

Minutes  
Regular/Work Session of the Planning Board  
Village/Town of Mount Kisco  
Tuesday, August 23, 2011

The meeting was called to order at 8:00 P.M. at the Municipal Building Mount Kisco, New York by Chairman Cosentino.

**Members Present:**     **Chairman Joseph Cosentino**  
                                  **Vice Chairman Sturniolo**  
                                  **Stanley Bernstein**  
                                  **Doug Hertz**  
                                  **Sol Gibbons**

**Members Absent:**     **Ralph Vigliotti**

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

**Staff Absent:**        **Austin Cassidy**  
                                  **Whitney Singleton**

**Acceptance of Minutes:**

**June 14, 2011**

**June 28, 2011**

**Motion:**     **Stanley Bernstein**  
**Second:**    **Vice Chairman Sturniolo**  
**All Aye**

**Final Action:**

**Glenclyff, LLC**  
**(Glen August)**  
**151 Sarles Street**  
**PB2011-4**

**Present:**    **Edward J. Delaney, Jr., Bibbo Associates, LLP**  
                  **John Stockbridge, Neighbor**

Anthony Oliveri: Mr. Chairman, after speaking with the village attorney, this can be voted on and the resolution be made subject to the change to the plan which was to reflect that the Marsh Sanctuary had a 25 ft. strip of land around the property. Also, some of the dates need to be updated on the drawings to coordinate that.

Vice Chairman Sturniolo: I have a question on the first document, which is the resolution of approval to disturb sensitive natural areas. I am referring to our August 23 packet. Nanette, on #8, please clarify where it says, "landscaping shall be installed in accordance with the approved date, June 21, 2011. Putting aside the date for a moment, please clarify the word "approved."

Nanette Bourne: It should be the planting plan, which is identified as PP. The date on that plan is August 17, 2011.

Vice Chairman Sturniolo: Thank you. On Page 5, #17, where it make reference to the arborist and a tree root protection plan, cabeling, etc. At what point in the process do we get to see this plan that the arborist is going to provide?

Anthony Oliveri: There is a pre-construction meeting required. At that point, we will go through all these conditions and review that plan, making sure it is adequate before they start the work.

Ed Delaney: We are comfortable with that. There are a few items here that have to be brought to the table at pre-construction. There is very specific timing and scheduling, etc.

Nanette Bourne: To follow-up with the changes, on Page 1, Item 4 under the SEQRA actions, July 12, 2011 needs to be revised to reflect today's date.

Anthony Oliveri: The village attorney mentioned that when the resolution is revised, it is subject to his review, prior to finally signing off because of the minor changes.

John Stockbridge: I would like to have this in the record, the way this happened from my wife and my own standpoint. We are the neighbors to the south. We are Town of Bedford on the border. We did not, for whatever reason, see notification. Subsequent to that, we've worked out with the town attorney that our property will be treated as the other border, (Point 16, page 4) which talks about have been amended to include the southerly border with the same treatment as the westerly border. Also, it is added (Point 2), which we've added that says, "Presents evidence of notice to all adjoining property owners." I also think we may or may not have added that there would be no outdoor lighting. With those three conditions, the same buffering, no outdoor lighting and the condition of notification; for the future if there is such a thing, we told Mr. Singleton that we would waive the notification situation.

Chairman Cosentino: We appreciate that, as it was an honest mistake.

John Stockbridge: The other item is the sanctuary itself. I sit on that Board, and my wife is the Secretary Treasurer. She should receive all mailings. In the case of this notification to the sanctuary, I found out this afternoon from Mr. Delaney that it was the son of the caretaker who signed for the letter. Peter Grunthal, my wife and I did not know anything about it. That is why we were not here representing the sanctuary for any of the conditions on here. The sanctuary also feels as long as the plans and the revised site plan and other revised drawings and surveys indicate the ownership the sanctuary has on both the western and northern side, then we were happy from the standpoint that we won't fear, if you will, any kind of future action where this applicant or some members of The Chase have some interest that they want to change, that we are shown as being owner of the 25 foot open space strip; which, by the way, is on the tax maps. They show very clearly the open space strip. The last thing I would like to say is the sanctuary in particular wants to be known as a good neighbor. We are a resource to the town. We would love to have more involvement with the town in the community garden and the other trails that we have. We are definitely not trying to have you

think that the sanctuary is trying to “pull” some kind of a deal. We just didn’t feel that we had notification. It was our fault, because we signed for it. Therefore, we did not feel we were part of the process. My wife and I definitely felt like we were not part of the process. Mr. Delaney and the builder, Mr. Hernandez, came out and worked out a tree-screening plan. They were most available and agreeable. So, as long as his site plan, which was updated by Steve Johnson are accomplished, and these dates are changed, then we’re fine. I want to have that all on the record.

Chairman Cosentino: Thank you very much, and the sanctuary is important to the village.

John Stockbridge: We know that, and we hope it gets more play. Thank you.

Nanette Bourne: Mr. Stockbridge, just to clarify; I have the 20<sup>th</sup> condition of no outdoor lighting. The 21<sup>st</sup> is the notification.

Doug Hertz: We have the final resolution that includes all that language, and what we have in front of us incorporates that.

Vice Chairman Sturniolo: If we could look at the agenda for the final action for tonight, we are voting on the Permit to Disturb Sensitive Natural Areas. Do we also have to include a SEQRA Determination?

Nanette Bourne: It’s all in the resolution. What you have done in the past is a separate vote. You don’t have to do it separately because everything is incorporated in the vote for the sensitive natural areas.

**Motion**

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

Vice Chairman Sturniolo: The Resolution of Approval – separate from what we just voted on – is it the same document for sensitive areas and resolution of approval?

Doug Hertz: We do not have jurisdiction over approval. The only thing we have jurisdiction over is sensitive areas.

Anthony Oliveri: They were both Resolution of Approval for permits to disturb sensitive natural areas.

Vice Chairman Sturniolo: What is the resolution of approval that the agenda refers to? Is that a separate document?

Nanette Bourne: No.

## **Formal Application**

**305 Lexington Avenue, LLC  
(MRE Corp.)  
293 Lexington Avenue  
Irrelevant Elephant, Inc.**

**Present: Laura Craig, President and Business Owner  
Diana Chiulli, President, Select Properties, Inc.,  
representing the landlord, MRE Corp.**

Chairman Cosentino: When we originally passed the resolution for the building and all the stores, anyone that wanted to rent the store had to come back here because of parking. Essentially that is what you're here for, but we really want to know what and how you are doing, when you're doing it, hours of operation, etc.

Laura Craig: The business will offer supplementary art classes. I plan to offer them to students of all ages, starting toddler and ending with adults. The art classes will be mostly painting, drawing, etc. I do not have any ceramics set up, nor do I intend to have that. It is more two-dimensional art in workshops.

Chairman Cosentino: How many students will you have in there at one time?

Laura Craig: I would feel comfortable with ten students at a time, maximum per class.

Chairman Cosentino: How many classes per day?

Laura Craig: Four. There will probably be about an hour between each class, as I have it scheduled now.

Chairman Cosentino: So the class is going to last approximately two hours. We need something documented.

Nanette Bourne: If you look in their application package, she has the description of her business. In addition, I believe you want to have an idea of what percentage of space is going to be used.

Chairman Cosentino: Yes. It's 1,800 square foot.

Diana Chiulli: Yes, the store was a former Pilate's studio. It is just 1,710.

Chairman Cosentino: It seems big for ten students.

Laura Craig: It's an art studio; typically when you take an art class, you need your space.

Chairman Cosentino: Will there be sales of any kind?

Laura Craig: There could be some very small retail. 20% of the store is going to be retail. Very little operation; just more if students want to pick up materials while they are there.

Nanette Bourne: That may be fine, but I believe you would want a site plan that shows that 20%. I don't believe you provided a layout of your store.

Diana Chiulli: Laura, is it your intention to have the retail sales from the start, or was it something you were just thinking about?

Laura Craig: It is something that I plan to do, but it is not set up as of now.

Diana Chiulli: If you registered for a class, and there is a supply list, I supply them.

Chairman Cosentino: So the sales are for your students, not outside people coming in?

Laura Craig: Yes. It is not going to be advertised like The Art Emporium.

Nanette Bourne: I think the Board is concerned that we would not want it to morph into a 90% store and 10% studio.

Laura Craig: That is not my focus.

Nanette Bourne: If you could memorialize it on a layout of your site, with approximately where the 10% would be.

Chairman Cosentino: Parking is not going to be a problem, as it is less parking than the Pilates, which was there before.

Laura Craig: For the children's classes, it's mostly going to be drop-off. We will also have adult classes.

Vice Chairman Sturniolo: When you say art classes, are you referring to sketching, charcoal drawing, watercolor, oil painting?

Laura Craig: All of the above, but acrylic painting, not oil painting.

Vice Chairman Sturniolo: Are there any computer classes?

Laura Craig: No.

Vice Chairman Sturniolo: Any sculpturing or using a wheel for clay pieces?

Laura Craig: None as of now. I would not be able to have ceramic firing on the premises.

Vice Chairman Sturniolo: So it's one-on-one easel-type art classes. Whatever the media is, is immaterial.

Doug Hertz: Does each space in that building have a pre-determined parking count associated with it?

Chairman Cosentino: We took the total.

Nanette Bourne: Because this resolution is sort of an unusual resolution for this particular use, we have every space 1-9 with the

size of the space and the parking that is going to attribute to it. You want to make sure that you don't go over that. We'll just be moving that resolution forward for each subsequent tenant change.

Doug Hertz: For the Pilates prior tenant, do we know what the count was allotted for them?

Chairman Cosentino: I don't think it was separate. We monitored it as each tenant came in. Pilates was more parking than this applicant. This will be a drop-off, and only adult classes will have drivers. In monitoring the parking, there is no one that parks in the back. The back of the building is completely empty. The busiest store there is Bassillico's, usually around 11:30 to 1. The bank isn't that busy nor the nail shop.

Doug Hertz: So, as this point there is adequate parking on site?

Chairman Cosentino: Yes.

Nanette Bourne: The parking that was attributed to the Pilates was ten spaces.

Chairman Cosentino: I don't think you're going to have ten here.

Doug Hertz: What are your hours of operation going to be?

Laura Craig: 9 to 8 weekdays, Saturday and Sunday 9 to 4.

Doug Hertz: What would guess regarding employees?

Laura Craig: Maximum would be two. Myself and possibly a part-time.

Nanette Bourne: If you are comfortable with the information, once the applicant submits a memorialization either in writing or a drawing, which is preferred, submit that and make sure I get a copy of it. If the Board approves, I will draw up the resolution for the next meeting.

Diana Chiulli: Can that be a lay person's drawing? Does it have to be architectural?

Nanette Bourne: It should be to scale, but if you're an art teacher you should do it.

Diana Chiulli: It would basically demonstrate the percentage of space for the supplies. We're hoping it's a nice children's activity. I think there is a shortage of that in the area, especially inclement days.

Chairman Cosentino: We wish you luck.

Nanette Bourne: The drawing needs to be submitted well in advance-15 days.

Chairman Cosentino: Please speak to Patti Tipa regarding the application fees.

Nanette Bourne: Patti will give you my address and please make sure the drawing comes to me directly. Ten days before I will be drafting the resolution, if I don't have it, it won't be completed for the meeting.

Vice Chairman Sturniolo: What is the history behind the name?

Laura Craig: My mother came up with it. When I was doing my student teaching, the first thing I learned from the teacher I was working under. He was reading a book to the kids, and he started drawing on the board. He started with one line and started adding shapes, and it turned into an elephant.

### **Formal Application**

**Arroway Chevrolet/Cadillac  
175 North Bedford Road  
PB2011-5**

**Present:**

**Scott W. Blakely, R.L.A., Sr. Vice President/Principal Landscape Architect, Insite Engineering  
Vincent Franze, Franz & Franze Architects  
Charles Martabano, Attorney for the Applicant**

Charles Martabano: We appeared before you on a preliminary basis, we have not submitted a formal application. We are here to receive some comments and to review it again for any members of the Board who may not have been here before.

Doug Hertz: For disclosure, I had preliminary discussion early on this project with Mr. Franze and we have not continued anything. I have no conflict of interest on this point on this project.

Chairman Cosentino: Accepted.

Charles Martabano: The proposal is to add a small addition on the northern portion of the existing building that will house the Cadillac showroom. Basically we are looking to separate the Chevrolet and Cadillac dealerships on the same site. It is roughly 4,000 square foot.

Chairman Cosentino: Will you be able to walk through one to get to the other?

Vincent Franze: No actually, without going through the Service Department, which is not intended.

Chairman Cosentino: The buildings are connected. They are not two separate buildings?

Vincent Franze: It is one building, but the showrooms will be separate. For all practical purposes, one would not walk from one to the other indoors. The reason for that is not a concern or an issue or a programmatic requirement is because you're either shopping for a Chevrolet or a Cadillac.

Chairman Cosentino: I want to make sure that you are not building two separate buildings.

Charles Martabano: Not at all. Understood.

Scott Blakely: It is an addition on the north portion of the property. We are making some additional site improvements. There was a variance granted for a coverage allowance in excess of the 80% back in the 90's, and they were permitted a little over 84% coverage. Because of the addition of the building, we have actually reduced the overall coverage below that +/- 84% down to 83%, so we have a reduction in site coverage. We accomplished that by the removal of a portion of asphalt back in this area and the creation of a green planting area, which is adjacent to the DEC wetlands. We thought it was very important to keep that reduction in place. We are also proposing some modifications to the façade of the Chevrolet dealership. There are slight modifications to the circulation through the site to improve it two ways. Some of the access aisles do not conform to the village requirements for two-way access in through this area. We re-aligned some of the parking. We provided handicapped parking on the site, which did not exist previously. We are making some landscape improvements. Foundation plantings are on the building, and we are also proposing some planting in this green area in the front on the corner of Preston Way and 117. This is really an open lawn area now. We are trying to complement the planting that was done over at Appleby's, and the plantings that we are proposing here are similar to what we did over at 681 East Main Street on the corner. We are proposing that palette of plant materials in this area. We are also looking to enclose the rooftop parking storage. It is going to be an unheated space and it is going to be storage for new motor vehicles, as it is now.

Charles Martabano: Now it's actually a part of a legal, non-conforming situation. This will now bring it into conformity.

Scott Blakely: The property is located in a designated Main Street area. We are required to submit plans and a storm water pollution protection plan to the Department of Environmental Protection (DEP). We've made that submission to Andrea. We have not had any feedback or comments back from her yet. We will follow up with her this week. Also, there is a Department of Environmental Conservation (DEC) wetland located offsite, at this location. This has been flagged by Tim Miller Associates, and we are in the process of working through the wetland permitting process. A 100-foot setback brings us into this area. We will be doing some activities within that area, but we have an overall reduction in impervious surface. We will be filing formal permits with the DEC shortly.

Anthony Oliveri: We have a comment memo.

Nanette Bourne: When was the wetland applied for?

Vincent Franze: June 15, 2011.

Nanette Bourne: So the plaques are still out there?

Scott Blakely: Yes.

Nanette Bourne: You need to flag them based on DEC criteria and building criteria as well.

Scott Blakely: I believe they were flagged on both criteria, and I will confirm that with Steve Marino.



Nanette Bourne: Do you think the wetland that is showroom the map is DEC?

Scott Blakely: I think it's both, but I will check with Steve.

Nanette Bourne: The definitions are slightly different for the two.

Charles Martabano: We will check and get back to you directly.

Chairman Cosentino: Is there anything to show what you've done to the front of the building? Has this been through the Architectural Review Board yet?

Vincent Franze: No, it has not.

Vincent Franze: The fundamental impetus for all of this is General Motors and their facilities image program, which this Board is probably familiar with the concept that these automobile manufacturers like to have a certain amount of brand recognition on a national scale. That is where this comes from. At the local level, Arroway is simply trying to be a good team player and follow the General Motors facilities image program. Fundamentally the design and in fact the program – specifically the separation of the Chevrolet and Cadillac showroom all comes from General Motors. They were the lead on this, and they have an architect who helped General Motors design this national program that General Motors seeks to help local dealerships implement all across the country. What you see here, fundamentally the design of it, is a local application of a national design concept. The separation of the two showrooms comes from GM, the color scheme, finished materials for the exterior of the walls all comes from GM. The one aspect of this project that was generated by Arroway was the roof enclosure. That is not something General Motors said we needed. That is something that Arroway proactively said. "If we are going to upgrade our dealership in this way to not only have it comply with GM but promote greater success, (as GM believes it will do), let's also fix this bad thing," which is the rooftop parking lot. For a lot of reasons, environmentally, economically, aesthetically, Arroway believes that will also further improve the property. That is the one part that did not come from GM. Yet, aesthetically we are looking to of course integrate it with the whole GM exterior appearance concept.

Chairman Cosentino: I do not want to comment on a design, but it looks terrible. I don't see one tree, one shrub. I do not see anything in front of the building. I do not see anything in the green area. To bring in something like this without plantings, and show this Board, you ought to be ashamed of yourselves.

Vincent Franze: I'm sorry about that.

Charles Martabano: The idea was simply to show what the building changes were going to be. Of course landscaping is the element.

Chairman Cosentino: Landscaping is going to mean a lot to this Board. It doesn't show anything as far as landscape. This property is coming into the village. This is a major building, which everyone looks at. You've got a shopping center across the street. I think you need

to do something with planting, and I hope you come back with something that is going to dress this building up.

Vincent Franze: I appreciate what you said, but let me address it directly. As an architect, this rendering was intended specifically to show what was happening on the building. It was not an oversight, it was specifically put aside that this was not about the landscaping. Honestly, we did not want to obstruct or detract.

Chairman Cosentino: When we look at a rendering, we like to look at what is going to look like. I have no problems right now with the design, but I think you need to do something with plantings to make it look beautiful.

Charles Martabano: I think you've pointed out that this is a significant building and a significant location to come into the village. Scott has pointed out that we are looking at what you've improved elsewhere, so we can bring something into you, which will be good. But, this was simply to show you the architectural structure.

Chairman Cosentino: The next time you come before us, make something that this Board is going to be proud of.

Vincent Franze: Absolutely.

Chairman Cosentino: I appreciate that, and please don't take it personally.

Vincent Franze: I don't take it personally, as long as the Board understands that it was specifically not about the landscaping. In fact, we downplayed it.

Chairman Cosentino: I wish you would have said that immediately, otherwise I would not have said anything.

Vincent Franze: I appreciate it. It was a tool to show what's happening on the building.

Scott Blakely: That rendering is taken from inside the site. There are numerous street trees, if you are familiar with that frontage along 117. There is a double row of street trees along 117. There is a series of street trees that come up the road in both locations here. We are proposing on our plan plantings in this location to soften the building. We need to incorporate the planting on this into that plan.

Charles Martabano: Even more, you are looking at the appearance of it as someone comes down the street.

Chairman Cosentino: I want this building to look like nothing else in this village. It's coming down and going up 117. You've got a mall across the street. This building needs to make Mount Kisco. It never has. Now is the chance to make it Mount Kisco.

Charles Martabano: I understand.

Vincent Franze: We'll make a statement with it.

Vice Chairman Sturniolo: In your initial letter that you wrote to us, you used a technical term describing the roof covering for the current ramp.

Charles Martabano: Photovoltaic.

Vincent Franze: They are solar collectors that provide heat inside.

Vice Chairman Sturniolo: These solar panels are going to be installed on top of the roof surface?

Charles Martabano: Correct.

Vice Chairman Sturniolo: I understand you wanting to cover the roof and the ramp and make it look aesthetically pleasing to match the balance of the building, as one member of the Planning Board, I would like to see what this is going to look like with these panels installed on the roof.

Charles Martabano: I am guessing you would like to see a schematic of how it would look and possibly a color rendering after that, if we install these panels. Also, how big they are going to be and where they are going to be, etc.

Vice Chairman Sturniolo: When will you make the decision if you are going to do this or not? Since your early letter, there does not seem to be a lot of discussion about this concept.

Vincent Franze: The reason for that is, in terms of the appearance of the building, it is not something that has any consequence. It will not be seen from the street or passing cars. It will not be visible unless you go up onto the roof.

Vice Chairman Sturniolo: Is the solar panel something that is going to sit flat?

Vincent Franze: Relatively flat on the roof surface. Part of this roof has a small parapet around it, so while the roof of the proposed rooftop enclosure has a gentle pitch to it, it is technically a flat roof. In the world of roofing, flat roofs are not actually flat. All roofs have to pitch somewhere. This is a flat roof that will have a pitch over the course of its 70 or so foot width of about 18 inches. However, architecturally we are putting a little parapet around that, so that even that slight pitch will not be visible. It is going to appear as though it is level. In our preliminary way, the panels that we are exploring to put on our roof surface are not going to be panels that are standing up or having any kind of significant profile.

Vice Chairman Sturniolo: What are the dimensions of a panel?

Vincent Franze: I don't want to wing that. The panels may cover a substantial percentage of the flat roof, but they are not going to stand very high off of that roof at all. In fact, we also happen to be kind of fortunate in that the long access of this roof happens to be nicely perpendicular to the southwest orientation that is pretty much optimal for solar collection of the kind that we are exploring.

Chairman Cosentino: Actually the fascia is going to hide the panels.

Vincent Franze: Simply, you're not going to see it.

Charles Martabano: Is your concern about the visual impact?

Vice Chairman Sturniolo: From various points of view.

Vincent Franze: You're not going to see it unless you're up a tree.

Vice Chairman Sturniolo: I'd like to see that on paper with some angles and some viewpoints to address my comfort level.

Vincent Franze: Very fair, and we will show.

Vice Chairman Sturniolo: And, are you going to do it?

Vincent Franze: I can only tell you that my client has expressed a sincere and serious interest in pursuing this because he sees no downside to it. From every angle it seems to make good sense.

Charles Martabano: Basically, you'd like to know when we are going to make a determination, and if so, what it's going to look like.

Vice Chairman Sturniolo: Exactly, from a viewpoint of a pedestrian on the sidewalk, across the street, by Target, A & P, someone over at Mavis looking along the other direction; just the impact. This is somewhat new. We see solar panels on some of the buildings going up 133 westerly, and they are quite visible. Now, you're saying these panels are an undetermined size, but they are basically going to lie flat and there is going to be a parapet around it that is going to mask it. I'd like to get a comfort level with some drawings.

Vincent Franze: We will give you detail of a typical installation.

Vice Chairman Sturniolo: And what it would look like simulated on this, on Anthony's memo, #9. What needs to get done to address that raised point?

Anthony Oliveri: That is more of an interpretation on my part of the DEP/DEC requirements and the retrofit site.

Scott Blakely: We've discussed it in house, and my design engineer is going to give Anthony a telephone call to discuss that.

Anthony Oliveri: It amounts to the way they analyze the site. They broke it up into three different watersheds. Two of them are showing a reduction of 25% impervious areas, which, under the regulations, they would not need to provide a water quality device for those areas. You have to look at it more as the total disturbed area showing 25% impervious area. It would amount to one of the other watersheds also needing a water quality device. The one where you are totally removing the impervious area would not need anything, but it is kind of a gray area. It is something to be discussed. It is really DEP requiring you to go by the DEC regulations.

Scott Blakely: We will work with you and get a clarification from the DEC. Whatever the determination is, we can incorporate that.

Anthony Oliveri: I would be interested to hear what the DEP has to say about it.

Vice Chairman Sturniolo: In the July 12<sup>th</sup> packet, in the application there is a document called a Site Plan Checklist. Who generated the document?

Scott Blakely: This is generated by the Village.

Vice Chairman Sturniolo: They gave it to you and you filled it out?

Scott Blakely: Correct.

Vice Chairman Sturniolo: On the second page of that document there is a paragraph bottom that begins with "upon findings of the Planning Board..." Who added that verbiage to the document?

Scott Blakely: I have no idea. We did not. We only checked the boxes or put an N/A next to the box if it was not applicable. That was on the document when we received it blank. This may be on the website, because we download most of our application forms directly from the Planning Board website.

Vice Chairman Sturniolo: It sounds to me, and I'm not casting aspersions, but it is like a carte blanche on certain items. The type and the font style is different from everything else above it.

Chairman Cosentino: Why don't we ask Whitney?

Nanette Bourne: It's referring to is that you don't have the ability or opportunity to waive laws, but you do have the ability to waive certain items on the checklist.

Vice Chairman Sturniolo: Agreed.

Nanette Bourne: It is not clear that it necessarily refers to that, but I think that is exactly what it refers to, so not everything on this site plan checklist is appropriate.

Vice Chairman Sturniolo: So you're saying that paragraph is boiler-plate associated with the checklist.

Nanette Bourne: Yes, with the checklist, not with the requirements of the village.

Vice Chairman Sturniolo: But the requirements of the village are the checklist.

Nanette Bourne: For example, "the location of the proposed building or structural improvements." If there are none, it would be the equivalent of an N/A.

Chairman Cosentino: How did it get there?

Charles Martabano: For example, if we brought this site plan in and got it approved, and we wanted to change one tree. On the coming back, you might say, "You don't have to show us everything again. We can waive those requirements." You have the power to waive

strict compliance with some of the submission requirements. As Nanette said, not law, but it gives you latitude to say because of the particular circumstances of an application or a site, we can waive certain items.

Vice Chairman Sturniolo: What do you think this represents? What in the site plan needs waiving? I will check with Whitney.

Charles Martabano: I think it's there to remind you that you have latitude.

Chairman Cosentino: I would like to know who put it in.

Stanley Bernstein: What is the material of the façade on your rendering?

Vincent Franze: Primarily, the blue and silver panel materials are an aluminum panelized system that gets applied to the building. The existing concrete masonry unit (CMU) portions of the existing building will be painted white. The new Cadillac dealership is a panelized limestone, which is a real limestone that is integrated with a honeycomb aluminum sub-panel, altogether being about an inch or so thick in combination that gets applied.

Stanley Bernstein: Will the whole façade be insulated?

Vincent Franze: None of the façade materials that we are contemplating here are insulation materials.

Stanley Bernstein: Will there be additional mechanicals, or will the existing mechanicals suffice, since it's an under heated upper space.

Vincent Franze: The upper space will not impact the HVAC.

Stanley Bernstein: Where is the existing HVAC now?

Vincent Franze: There is a mechanical room in the back of the building.

Stanley Bernstein: It's not on the roof?

Vincent Franze: No.

Stanley Bernstein: It's on the surface or below the surface?

Vincent Franze: Yes.

Stanley Bernstein: That is not going to be changed?

Vincent Franze: No.

Stanley Bernstein: On the new Cadillac building, how are you going to do the HVAC?

Vincent Franze: The mechanical system for the showroom expansion has not been designed beyond just conceptual.

Stanley Bernstein: Where will it be conceptually?

Vincent Franze: It would not surprise me if a mechanical engineer proposed a rooftop unit, whether or not that ultimately came to pass remains to be determined. Obviously, as an architect, any of that stuff that is exterior – whether it's on the ground or on the roof – I want it to be as screened as it could possibly be.

Stanley Bernstein: Being conceptual, you have no idea with the HVAC would consist of and how it's going to be designed?

Vincent Franze: I'm sure we are going to initially pursue as green a solution as we can, as suggested by the fact that my client, the owner, wants to put a green energy solution on his rooftop enclosure. The approach is going to be pursuing things that are as environmentally sensitive and as small a carbon footprint as possible.

Chairman Cosentino: I know they used to use oil. I think they took the tanks out of the ground.

Charles Martabano: I know the tanks have been removed. We've been doing that systematically over time.

Doug Hertz: Please talk about where the current building ends, and what is essentially new in the overall change in height of the facades.

Vincent Franze: This is the view from Preston. This exists, substantially. This blue, this white, this blue and back here is the new second floor. Also in the foreground, this is the new proposed Cadillac showroom. This is coming forward and out a little bit this way.

Chairman Cosentino: How many square feet is the new one?

Vincent Franze: The net increase to the building is about 3,000 square feet. This is the Cadillac addition. This is that panelized limestone exterior that I described.

Doug Hertz: On the second floor that you're adding, what is the current height of the floor?

Vincent Franze: There is a parapet of about three or four feet.

Doug Hertz: What is the functional change in height?

Vincent Franze: Seven or eight feet, approximately.

Chairman Cosentino: To the left, are those offices up there?

Vincent Franze: No, this is just the other end of that enclosure. The windows are just aesthetics. Again, this is part of that unheated space. It's a combination of wanting to allow some natural light to get into that space.

Chairman Cosentino: You need to make some changes and come back. Respond to the memo from our engineer and begin the ARB process.

Nanette Bourne: Going back to your comment about the visual, the board has really made a very long-term commitment to improving the

corner in this particular area. To me personally, I didn't feel comfortable that the branding of this very significant was going to be branded based on a Chevy and Cadillac. I'd rather it be branded based on character that is reflective of the village. The building is one thing, but I think you can weigh in on just the impact the building has on that corner. When you think of the energy and effort that you put into the shopping center across the street with what it was going to exactly look like, you can emphasize its contribution to the village rather than its contribution to Chevy and Cadillac would be a good idea. Any additional green that you could provide that exceeds the minimum requirement, your lighting plan (as mentioned in Anthony's memo) is usually a bit of a struggle with car dealerships. You want to maximize the lighting in order to focus and highlight the cars. That is not going to be the case if you do not have a copy of the illumination guidelines for the village.

Charles Martabano: That are not in the code?

Vice Chairman Sturniolo: There are suggested changes that we've asked each applicant to follow, even though it's not in the code.

Charles Martabano: I am not aware of it. We'll have to address that.

Nanette Bourne: The Planning Board has a 100% record on adherence to the guidelines. Are you proposing any outer display areas? If so, they should be brought up front so that it is not something that the board is asked to look at after the fact.

Charles Martabano: There are two vehicle display areas shown, which are here and here as they currently exist.

Nanette Bourne: And the details are part of your set?

Charles Martabano: There are no real details for that. It's wherever the new cars are going to be displayed on site.

Nanette Bourne: I'm talking about, for instance, BMW, Lexus, and Volvo have raised areas with landscaping.

Charles Martabano: We are not proposing any raised areas. There is one area shown here. Currently there is an existing parking area where they do displays. They usually have the Corvettes parked right here.

Nanette Bourne: The Planning Board understands those. It's the raised areas.

Charles Martabano: We are not proposing any raised areas. We have one vehicle display area here; one here and we have two new car delivery areas; one for the Chevy dealership and one for the Cadillac dealership. That is where, once you purchase it, it is cleaned up and detailed.

Chairman Cosentino: We would be interested in the radiuses on that.

Anthony Oliveri: There is truck turning radius plan in here.

Charles Martabano: I'm sure we have it shown on the detail sheet. We will look at and verify the maximum size of the trucks that deliver to



the site. We will talk to the owner about that, then we will superimpose. If it's different than what we've shown on here, we will revise the drawing.

Anthony Oliveri: I believe you had a 55-foot total length. That might be a little short. Please verify.

Nanette Bourne: We had this discussion about the mechanicals, but you'll have to bring in where the mechanicals are, what they are, the size, how you are going to screen them. It was a little sketchy as to where they are located. Also, all of the green components are great, but they have to be what you're proposing. Your ideas of what you hope to do are of less interest to the Board than what you're really going to do.

Charles Martabano: I understand.

*At this point, Chairman Cosentino requested a copy of the old site plan for review.*

Nanette Bourne: We also need to talk about the delineation and the DEC vs. the village, and any buffer impacts that you are proposing to mitigate. That would be a good way to incorporate gardens and wet gardens and some more landscaping. You get credit from DEP, the Planning Board for additional landscape, and you get credit for incorporating something green. Because this requires a permit to disturb, once they have this identified, you'll need to schedule a Public Hearing. That has to be factored into your approval process. Right now the Public Hearing requirements are not the same as the Public Hearing requirements for other things.

Charles Martabano: Are you talking about distance requirements?

Nanette Bourne: No, the timing of the notification.

Charles Martabano: We'll figure it out.

### **Special Discussion**

#### **150 Main Street Mount Kisco Theatre/Clearview Cinemas**

Chairman Cosentino: We have reviewed all documentation that the village manager has sent. They want to put a dumpster in with a wire fence around it with possibly an 8 foot door. They also did some other work, and Mr. Palmer stopped the job, which means that stops the building permit. I requested they come before the Planning Board, so we can inform them what to expect as far as building this. They want to go larger than they have, and other questions that we may have. We've always had cement block. I don't know what size they can go, if we have any size regulations at all. Their idea is to back up a truck, pick it up and take it away, thus the wider fence. Mr. Gibbons pointed out that there is a curb. Are they going to block the road when they do this? There are a lot of questions here. If you read their emails, I think you will agree that they need to come before us with application. I informed Mr. Palmer of this. As of now, they do not have an application.

Vice Chairman Sturniolo: One of the things I'd like to find out from the applicant is have their ticket sales increased, and if so, is that translatable to an increase of candy and popcorn sales. Also, do they have internal trashcans in the movie theatre that most polite people use and dump their empty boxes in them, as opposed to carrying it out into the street and using the municipal trash can in front?

*The Board agreed that application needs to be made and will request they come before the Board with representation.*

Chairman Cosentino: Awhile back, Jeff Econom suggested what the enclosure should look like and what it should be made out of. We agreed with Mr. Econom's specifications but never adopted it. We just agreed we would take case by case. It is really not in any code what it should be made of, and for some reason we've never adopted it.

Vice Chairman Sturniolo: We have not adopted it, and neither has the Village Board adopted it to put in the code. I do recall telling an applicant to see either Anthony Oliveri or Jeff Econom at the time and get the sketches of what a dumpster enclosure should look like and what we expect the enclosure to be, even though it may not have been formally adopted by the Village Board.

Chairman Cosentino: We do not expect any less from the theatre. In saying that, let them know they have to come before the Planning Board with an application, fees paid, etc. This is the wish of the Board.

As there was no further business to be discussed by the Planning Board, on a motion by Mr. Hertz, seconded by Mr. Gibbons, the meeting was adjourned at 9:30 P.M.

Respectfully submitted,

Stanley Bernstein,  
Recording Secretary

dm