

Minutes
Meeting of the Planning Board
Regular Session
Village/Town of Mount Kisco
Tuesday, April 12, 2011

Meeting called to order at 7:30 P.M. at the Municipal Building Mount Kisco, New York by Chairman Cosentino.

Members Present: Chairman Joseph Cosentino
Anthony Sturniolo
Sol Gibbons
Stanley Bernstein
Ralph Vigliotti

Members Absent: Doug Hertz

Staff Present: Anthony Oliveri
Nanette Bourne
Whitney Singleton
Austin Cassidy

Acceptance of Minutes

February 10, 2011

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

Question:

Vice Chairman Sturniolo: On the February 10, 2011 we were discussing 293 Lexington Avenue and the addition of the new dentist office. As a refresher it would help us all if we all received a little simple email stating what the parking count is for each of the current tenants so we know when one tenant goes out and a new one comes in.

Nanette Bourne: Was that not on the resolution? I usually put it on that. I would have to look at it again.

Vice Chairman Sturniolo: If you could put it on a simple little chart, we can have it for the future when someone else leaves and someone comes in, what the expectation parking level is.

Nanette Bourne: I am fairly certain I have that on the resolution, only because that use is so unique and it requires that every tenant be assigned a review.

Question:

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Vice Chairman Sturniolo: Michael is gone. I have to talk faster at these meetings. I wanted to ask David's office re Page 11, Line 11, re who is responsible for the cost of the SEQRA analysis regarding the traffic light?

Chairman Cosentino: That was brought up and we said we were not responsible. Jim Diamond was responsible for it.

Vice Chairman Sturniolo: Without Michael here, there is no way we can contact John. I will bring it up at the next Planning Board meeting or send a note to David.

Chairman Cosentino: Definitely the village is not going to pay for it.

Vice Chairman Sturniolo: In my opinion, I don't think we should penalize the applicant because of this discussion. Even if the analysis was done and we had the draft in front of us, it was only a draft and never would have been voted upon by the Village Board.

Chairman Cosentino: I don't think they should be penalized.

Vice Chairman Sturniolo: Absolutely not.

March 8, 2011

Motion: Stanley Bernstein
Second: Ralph Vigliotti
Aye: Vice Chairman Sturniolo
Aye: Sol Gibbons
Aye: Ralph Vigliotti
Aye: Stanley Bernstein
Aye: Chairman Cosentino

Question:

Vice Chairman Sturniolo: On Pages 14 & 15 (specifically Line 53 on Page 15) there was a discussion about tables v. seating capacity for outdoor dining, where it concludes with "we will discuss this more after we see the draft." I do not want that draft to fall by the wayside.

Chairman Cosentino: I did bring up that we need a people count not a table count.

Stanley Bernstein: The very same issue was brought up again at the last meeting, and they promised to bring in a draft.

Vice Chairman Sturniolo: I am talking globally about a change in the Village code. Not site specific.

Chairman Cosentino: Right now it's the amount of tables in question. I think we have to change something in order to count people instead of tables.

Austin Cassidy: Please restate your goal.

Chairman Cosentino: Right now the code calls for number of tables outside per square footage inside.

Austin Cassidy: It sets up a ratio relationship between the number of tables outside not exceeding 1/3 of the number of tables inside.

Chairman Cosentino: I think it was the Board's wishes, instead of tables, that it would be a people count.

Austin Cassidy: So the occupancy outside would not exceed a ratio of relationship with the occupancy inside?

Chairman Cosentino: Right.

Austin Cassidy: Occupancy or seats?

Vice Chairman Sturniolo: We are going back to the issue that the table count does not really work. It should be the seating count. We were discussing specifically a change in the village code. We were looking for the draft, which refers back to the zoning code, the village code.

Austin Cassidy: The question stands. It would be a draft proposal that would say the number of seats outside cannot exceed the mathematical relationship for the number of seats inside?

Vice Chairman Sturniolo: Correct. That is what Whitney was going to fine tune.

Chairman Cosentino: On Page 15, it says "we will discuss this more after we see the draft."

Vice Chairman Sturniolo: We assumed we were going to see a draft predicated on the conversation.

Austin Cassidy: I will notify counsel tomorrow that the Board wishes to see a draft proposal/recommendation to presumably the Village Board that would essentially state that the number of seats outside cannot exceed the prescribed mathematical relationship to the number of seats inside.

Vice Chairman Sturniolo: Correct.

Ralph Vigliotti: The question still is – if we are trying to be more realistic on what is outside v. what is inside as far as seats v. tables, I think we need to do a chart to see the tables and chairs. Are we more restrictive or less using seats v. tables?

Austin Cassidy: An analytical study instead with random samplings and set ups?

Ralph Vigliotti: Yes. It may not be to our advantage.

Austin Cassidy: That will be constructed and on your next agenda.

Public Hearing

**Gallin Design Studio
(Canine Kindergarten)
333 North Bedford Road
PB2011-1**

Present:

**Elissa Cohen, Partner, Canine Kindergarten
Michael Gallin, AIA, Gallin Design Studio
Jim Diamond, Diamond Properties, Property Owner**

From the public:

**Debra Gittleman
Owner, Reining Cats and Dogs
200 East Main Street**

Notice of the Public Hearing has been duly published and posted.

Michael Gallin: (Explaining an exhibit prepared by Gallin Design Studios) This is an overall site plan for the property of 333 North Bedford Road. This is to the west of North Bedford Road down the hill, just south of the Bedford town line and behind the automobile dealerships. The property consists of a large 535,000 square foot building. There is a small 65,80 square foot building towards the southeast portion of the property. It is this small building in which we appear before you tonight, specifically Canine Kindergarten, which is a dog day care facility that also accommodates overnight boarding for a limited number of dogs as well. That particular operator of this facility is currently running a facility right around the corner on Ice House Road. The proposal is to relocate them from this location to a larger facility. This is a blow up of the site plan showing a small area to the entrance of the property for short-term parking for dropping off and picking up of the dogs. To the south of the building there is a fenced in area, which will accommodate the outdoor play area for the dogs. We have gone through significant analysis of both parking requirements, traffic and square footage of the overall property. The facility is broken into three indoor play areas, a reception area, conference room, a smaller room for the older dogs, an area where the dog food is prepared and housed, and a small grooming area.

Chairman Cosentino: Please give details to the interior.

Elissa Cohen: We will have about 50 dogs for daycare. They will be dropped off in the morning and picked up at the end of the day. While they are with us, they are supervised by our trained staff. They can nap, run around and play, have indoor/outdoor time. We will also keep a certain amount of dogs overnight. Our overnight is cage-free, so we have a staff member that stays overnight with the dogs that are on the premises. They would be kept indoors. They are not allowed outside at night. In addition, we are offering training classes and grooming. The hours of operation generally are 6:45 A.M. to 7 P.M. for daycare, seven days per week.

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Chairman Cosentino: Keep in mind that this is a little larger scale of the same businesses 50-200 feet away. There has never been a report of dogs barking, etc. It is in a valley and would be difficult to hear them anyway. Because they are dropping dogs off and leaving, there is very little impact on parking, which we were studying.

Debra Gittleman: I have a similar business and I am here to support them. I think it's a fabulous idea. There is a huge need in our community to care for the dogs, and I think they are going to do an excellent job.

Whitney Singleton: Michael Lander from Frederick P. Clark Associates, Inc. and I were discussing clarification as to the time by which all dogs are in the building.

Elissa Cohen: Generally all the dogs are dropped off by 9:30 A.M. They usually start going out about 9 A.M. At the end of the day they are usually in by 6 P.M. (The earliest an overnight dog would go out in the morning is) 8 A.M.

Whitney Singleton: If that language is incorporated into a resolution, is it problematic?

Elissa Cohen: No. Is there a timeframe someone is looking for?

Whitney Singleton: The resolution would likely put hours in which dogs are going to go outside.

Elissa Cohen: What time frame are people comfortable with?

Whitney Singleton: That would be a function of what your operation is and whether the Planning Board is comfortable with that.

Elissa Cohen: I will say 7 A.M. to 7 P.M. We like the flexibility.

Chairman Cosentino: If there is a need for you to change the hours, come back in and we will discuss it.

Elissa Cohen: That's fine.

Michael Lander: Do you have plans to call out the stop signs that were installed at that intersection? The lines are there, but there is nothing that calls out that there were any stop signs.

Michael Gallin: The updated shows the lines but doesn't actually show the signs. Austin thought it was an important safety aspect, so I immediately called Diamond Properties, and they just went ahead and did it.

Chairman Cosentino: Is there is a lined drop off point?

Michael Gallin: We have a pull up area and there is a line in the middle of that showing two spaces. There is a sign immediately adjacent to it.

Ralph Vigliotti: You only have two cars for the pull off area?

Michael Gallin: Correct.

Ralph Vigliotti: Is there any way to design in more cars than just the two?

Michael Gallin: There are also the adjacent parking spaces.

Ralph Vigliotti: How many parking spaces on the side?

Michael Gallin: Total is probably about 20 or so.

Ralph Vigliotti: How many employees?

Elissa Cohen: About seven at one time.

Ralph Vigliotti: We had discussed that employees not park immediately in the general lot.

Michael Gallin: Yes.

Ralph Vigliotti: It sounds like you are going to have a lot of drop off at one given time in the A.M.

Elissa Cohen: It's really spread out between 7 A.M. and 9:30. We don't really end up with any more than two, three max at the same time. And it's literally a few minutes. We really need very little parking.

Ralph Vigliotti: How many canines will be in day care?

Elissa Cohen: 50 is the maximum.

Ralph Vigliotti: So there will be 50 drop offs between 7 and 9:30.

Elissa Cohen: Yes, but 15-20% of our clients have more than one dog. We also offer pick up and drop off service. That reduces the number.

Jim Diamond: Also included is the overnight.

Anthony Oliveri: There is a note that the fixtures proposed conform with the original lighting plan, which is probably fine. We need to make it a condition on approval that it has to be verified.

Motion to Close Public Hearing and Keep Written Comment Period Open for an Additional 10 Days Commencing Tomorrow, April 13, 2011:

Motion: Vice Chairman Sturniolo
Second: Ralph Vigliotti
Aye: Sol Gibbons
Aye: Stanley Bernstein
Aye: Ralph Vigliotti
Aye: Vice Chairman Sturniolo
Aye: Chairman Cosentino

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Chairman Cosentino noted the applicant will be brought in at the April 26, 2011 meeting for the purpose of a draft resolution to be approved on May 10, 2011.

Returning Case:

**KH Realty II, LLC
130-132 Main Street
PB2011-2**

Present:

**Craig Intinarelli, Senior Architect, Granberg & Associates
Ira Granberg, Granberg & Associates
James Atwood, Owner of KH Realty**

Chairman Cosentino: We have a rough draft here to review.

Nanette Bourne: The applicant submitted revisions in a March 28, 2011 letter. I will let him explain it. There was a request by the Planning Board that the applicant submit two different drawings. One has to do with the maximum seat count, which was what he was using to get to those numbers, but not his preferred seating arrangements. Ira and I had an email discussion about this, and I will let Ira explain it to you.

Ira Granberg: Since we created occupancy charts that had counts, we thought it was better to show you where we got the count from so that our plans, referring to one of the requests of the Board members corroborated with the layout. The plan you have shows where we came with our number, and the final restaurant – we haven't designed it yet – we know in general schematics, will have less seats. How many, we don't know. Actually if you see the plan you will see it's not overburdened. That is the number of seats and it is based on square footage per table count and code.

Nanette Bourne: Just to review the plans that were submitted, the applicant has provided some preliminary engineering – not the final engineering that will be required for Anthony Oliveri to do his detailed review.

Ira Granberg: When we met the Board last time, we had three days to submit revisions that were requested. We had a landscape architect, a lighting consultant and a mechanical engineer all do calculations and design in those three days. We stand behind their work. Even though there might be some lighting levels that have to be adjusted, the first application did their own landscaping. We had an established landscape architect do it. We had a mechanical engineer calculate the roof loads and drainage just to make sure that it would all work with the original approvals. It was not that we just threw something together. I want to make that clear.

Chairman Cosentino: Austin, what will you need here?

Austin Cassidy: I have been in ongoing meetings with Ira and his associates as well as his client. I am fully informed and up to date.

Anthony Oliveri: Nanette and I discussed that it must be made as a condition in the approval that we do a final review of the construction documents before the building permit is issued.

Chairman Cosentino: I read the draft resolution and found no problems in that.

Ira Granberg: I have not read it. The only comments I have made and I can address Nanette to respond to is the "building permit" process. There is an existing permit that our client obtained on the building. The scope of the permit involved underpinning the building. There are terrible water problems. There was \$50,000 damage from the last storm. Structurally, environmentally, that needs attention. The question as I understood it when I read your initial concept is that we would have to do the complete construction set prior to Mr. Atwood's project going ahead.

Chairman Cosentino: I would thing whether you were going to put a restaurant here or not, I would want to get that repaired as soon as possible.

Austin Cassidy: If there is a building safety issue regarding things being undermined and property damage issues, we are sort of changing the horses in the middle of the stream here. Without a doubt, I think this Board has no objection to stabilizing the building for safety purposes. If I issue that based on there being an emergency need and the building being properly stabilized, does the Board have any objection?

Chairman Cosentino: When it comes to safety, the board has no objections. Normally, don't we have our engineer overlook the site work?

Anthony Oliveri: Yes. But we are talking about underpinning the foundation.

Ira Granberg: We had a geotechnical consultant do all the borings.

Anthony Oliveri: You are doing that from inside the basement?

Ira Granberg: Yes.

Anthony Oliveri: That is not something we would inspect and oversee. That would be the building inspector.

Chairman Cosentino: We have no objections to you starting that.

Austin Cassidy: Contact our office and we will get you started.

Nanette Bourne: I provided a draft resolution. After it was prepared, Anthony had requested an additional condition be added, which you just expressed. So, that needs to be added, but it's ready for your review.

Chairman Cosentino: We all read it. Any questions?

Vice Chairman Sturniolo: I would like to draw your attention back to the minutes of March 8, 2011, page 13, line 27. Austin Cassidy, quite accurately and verbally, said something that is extremely important to me and to all of us. He mentioned the fact that this new application is quite novel for the community. There is a certain degree of clear uniqueness that is not readily alignable with parking requirements that sit in the village code. The village code, therefore, provides in that scenario that the Planning Board is duly empowered by the village code to be the determining body for the parking needs for this particular proposal. The idea of rooftop dining and/or cocktails is obviously, as the building inspector said, unique. It's the first time we've come across it. I think your proposal is extremely well done, and at the risk of embarrassing your architect, he's done a superb job. That is no surprise to the Planning Board because every time your architect has appeared here, he has always done a superb job. However, I am concerned, Nanette, of the precedent setting. I'd like some language in a condition that singles this out, especially with the fact that the parking requirements are determined by the Planning Board, because once this gets approved, every other restaurant and every other lemonade stand is going to want rooftop dining. I want to bolster the language that this is unique. We've looked at it and also considered what the proposal is. Although we are not the ARB, this is a unique location. Rooftop dining cannot work in every restaurant in Mount Kisco. It surely can here because of its location and what the surroundings are.

Chairman Cosentino: A parking study was taken.

Vice Chairman Sturniolo: And the parking study was done. It is in there, but I think it needs repetition. This is somewhat unique and I don't want to see that line starting tomorrow morning.

Nanette Bourne: If you go back to page 3, you will see in that statement – within the “whereas”- it fills out the story on why this is unique. The 32nd condition will reflect any changes in the character of uniqueness.

Vice Chairman Sturniolo: Austin's words really get to the heart of the matter. If they can be massaged around to give us strength and support for the knock of the lemonade stand coming down the road.

Nanette Bourne: We will add the “whereas” in there and a 32nd condition that reinforces that any change to the character of the outdoor dining needs to come back to the Planning Board. Does that work?

Vice Chairman Sturniolo: Personally that works for me. It is not an overriding concern about returning to the Planning Board. I think there is a certain amount of reasonableness into the fact that they would have to return to the Planning Board, but I want to protect us from the next rooftop dining that is not going to have the architectural quality, look and geographical location of where this restaurant is. That is one of the components that make rooftop dining work.

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Specifically, the location, in addition to the quality of the work and the look of the restaurant. I want to bolster the language and protect us in the future, because not everybody is going to present what Mr. Atwood and his team presented to us tonight.

Chairman Cosentino: In all honesty, if it wasn't for the architectural work that was done to the front and back of this building, I would have been totally against this project. I commend you on that.

Ira Granberg: We did the parking analysis and it seemed like we were working against the guidelines as far as the potential for the outdoor café at grade level. The client has sacrificed the grade outdoor dining potential that I think other facilities would have, and we did a lateral arabesque and put it on the roof because we have a one-story building next to us and we're open. That might be another issue that we've relinquished that opportunity and put it on the roof in lieu of.

Ralph Vigliotti: We need to take note that outdoor dining does not require any parking. In this case, the applicant, through the architect that designed this outdoor café on the third floor that does include parking. This is a gain for the village as opposed to having 15 or 20 chairs and table outside on that wonderful pedestrian way, which looks gorgeous. It's going to be a nice attribute to Shopper's Park. We have a count for tables, which is included in the parking. If it was outdoor dining with 15 or 20 tables, it would not be. I think it's a win/win for the village and the applicant.

Vice Chairman Sturniolo: Can you tell me the spot where you are putting 5.8 foot candles?

Craig Intinarelli: It is a lantern in the middle of the back of the building. It is not over the walkway entrance.

Ira Granberg: It's an overlap of two landscape lights, which actually just shoot right down to the sidewalk. They don't shoot up towards the public at all. We spoke to our lighting consultant and it's a question of re-lamping it.

For future scheduling purposes, the draft in final form as a resolution of approval will be on the agenda for the April 26, 2011 meeting.

Returning Case:

**Kisco Avenue Business Center, LLC
185 Kisco Avenue
PB2010-19**

Present:

**Gregory J. McWilliams, A.I.A., Architect for Mr. Beldotti
Anthony P. Beldotti, Property Owner**

Gregory McWilliams: Briefly, Mr. Beldotti is the owner of 185 Kisco Avenue. He has owned the building for a little more than 10 years. Everything is in place and conformance in terms of building and site

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improvements as a risk. Mr. Beldotti would like to increase his parking count due to changes in the rental market. To do that, we found ways within the confines of the existing pavement parameter to re-stripe an additional seven spots. These additional areas of paving are also counter balanced by areas that are not paved. We took them away and made them pervious areas. The net result is 219 square foot less impervious area. At the last meeting, the village engineer issued a memo relating to existing site components, aisle widths, etc. In response, Mr. Beldotti prepared a response to all those items, which has been submitted to you. There are no changes to the site plan, but we did create a sheet for you regarding site detail. Prior to our submittal, I spoke to the village engineer regarding our refuse enclosures, which are not concrete block. They are heavy-duty metal mesh with PVC slats. They are very solid, well constructed and seem to work fine. I ask if in fact we could do the same thing in the relocated refuse location. We had two locations before, and we are going to have two locations with our proposal, but they are moved to different areas of the site. On the detail that we submitted we called that an alternate. The village engineer said that was up to the purview of this Board whether we could replicate the type of enclosure we had before.

Chairman Cosentino: It creates a problem because of the policy we have here, which is block. If we let you have the fence, a future applicant will want a fence. It has to be block.

Anthony Beldotti: We are duplicating what we have now. The question is can we recycle instead of going through the block?

Chairman Cosentino: If it's going to be an enclosure, it has to be block. We have to stick to our policy. I do commend you on the beautiful job you did there.

Vice Chairman Sturniolo: The block should also match the exterior of the existing building.

Gregory McWilliams: At our first meeting, this Board, even though we feel there is no significance to what we are doing for this area, suggested that we might want to consider net gain/loss of impervious area, which we did. At the same time, it was pointed out that we are in the Main Street district and the Department of Environmental Protection (DEP) approval is required. We set up a meeting with their representatives. In our initial meeting with them, we showed them our design sketches and they requested we write them a cover letter and submit the drawing in AutoCAD format. We did not have to submit a full-blown storm water report. After we submitted it, it was requested by the DEP that we outline more information. We did a limited outline; I added a few details, some which were requested by your engineer. We met with them again about three weeks ago and at that time they requested a full-blown report and more site details, which we did. We now have three drawings in our proposal. One is detailed totally; trees, curbs, erosion control, etc. We have done a complete storm water pollution protection plan report including all the details they requested. Could you put something in writing to them saying we are in the works in terms of the process, so that this Board is not just taking our word that we are meeting with them? This letter was

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received by them and I see that a number of pertinent Mount Kisco staff received the letter. They pointed out that they would like a determination about Lead Agency designation and Negative Declaration. Since your board is the ultimate reviewing authority, you would be the one to establish a Lead Agency and determine significance.

Nanette Bourne: I also spoke with DEP on this issue and told them it would be before the Board tonight to Notice your intent to be Lead Agency and to do a coordinated review on this. They will relinquish their ability to be Lead Agency and give it to you. Based on the short Environmental Assessment Form, it needs to be submitted. At your next meeting you will be able to make that determination.

Stanley Bernstein: Why does this site need a SEQRA? It's existing. It's a Main Street area. All they need is a storm water pollution protection plan.

Nanette Bourne: It is a discretionary action on the part of the Planning Board.

Stanley Bernstein: I don't think that is fair. I don't think that is right.

Nanette Bourne: It's the SEQRA law, as long as there is discretionary action.

Stanley Bernstein: It's the interpretation of the SEQRA law.

Nanette Bourne: It's the interpretation this and every other Board has followed. You have a choice to do a coordinated or uncoordinated review. Your practice has been to do a coordinated review.

Stanley Bernstein: DEP has already determined that we need it. We have no choice. The only choice we have is to become lead agency, which we should in this circumstance, rather than leave it to the DEP. I cannot understand the need for a SEQRA in this situation.

Vice Chairman Sturniolo: It's a decrease in pervious surfaces.

Stanley Bernstein: The storm water pollution protection plan covers that.

Motion for Mount Kisco Planning Board to Declare it's Intent to become the Lead Agency for Kisco Avenue Business Center, 185 Kisco Avenue

Motion: Vice Chairman Sturniolo
Second: Stanley Bernstein
Aye: Sol Gibbons
Aye: Ralph Vigliotti
Aye: Stanley Bernstein
Aye: Vice Chairman Sturniolo
Aye: Chairman Cosentino

Anthony Beldotti: Can we tell the Department of Environmental Protection that we now received the Declaration?

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Nanette Bourne: You won't receive it until the next meeting.

Anthony Beldotti: So we cannot submit any documents to them until after the next meeting.

Austin Cassidy: Yes, and tell them that the Mount Kisco Planning Board has declared itself Lead Agency. If they want any paper to that, we can provide that.

Nanette Bourne: Now that the Planning Board has declared their intent, I will make a phone call to DEP. They have a period of time as an involved agency to say yes or no. They will tell me over the phone that they do not want to be lead agency.

After the Board announced it's intent to be Lead Agency, the short EAF is on file for this project, the Negative Declaration will be declared at the next meeting (April 26, 2011). A draft resolution will be prepared for that meeting for review and comment only. The following meeting (May 12, 2011) will be a meeting of action.

Formal Application:

**Glen August
151 Sarles Street
PB2011-4**

Present: Ed Delaney, Engineer, Bibbo Associates

Ed Delaney: We were here last month on a conceptual discussion for an addition of an indoor tennis pavilion on one of our larger homes in Mount Kisco on Sarles Street. We exchanged ideas and responded to the village by a formal application process, which included site plans, erosion control plan, storm water pollution protection plan, applications and fees. We are here tonight to let you know that we did make application to the Architectural Review Board. We are on Sarles Street. We back up against Toll Brothers, which is substantially below us. This is a fairly large, single family home that is adding an 8,400 square foot tennis court with a roof. We are here because of site plan approval. We did nick some steep slopes here, which triggered our application for environmentally sensitive slope encouragement. We told you there will be no lighting on this side, and the architect has responded to that by making sure there are no windows on this side of the building facing the populace. This is relatively uninhabited on every other compass point. There will be tree screening on the top, so if there was any view shed up from Toll Brothers. We have supplied an erosion control plan according to DEC and submitted it to the village engineer. This is very simply stating that we will direct all drainage away from residents. We've located our septic systems.

Vice Chairman Sturniolo: Where are the septic systems?

Ed Delaney: We have these little cottages back here, a little tiny cesspool back here. We were more concerned about where this construction would be. We found a pipe leading around this rock, heading this way, so we know we are out of the way.

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Vice Chairman Sturniolo: Did the company who cleans the septic tanks ever confirm the location?

Ed Delaney: I confirmed it. I found the clean-outs for all pipe leading down to the fields. They are still out there. As a matter of fact, if we do the sidewalk that will be quite obvious. It made my job a lot easier. We have what I think is a complete submission and are waiting for a Public Hearing.

Stanley Bernstein: What is the square footage of the roof?

Ed Delaney: It's the same, 8,300 square feet.

Stanley Bernstein: It is additional impervious surface.

Ed Delaney: That is what triggered filing.

Stanley Bernstein: You've completed your preliminary environmental statement and x'd a few things such as steep slopes and something about a wetland.

Ed Delaney: We had a large pond that is landscaped. That is the wetland.

Stanley Bernstein: How does the building itself encroach upon the wetland?

Ed Delaney: It doesn't. It's checked off because it's on the property. It's a trigger mechanism for the applicant to be aware.

Stanley Bernstein: You do have some heavy steep slopes, 25%.

Ed Delaney: This topography is a map of Westchester County that we obtained from the internet. Because it is flat, we did do a field topography by Steve Johnson. This is an exact topography that we've blown up on other construction drawings, to be exact. That is why this is not interpreted. This is a field shot topography. There is going to be some rock. Fortunately for us, this is fairly level.

Stanley Bernstein: I noticed in your statement that you are going to hammer it rather than blast. It's too small to blast anyway.

Ed Delaney: We will be just nipping out the corners.

Stanley Bernstein: That septic field was obviously existing, but what was it for?

Ed Delaney: It was for the main house. The cottages have their own.

Stanley Bernstein: The field has been working all this time without rock interference?

Ed Delaney: I didn't see anything out there.

Austin Cassidy: Reminding the Board this is a steep slopes application before you. The permit does require a Public Hearing as part of the process and lead time is such that it automatically puts the earliest opportunity for a Public Hearing into the month of May. You may want to target that tonight because of publication leads, etc. Also in that process, we would simply, as a manner of administrative form need to notify the Town of Bedford being that they are also abutting. It would behoove you to start targeting what you think might be an appropriate date for a Public Hearing.

Nanette Bourne: There are a few missing pieces that should be provided so the public can understand, notably cross sections so you can see exactly what is going to happen when you do cut into the 20-25% slope. Also, a more formal landscape plan. I see you have some proposed trees, but details are needed. For the next meeting you should provide the process of the landscape plan.

Anthony Oliveri: I will have a few comments on the sediment erosion plan as well.

Stanley Bernstein: I have a firm belief that a person who owns a piece of property can be allowed to do whatever he wants on his property providing it does not disturb or encroach upon anyone else. I also have a philosophy regarding steep slopes, and I have voted very consistently against changing or destroying any steep slopes or wetlands over the years. From what I can see, it looks as if you have taken good care not to disturb any of it. I do have a problem with the additional impervious surface, and 25% grade, even though it's small is a problem for me. I want you to know that.

A site visit was planned by the Planning Board for Saturday, May 14, 2011 at 9:00 A.M. Mr. Oliveri will convey his comments to the Board via email.

Ms. Bourne instructed Mr. Delaney to send her and Mr. Oliveri a full set of plans, including landscaping, cross-sections and lighting for the May 24, 2011 Planning Board meeting, with a Public Hearing to be held on May 24, 2011.

Motion to Declare the Intent for Mount Kisco Planning Board to become Lead Agency for Glenclyff, LLC.

Motion: Stanley Bernstein
Second: Ralph Vigliotti
Aye: Sol Gibbons
Aye: Vice Chairman Sturniolo
Aye: Ralph Vigliotti
Aye: Stanley Bernstein
Aye: Chairman Cosentino

Correspondence:

- Letter from Chairman Cosentino to Mayor J. Michael Cindrich and Board of Trustees dated April 1, 2001 re Definition of Cemetery under §110-59.

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April 12, 2011

- Letter from Edward Buroughs, Westchester County Planning to Mr. James M. Palmer, Village Manager re Referral File MTK11-001, Zoning Text Amendment: Definition of Cemetery

As there was no further business to be discussed by the Planning Board, on a motion by Mr. Vigliotti seconded by Vice Chairman Sturniolo, the meeting was adjourned at 9:10 P.M.

Respectfully submitted,

Stanley Bernstein,
Secretary

dm