

Minutes
Work Session of the Planning Board
Village/Town of Mount Kisco
Tuesday, March 23, 2010

The meeting was called to order at 8:30 P.M. at the Municipal Building Mount Kisco, New York by Mr. Stanley Bernstein.

Members Present: Stanley Bernstein
Ralph Vigliotti
Doug Hertz
Sol Gibbons
Joseph Morreale

Members Absent: Chairman Joseph Cosentino
Vice Chairman Sturniolo

Staff Present: Nanette Bourne
Anthony Oliveri
Whitney Singleton
Austin Cassidy

Acceptance of Minutes:

February 23, 2010

Motion: Stanley Bernstein
Second: Joseph Morreale
Aye: Doug Hertz
Aye: Sol Gibbons
Aye: Ralph Vigliotti
Aye: Joseph Morreale
Aye: Stanley Bernstein

March 9, 2010

Motion: Stanley Bernstein
Second: Ralph Vigliotti
Aye: Sol Gibbons
Aye: Joseph Morreale
Aye: Ralph Vigliotti
Aye: Stanley Bernstein
Abstain: Doug Hertz

Final Action:

Joe Mangi
222 Main Street (FAB)
PB2009-13

Austin Cassidy: Mr. Chairman, the village office did speak with him earlier today and since this is somewhat of a pro forma action based on your vote last meeting, he is an abstention.

Stanley Bernstein: It is no longer pro forma if there is a change, because this supposed to be a final resolution

Whitney Singleton: I think this would simply otherwise identify that they are subject to the requirements for outdoor dining as set forth in the code.

Stanley Bernstein: I thought we had that down on the previous draft resolution. Didn't we include that?

Whitney Singleton: I don't see it.

Nanette Bourne: It's not as a condition. It is included as an action. The action is an approval for outdoor dining.

Whitney Singleton: You don't have to reference the regulations that were otherwise subject to, but for purposes of organization and clarity, it helps. I am simply making that recommendation to the Board.

Nanette Bourne: We could put it as the first "whereas, in accordance with Chapters 110 107 and identify the chapter, or add it as a condition.

Stanley Bernstein: We have not adopted the new regulations, it's true. But how is that going to work out for the new way we are going to do things? Can we still adopt the resolution?

Whitney Singleton: Sure. You have not adopted anything yet.

Stanley Bernstein: The new system is going to be that we don't adopt until everything is finalized.

Whitney Singleton: You can omit it from this. I don't deem it to be a substantive provision. It was just primarily for organizational purposes.

Stanley Bernstein: We can take a pro forma vote on the resolution.

Nanette Bourne: You already took the vote on this.

Stanley Bernstein: Yes, I know but that was on a so-called draft, and this is the final.

Nanette Bourne: You are going to take two votes. A vote on the draft and a vote on the final?

Stanley Bernstein: Do you think it's not necessary to take a vote, since this was already voted on? Is this reconciled with all the latest plans and all the information? The big problem was that the Building Department and the Planning Board did not agree after the vote was taken. The resolution and the drawings and everything else didn't agree.

Nanette Bourne: I know what you're speaking about, and I think when we get to the procedures that are worth a discussion of why that happened. I think there were two unique circumstances that were out of order. This one was not.

Stanley Bernstein: According to Joe, he seems to feel it happens quite often. After the final vote is taken, the approval is given, there is

no agreement between what goes to the Building Department and what is in the Planning Board file.

Nanette Bourne: I have had numerous conversations with Nancy. It concerned two applications that came to the Planning Board for decision before they had their plans finished. The Planning Board adopted plans before the final plans were reviewed. Not a good idea.

Stanley Bernstein: That is why this memo was generated.

Nanette Bourne: That was not the case with FAB.

Stanley Bernstein: So, in other words you feel this does not even require a vote because we already voted.

Whitney Singleton: I would disagree with that. I would always vote on it. You're voting to determine whether this is an accurate reflection of the conditions that were to be incorporated in your last meeting. What was to be incorporated was the reference to 93-4 for the outdoor dining room.

Stanley Bernstein: Is this an agreement with all the comments that were made?

Anthony Oliveri: The plans at the last meeting were up to date.

Stanley Bernstein: And it pretty much reflected the resolution?

Anthony Oliveri: Yes.

Stanley Bernstein: So you feel it should be voted on?

Whitney Singleton: Yes, and I also feel there should be a condition in there, Number Nine, that says this use shall be subject to the applicable provision of 93-4 for outdoor dining areas.

Stanley Bernstein: Let us put that in.

Joseph Morreale: If I understood Nanette's position, since we haven't really taken up the new, we need not think about that at this stage. We can add something as Number Nine, and then vote on it.

Motion to Adopt the Resolution of Approval for Outdoor Dining and Handicapped Ramp, FAB, 222 East Main Street, PB2009-13, Date of Action, March 23, 2010.

Motion: Joseph Morreale
Second: Ralph Vigliotti
Aye: Sol Gibbons
Aye: Doug Hertz
Aye: Ralph Vigliotti
Aye: Joseph Morreale
Aye: Stanley Bernstein

Draft Resolution

127 Barker Street
Daniel Simone, Architect, representing the application

PB2006-05

Stanley Bernstein: Whitney and Nanette, does everything agree? Even though I know we have not passed the new rules and regulations, do you feel that the drawings and everything else is up to date?

Nanette Bourne: The drawings that I have that are known to me to be the most recent are two from February 2010. On Page Two, the final set of drawings is identified as the most recent that has been submitted.

Stanley Bernstein: And it agrees with the resolution?

Anthony Oliveri: I have no issue with it.

Doug Hertz: This is a draft resolution. It is not on for final action. I want to get clear, based on the procedure.

Stanley Bernstein: The procedure has not been adopted as yet. We can do it the way we always did.

Doug Hertz: But our agenda now reflects a new item, which is a draft resolution, which we have not had before. Where are we then? Are we discussing a draft resolution for editing purposes and revisions, or are we intending to vote tonight?

Stanley Bernstein: No, we are not going to vote tonight. It's a draft resolution. We will vote at the next meeting. If there are any changes, or anything that any Board member wants to put in, now is the time.

Nanette Bourne: Have you received Architectural Review Board approval?

Daniel Simone: I had gone to the ARB and they referred me to come back after we had finalized site plan approval.

Nanette Bourne: This is interesting. The Board's procedure is for the applicant to get ARB approval and then come back to the Planning Board. This resolution is drafted subject to ARB approval.

Daniel Simone: The ARB thanked me for my presentation, and then said when you receive site plan approval, come back to us. Is the process changing at this point?

Nanette Bourne: What the ARB has told you is a change from the Planning Board's procedure.

Austin Cassidy: Neither of which, it's a code matter. The Planning Board is precluded by code for final action until the ARB is signed off. I know you've been before the ARB once, then it would behoove you to get this wrapped up with them as soon as possible.

Joseph Morreale: What is Number 4, Overall Site Disturbance?

Nanette Bourne: I had a question whether Department of Environmental Protection had limited your site disturbance.

Daniel Simone: They asked me show the limited disturbance on the site plans.

Nanette Bourne: They don't have any limitation on your conditions.

Daniel Simone: They had just asked me to show the actual limited disturbance on the plan, which for all intents and purposes, a small marginal amount less than the parcel area.

Joseph Morreale: What does Number 4 say?

Nanette Bourne: Number 4 has been a standard condition that limits site disturbance to less than one acre, but he has a site that is less.

Daniel Simone: My site is only 11,000 square feet, less than one-quarter.

Stanley Bernstein: So it should read "to be kept under one acre."

Anthony Oliveri: The purpose of that condition has to do with the DEC regulations with the one-acre threshold. It doesn't apply here and you can probably omit it.

Nanette Bourne: He has to comply with the DEP permit anyway.

Joseph Morreale: Now that we have the substance, the grammar is the thing. "Oversight disturbance" - that too should not be there.

Nanette Bourne: The whole number four should be deleted.

Joseph Morreale: Fine.

Nanette Bourne: Are you anticipating any blasting? There are a lot of conditions in here relating to blasting.

Daniel Simone: We had done a series of four test pits throughout the site and all went down in excess of eight to nine feet in pure runner banks, so I am not anticipating any rock. We took those test holes within the area, the foundation within the area, the drainage. Everything else is really +/- 12 inch cut and fills on the parking lot area. We are not anticipating anything.

Nanette Bourne: That being the case, Conditions 23 to 27 could be deleted.

Doug Hertz: If we are going to delete all the clauses that protect that, do we want to make a note that there will be no blasting relating to this?

Nanette Bourne: We can add, "whereas the applicant has noted that no blasting..."

Daniel Simone: Do we say, "No blasting as anticipated?" Obviously, you can't be 100% sure with four test pits that there is not going to be any rock.

Nanette Bourne: Then we will leave the conditions in.

Daniel Simone: I'm fine with it either way. The conditions stipulate the blasting procedures as regulated under town code, I assume. If there is no blasting, there is no harm to have that condition in here.

Stanley Bernstein: Condition 16 on tree protection is pretty standard, but I would like either a condition to be added or another item right after 16 that the smallest and lightest piece of equipment that is feasible for the job shall be used. In other words if you have a 100-ton bulldozer over there on one side of the property that was necessary, you are not to bring it across to the other side of the property to compact the soil around the existing trees, because those trees are going to go over the years. In addition, Condition 12 A states, "the use of hay bale filters surrounding all catch basins." Shouldn't that be hay bales plus silt fencing?

Anthony Oliveri: We corrected this once before with more of a general statement for inlet protection to be provided. It should say drain inlet protection is to be provided around all catch basins. Do not specify hay bales.

Daniel Simone: We show stone in that protection on the plans. Hay bales are not permitted anymore.

Joseph Morreale: Who actually sees these resolutions? Would the neighbors see these? You don't state "if required," and if they start reading this, they may think the blasting is going to occur. I am wondering if we should put something like that in, since it doesn't look like this will happen and you are reading the stipulations in. I would start 23 with, "if deemed required all blasting and rock removal should be carried out."

Austin Cassidy: On that point, I have one administrative question. Should blasting somehow be necessary, is that regarded as a new SEQRA impact, or has that already been addressed?

Stanley Bernstein: This was an unlisted action. It did not require a declaration.

Nanette Bourne: I will begin Condition 23 with "if deemed required."

Stanley Bernstein: Condition 28: do you have a provision for construction vehicles to enter and come out face in and face out?

Daniel Simone: There is ample staging area shown for construction vehicles within the parking area here. They can make a turn.

Stanley Bernstein: I assume that driveway will be done first to make access to the space?

Daniel Simone: Yes. There will be a stabilized construction entrance with tracking at the entrance.

Stanley Bernstein: All construction vehicles will be able to enter forward and come out forward?

Daniel Simone: Yes.

Stanley Bernstein: You have enough of a turn-around in the parking lot, and you don't anticipate large delivery vehicles, as it's an office.

Daniel Simone: Probably small box trucks. For Condition 20, which is the condition of the Architectural Review Board, does that have to come out?

Nanette Bourne: That would have to be modified because you have gone to the ARB.

Daniel Simone: We have not received final sign-off from them.

Nanette Bourne: That is why I modified that.

Anthony Oliveri: Eliminate the first sentence.

Joseph Morreale: We had a long discussion about this location being on a curve and coming downhill. Are there any special requirements when construction is going on in such a situation? Are things put out on the road so people know coming around the bend that there is construction? Are there any special requirements?

Doug Hertz: The construction will happen on site.

Joseph Morreale: Yes, but there will be activity going to and from the site. Is there any specific requirement that the village has; signs, etc?

Anthony Oliveri: On this type of site, we do not require that. There are standards to follow if there is work in the roadway. The resolution calls for a construction plan scheduled to be provided, and we would look at it at that point. If we feel any signage is needed, we will make sure they get it in.

Joseph Morreale: That road has become increasingly traveled as it's used to bypass around the town. I am concerned, given the volume of traffic, when you have major construction like this, that you maybe need to do that.

Anthony Oliveri: If he is working on the curb line and the right-of-way, we may require putting some signage up.

Joseph Morreale: Only then, even if you're going to have vehicles in and out? That is surprising. I would like to put that in as a stipulation. I would like some signage up and down the road so people are aware, particularly coming down that road.

Stanley Bernstein: I agree with you.

Whitney Singleton: You can call upon the Building Inspector for the authority to implement signage, flag men, tracking, or anything that needs to be appropriate for the site, based upon the conditions, instead of saying, "there shall be signage," which may not be applicable.

Joseph Morreale: So that would be in their best judgment? That's fine.

Nanette Bourne: So, during construction the Building Inspector or the village engineer, the applicant shall provide...

Anthony Oliveri: You can add to Condition 34, "Construction plan schedule and traffic control plan and measures shall be provided by the Village Engineer or Building Inspector."

Stanley Bernstein: The traffic is increasing on Barker Street because it is being used as a bypass. I remember a discussion with the Village Board about putting up a "no trucks allowed" sign.

Whitney Singleton: It is there now and there is strict enforcement by the town.

Stanley Bernstein: We are using the new system on this, so we will schedule this for next meeting.

Daniel Simone: I have to go back to the Architectural Review Board before I come to you.

Stanley Bernstein: We will schedule you for after that.

Whitney Singleton: If there is going to be any change to any dates in your plans, please notify us.

Daniel Simone: The ARB submission is completely separate, so I am not anticipating any change. Do you have to reference the ARB plans in the resolution?

Nanette Bourne: If we have the ARB plans, I either reference the plans or the approval.

Daniel Simone: I will contact Nancy when I'm all set with the ARB, and we will get back on the agenda for final action. Thank you very much.

Continuing Review

**MetroPCS New York LLC
304 Lexington Avenue
PB2010-3**

Present: Neil J. Alexander, Esq., Cuddy & Feder, Attorneys at Law, on behalf of the MetroPCS

Stanley Bernstein: There is no discussion on this application. We are here only to schedule a public hearing. I defer to Mr. Singleton.

Whitney Singleton: There is sufficient time to do the notices and schedule the public hearing for the next Planning Board meeting. The next meeting is in 21 days. That affords sufficient time to get the notices (15 days). I would additionally recommend making the appropriate referrals to the county planning Board and to the Town of New Castle, if necessary, as this site is close to the Town of New Castle. Nancy needs to take care of that, and Mr. Cassidy will notify her. The next Planning Board meeting date is April 13. Please refer to the new mailing requirements for the village.

Neil Alexander: Thank you.

Special Discussion on Site Visit Findings Regarding the Adequacy of Oakridge Road for the Zoning Board of Appeals

Nikolas & Stuart Pinnetti
Case #ZBA09-05
38-40 Oakridge Road

Stanley Bernstein: We are not voting on anything or decide anything this evening. We are going to make our comments as to the adequacy of the road, and forward those comments to the Zoning Board.

Doug Hertz: From having been up there, my sense has not changed from the last time we did our site visit. The road is woefully inadequate. It's stunning to me that there is any development. I cannot understand how we can get any public services on that road. I do not see how additional development can be handled by the road or by any improvements that are feasible for that road.

Sol Gibbons: I made a site visit last week. I agree with Doug. I don't see how two cars could pass each other on that road. I think it's virtually impossible. I went all the way up to the top and had quite a time turning around. I had to make a four-point turn to turn my car around. I think we need input from the Fire Department, the Sanitation Department and the Ambulance Corp. to find out how they feel about getting their vehicles up there. I don't know how the Sanitation Department gets their trucks up there. I understand they back up, which is a dangerous situation. The road certainly does not comply, and I think it is a dangerous situation.

Ralph Vigliotti: I went last evening at about 6:30, which meant most folks may have been home from work. I drove to the top, and I could not turn around at all. There was no space to do so. I had to back down and it was very, very uncomfortable to do that. The road is inadequate. I think it is a safety hazard, and to add any more development may pose a greater danger to that area. My comments are limited to the adequacy of the road more than anything else.

Joseph Morreale: I visited the site on Saturday morning. First, I missed the turn altogether because I thought it was a driveway, which told me something about the narrowness of the road. I finally went up the road. I have a passenger car. That road can only handle one car at a time as you go up. Then you make the sharp right going further up to the peak of the road, and then I tried to park, as I was going to get out and walk around. A young man came up to me and told me I was illegally parked. I asked where I was supposed to park, and he told me there was no parking available. I looked around and noticed there is no place to park except on people's driveways. I then proceeded to look at the site and realized it is a steep slope. I cannot envision how you get construction equipment up there. Because I was illegally parked, I could turn around. I came down the road and there was another car coming in the other direction, which was an interesting experience since I did have to back up. I cannot see how you can build anything further up there. I guess there has only been building because it was prior to various safety laws that we have established in the village. With all of that, I would have to be very cautious about doing any construction. I, too, would want the police, fire and ambulance people to look at this.

Stanley Bernstein: I was there Saturday morning as well. It is true that it is impossible to get two cars side-by-side. If a car is coming out, there is a sharp right turn going south and then a left turn going east. Once you've made that left turn, if another car enters the street, at that point I fear that that car would have to back out onto Grove Street because it's very difficult and dangerous for a car coming east to back up to that curve, especially since there are cars parked all over the place. It is a substandard road. The road just doesn't work. We will notify the Fire Inspector and Ambulance Corp. to make a determination.

Austin Cassidy: I will handle all communication with the Fire Department and Ambulance Corp.

Stanley Bernstein: Thank you.

Doug Hertz: A village road, I believe, is 50-feet in width to be compliant. If this were fully compliant, we'd have a cul-de-sac turn-around at the end of it. Given that thought, I don't see that there is room, no matter what potential improvements that anyone could feasibly make to that road. I don't see ever getting close to something that the village would accept as a compliant road dedicated to the village so that it could be taken out of its status as a private road. An applicant always has the possibility of making improvements to something like that, but I don't see that we have the scenario. We do not have the room in this case to do that, which would make a safe and compliant road that the village could accept.

Anthony Oliveri: We made a site visit and reviewed the code. We will issue a memo shortly. Again, we reiterate that the Fire Department and DPW should give input. You are right in the fact that there is no way we can bring the road up to compliance. It is impossible.

Stanley Bernstein: Thank you. This concludes our review of the road. Our comments, Anthony's comments, the Fire Inspector and Ambulance Corp comments will all be packaged together to go back to the Zoning Board of Appeals.

Correspondence

Memorandum to the Planning Board staff from Chairman Cosentino dated March 16, 2010 re Project Approvals/Sign Off Procedures

Stanley Bernstein: I believe the best procedure for this topic is to review it and discuss it when Mr. Chairman returns.

Doug Hertz: I would like to make a comment on this. While I do not disagree with what is put forth here from the Chairman with regard to these procedures, we sometimes put applicants through an extraordinarily long process. This will extend the process even further. While I think it is critically important that we get it right, I would ask everyone to review this with both hats in mind. Put yourself in the position of an applicant and let's see if it makes sense from everyone's perspective.

Nanette Bourne: This was a dilemma. I had a lot of discussion with Nancy concerning the Getty resolution. The Board approved a set of plans that you did not have. The resolution reflected plans that the conditions were requiring that all of the plans be changed. The question that Nancy and I debated is what should be the date of the plans? Nancy felt that the date of the plans you approve should be the date of the plans to be prepared and changed, and those should be reflected on the resolution that is signed. It is my position that it is inappropriate to do that if you don't have the plans. You're taking on faith that those plans are going to be changed. Until you see them, you cannot say that the Planning Board approved them. Leaving the old date for the plan set didn't make sense either. I think it was unique that that applicant had been asked several times to update the plans. He came for his final vote for the resolution with his old set of plans that had outdated information on it. I do not think that is something you usually do. It was unique, but it created this dilemma of what was right.

Stanley Bernstein: We should have not voted on the resolution. If the plans did not agree with the resolution and the conditions, then we should not have voted on it. We have to have a situation where everything agrees before it's voted as a final.

Nanette Bourne: There were two instances. One was Getty and the second was Finkelstein.

Doug Hertz: To some extent, we need to do a better review earlier so that the applicant doesn't inadvertently find themselves in this position. It's one thing if it's self-inflicted. If it's a situation like Getty where we've requested that they update their tables multiple times and they simply don't comply, then I could care less that they are delayed because it's their own fault. But when we catch something at the 11th hour and throw them back another month, it has real financial consequences to a lot of people. I think we need to do a better job of staying on top of what has to be "when and where," so that when they're doing what we ask them to do, when they are compliant, we don't automatically add another month to their process.

Austin Cassidy: Exactly. You need to be thorough but in the most efficient way. Thoroughness doesn't necessarily mean it has to be dragged out; it has to be thorough but efficiently handled which does not necessarily mean protracted.

Anthony Oliveri: In these cases, the request was given, and there was an interest to move the application along.

Austin Cassidy: Going to that point, for whatever reason over the last few years, it has drifted away from some of the old cadence that the Board used to have in that when the dialogue was pretty much starting to reach a consensus in Continuing Review, then there was that point where the Board would say, "this looks like something we should put this on the next work session for a draft agenda discussion." That really should be the vetting session - getting the conditions lined up, looking at the drawings, etc. If the revisions that have been requested are not there, they don't get on the agenda. If they don't get on the agenda then the burden is not on your or your time. It's on them.

Nanette Bourne: I try to circulate the draft resolution and make whatever updates and corrections are given to me by the time I need to submit. Getting those back from the various people who look at it is really important.

Stanley Bernstein: In other words you feel that if the draft resolution is sent in enough time to each of the Board members, they can make comments and return them to you.

Nanette Bourne: When I first draft it I try to send it to staff to get their input. Everyone has a slightly different interest in it, and by the time it goes through staff it should have filtered out some items.

Stanley Bernstein: What happens if a member comes across a few of the conditions that he feels is not thorough or not up to date?

Austin Cassidy: It should be coming up at the vetting session of the work session before.

Doug Hertz: We should be seeing the resolution in draft form for at least one meeting before we vote on it.

Nanette Bourne: There will always be little things as you try to improve it. Someone will see something that they did not see before. Either they bring it up and then it delays it another two weeks, or they are not going to bring it up when it really should be, because they don't want to delay the resolution. It seems appropriate that for minor correction it should not start the process all over again.

Stanley Bernstein: But how can you be sure that the applicant will do that? If you tweak a condition at the vetting session, how do we know the applicant will do that?

Nanette Bourne: There are two kinds of things. One is the kind Whitney brought up tonight - adding a reference to the code. That is not going to change his plans.

Stanley Bernstein: Perhaps what we should have in mind that everyone of these draft sessions is that the only thing that would really delay a set of plans is something of substance. Small words that make a condition clearer probably should not hold the resolution back.

Whitney Singleton: There is something else on my end that I would do. If something is sent to me for final changes before it's signed off by the Chairman, I may send it back and forth to whomever, but when I send it to Nancy for the Chairman's signature, the only version that is set for him to sign is if it comes over in pdf format. If it comes over in Microsoft Word format, it's only a draft. Perhaps that is what should be done with anything that follows from a meeting every other Tuesday night. No matter what Nanette has sent over in prior iterations, even if it was put on for final action on a particular meeting, until it goes to Nancy in some format that she recognizes from Nanette, it is not suitable for execution. That is the only way I know it's the final, final draft.

Stanley Bernstein: When that happens, then Nancy needs to know it's a final, ready for a vote.

Austin Cassidy: The only other thing from a practical standpoint is that typically you have a two-week gap. If this was a vetting night for someone and then there is a note to be added, if you abide by the hard pre-submission rule, there is not enough time. If you preface something that it is ready to go out the door, and just add this, as long as it gets here before outbound deadline.

Stanley Bernstein: It should not be rigid when it comes to an item like that. That should be allowed to bypass if it's a few word change that is not of great substance.

Austin Cassidy: If you re-design something, that will take time and the board is going to want to see a re-design.

Whitney Singleton: We should probably put on our standard resolution provisions. Nanette has them but we should probably discuss some more. One thing that should be in there are any alterations to the plans shall render any improvements, so that you don't have people tempted to submit something.

Nanette Bourne: How do you deal with field changes?

Whitney Singleton: That is something different. I'm talking about alterations to plans.

Nanette Bourne: That changes plans.

Whitney Singleton: If you're submitting plans that you know are not consistent with what the Board had required you to do, and there is an oversight by someone - somebody didn't pick up a measurement or something like that - and someone pulled one over on the Planning Board, they should not be allowed to get away with it. That is why in all subdivisions the county requires a provision of no alterations of these plans. It has been very difficult (particularly when municipalities are trying to cut back on costs) to have so many meetings, when there are a number of things that Austin, Nanette, Anthony and I note - lists, maps, updating various things. It is hard to keep up without being able to have the meetings that we used to have. I will agree with Nanette that if this process is too rigid, it will end up omitting things that probably should be included in the resolutions for fear of delaying things for another two weeks or a month for that matter.

Stanley Bernstein: I was at a meeting last week at the Westchester County Center with representatives from the Department of Environmental Conservation, the State Office for Sustainability and the Mayor of Cortlandt. We had a long discussion, and the State is in the process of adding information to the SEQRA review regarding greenhouse gases. They seem to think it's going to take a long time. They all suggested that any municipality who wishes to add any of these things could do so during the scoping session and require it for SEQRA. We ought to consider something like that next time something comes up. The State feels they would allow it if the municipality does it prior to their issuing their guidelines.

Nanette Bourne: The issue is how you measure it, and they are trying to come up with methodology for measurement. Once you measure it, how do you determine the significance?

Stanley Bernstein: That is a large problem they are working on right now. With Westchester Residence and Club, I tried to have them make some sort of a table or "best guess" as to the amount of carbon that will be put into the atmosphere during construction by the construction vehicles, the removal and disposal of trees, and what the carbon footprint would be after the building is finished. LEED turned out to be a pretty big bust, as it is basically guidelines, and you have to wait two years before they think you have done a good job. To me, it is not a good method of doing things. In a project like Westchester Residence and Club, do you think it is possible for us to add a few things of our own during the scoping session?

Nanette Bourne: Westchester Residence and Club SEQRA process is done.

Stanley Bernstein: There is also the Sarles Estate.

There being no further business to come before the Board, on a motion by Dr. Morreale seconded by Mr. Vigliotti, the meeting was adjourned at 9:45 pm.

Respectfully submitted,

Stanley Bernstein
Recording Secretary

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