vigliotti: That's something that should be presented. Do you know how many?

Nanette Bourne: Yes. They are trying to achieve almost 1,000 spaces.

Ralph Vigliotti: This is a big issue. We have members that aren't here tonight, and it's a gigantic issue that needs to be discussed as a Board.

Chairman Cosentino: We are discussing it as a Board.

Ralph Vigliotti: It's being presented as two to three options to the north lot.

Doug Hertz: One of the other things that were mentioned was that we could get the St. Mark's lot down to appropriate size; it may be needed to split it into two structures. That might prevent either this massive Main Street structure or an overwhelmingly large St. Mark's. Maybe there is a way to tuck two smaller structures and get the parking count that we feel is necessary.

Joseph Morreale: I understand all the time you put it in, and it's laudable that you do. But if there is something that's new that's coming down, I don't think it's a bad idea to just let us know via e-mail.

Chairman Cosentino: This is the first opportunity that we had to let you know, and this is what we're doing.

Joseph Morreale: Let me explain something that happened tonight during the meeting. They said something about moving the lot northward, Ralph turned to me and asked if I knew about that, and I said yes, they are moving it away from St. Mark's; they are not coming as close as they originally talked about. I never knew they were talking about a new location.

Ralph Vigliotti: They knew before we did.

Chairman Cosentino: But we're presenting it tonight.

Joseph Morreale: The Northern Westchester Staff off handedly mentioned it tonight, and I had it all wrong.

Chairman Cosentino: This is the first opportunity we've had to do it.

Joseph Morreale: But that didn't happen. I'm listening to a discussion by the hospital staff about moving a parking facility, and I have one vision of that because of past meetings. I didn't have a clue they were talking about moving it to a totally different location.

Whitney Singleton: I think what would have normally happened, had we not had a little snafu, we would have had a meeting at the end of April and Joe and Tony would have discussed their meeting with Ira and let you know the results of that discussion with a full 30 days in between meetings.

Ralph Vigliotti: I respect Tony and Joe, and I respect all the work that you do, but you can't run major projects like this without consulting with the Board and bringing it to us.

Chairman Cosentino: Tony and I will have every meeting we could possibly have to make this a better Board, and no one will tell us not to do it.

Ralph Vigliotti: Whatever meetings you have are fine, but you need to present it to your Board members.

Chairman Cosentino: That's what we're doing tonight.

Ralph Vigliotti: No. This has gone too far without presenting it to this Board.

Chairman Cosentino: There was no other opportunity to present it.

Ralph Vigliotti: You stop the wheels and Ira Granberg should have been introduced to the rest of the Board.

Chairman Cosentino: I told you two weeks ago I was meeting with him.

Ralph Vigliotti: Yes, but I didn't realize it was moving this quickly. It was mentioned off the cuff that we hired a consultant to do the garage, and it wasn't even discussed with the Board. It just went ahead and happened.

Nanette Bourne: Yes, but keep in mind, Ira is not doing the garage. We are asking the hospital to come with some alternative sites, and Ira is providing some input as to the design.

Ralph Vigliotti: I understand that. What I am saying is that we had the hospital tonight saying they will talk about moving the lot northward at another point. I turned to Joe and said, "northward; what does that mean?" and he said just a little bit north and it made sense, but I thought he knew something that I didn't know, and then 20 minutes later this is presented. We have to keep communicating with the rest of the Board.

Chairman Cosentino: This is the first change that we had, because we did not have a quorum for the last meeting.

Ralph Vigliotti: I understand that, but it shouldn't have gone this far.

Chairman Cosentino: You're going to be away for a month. I'm going to be away for a month, and this will still be presented.

Ralph Vigliotti: That has nothing to do with anything. The rest of the Board is here to represent the rest of the Board if we are not here, but we need to be informed. I get lots of memos going on; this should have arrived also. We should know what is going on particularly if we are looking to relocate this. Sometimes things just steamroll along.

Chairman Cosentino: I can't apologize for something that I don't think Tony or I did wrong.

Ralph Vigliotti: I'm not asking you to apologize. I'm saying there are seven members of this Board and you have an obligation to keep all of us informed.

Chairman Cosentino: And here it is right here.

Whitney Singleton: I don't want there to be a misimpression as to what we've done or how far we've progressed to date. I sat at just one meeting in this room with the hospital. That's it. It's not like there's been six meetings that I've participated in.

Ralph Vigliotti: If you are presenting alternatives; alternatives to what? Did the Board say as a group, in voting, let's look for another alternative?

Nanette Bourne: I am sympathetic to what you're saying, and I think we need to take a step back at the next meeting and have Ira here explaining, because there were a lot of issues concerning the cost associated for putting the structure down and the difficulty of getting the number of spaces. There was lots of sketching that was done trying it in different ways, trying out different fits that might be good. These were just two that we thought were worth exploring. It really was an exploration that went on, and I think to be fair to all of you, to allow a re-do of that exploration to see if you come to the same conclusion that we did.

Chairman Cosentino: We asked Ira to come and Ira wanted to talk to their hospital people before coming to us. He said he really didn't want to get involved yet, he wanted to talk to the hospital. He said he had a good idea; he'd like to see how it would look in front of the hospital, low cut, trees in front of it so you don't see a parking lot, and we said fine, try to do something and we'll bring it back to the Board. And that's as far as it went.

Ralph Vigliotti: I can appreciate him saying that; the bottom line is there is a lot of work to be done here. Before Ira comes back, there should be some designs on the restructuring of the lot that has been proposed for the last two years for the south side.

Chairman Cosentino: That's not a problem.

Ralph Vigliotti: I was just embarrassed tonight that they knew about this proposal and we don't. They should have said we're going to move forward on the lot; we're not sure where it's going to be yet, there are some proposals for the north lot and the south lot, but that will be something to discuss later on, but what they said was; they know about this as opposed to this Board.

Nanette Bourne: I think they are developing the alternatives. We haven't seen what their design people have to offer.

Ralph Vigliotti: All of us, as Planning Board members, need to see all the alternatives. We are moving forward and we don't know.

Chairman Cosentino: Tony and I met with them, got the information and brought it back at the first opportunity that we had to show you an alternative. What should have we done different?

Ralph Vigliotti: The south lot, for lack of a better name, should have also been part of the consultant's alternatives.

Joseph Morreale: I would suggest that either we be notified by e-mail or a packet enclosure, what was discussed, so it's not brand new to us.

Chairman Cosentino: Yes, but it is now.

Joseph Morreale: Yes, but the way it came up was like they knew and we didn't.

Chairman Cosentino: From now on, I'd like to change the whole concept of this. Whenever we have a meeting, I'm going to call every member on this Board to come.

Ralph Vigliotti: That's not the point. We have staff that can communicate with us.

Chairman Cosentino: It doesn't work that way.

Joseph Morreale: I have full faith and trust in you and Tony. There is no question about that. This is just communication.

Chairman Cosentino: This is the first opportunity to present this to this Board and that's what we did. I don't know what I could have done differently except e-mail. But I wouldn't have done anything different.

Ralph Vigliotti: When Nannette opened up what she had to show us, it was like this is the alternative we are looking at.

Chairman Cosentino: Yes, it's true.

Ralph Vigliotti: Where are the other alternatives?

Chairman Cosentino: You already saw that.

Ralph Vigliotti: We have to communicate and that's it. Let's not beat a dead horse here.

Chairman Cosentino: What other items are left?

Vice Chairman Sturniolo: I have a suggestion regarding 134 Main Street. If we are going to make any type of adjustment, there needs to be an amended site plan and an amended landscaping plan, and an amendment to the resolution of approval to reflect

the changes. My other comment is on the April 22 agenda, under Environmental Monitoring, Premier Auto; did we get any feedback from Anthony Russo's memo?

Nanette Bourne: Yes. We are meeting out on the site tomorrow. We had a meeting to make sure they responded to the issues. We notified them two months ago on several issues, and tomorrow we'll see if they've addressed them.

Motion to Adjourn by Ralph Vigliotti, seconded by Vice Chairman Sturniolo.

Meeting adjourned at 11:25 pm.

Respectfully submitted by,

Stanley Bernstein

dm