

Minutes  
Meeting of the Planning Board  
Regular / Work Session  
Village/Town of Mount Kisco  
Tuesday, May 22, 2012

*Chairman Cosentino called the meeting to order at 7:50 P.M. at the  
Municipal Building Mount Kisco, New York.*

**Members Present:**

**Chairman Joseph Cosentino**  
**Vice Chairman Anthony Sturniolo**  
**Stanley Bernstein**  
**Sol Gibbons**  
**Doug Hertz**  
**Enrico Mareschi**  
**Karen B. Schleimer**  
**Ralph Vigliotti**

**Members Absent:**

**None**

**Staff Present:**

**Whitney Singleton**  
**Nanette Bourne**  
**Austin Cassidy**  
**Anthony Oliveri**

Chairman Cosentino: The first item on this evening's agenda is Mark & the 3C's. State your names for the record.

**Mark & The 3 C's – Armonk Rd. – PB2012-13. 80.73-1-3**  
**Edmund Gemmola, Architect, Gemmola & Associates**  
**Mark Viola, Partner**

Ed Gemmola: My name is Ed Gemmola and I am with Gemmola & Associates and this is Mark Viola one of the owners. We were here several years ago back in 2004 there was an application for office building. We had plans that were worked into the hill. We had the building in the center with parking underneath, and we are now back before you to use the existing building (former gas station) at 41 Armonk Rd. We are trying to utilize the apron that is there going slightly into the hill, where we would put a gravity type wall. As you can see here on the south side of the property, there is parking along this area and there was an existing curb to fix here (showing site plan). You have an in and out here, back here we could facilitate in a different way if the board would desire to have in and an out and limit that one. What we have tried to do is keep the equipment figuration in the back where there is a small apron here. Right now there is a partial stack that was paved long ago and now it is over grown. There is an area here which you have seen in some of the photos which were paved right to a curb, and we are trying to maintain that there is more green. We did show 19 spaces and we were hoping to get two more spaces. Deliveries and bulk food and product could be limited to a certain area and be able to pick up early or late, depending on the deal we make with the sanitation company. We have applied handicap space and we have fewer than 25 spaces. One space is located close to

the entry. We are going to try and use the existing three bays. There is a lobby and a reception area here. (Referring to site plans) A Bathroom in this area and this is all equipment that we are trying to utilize in this area so when you come in. The same concept for waiting tables, and hostess. We are putting one unisex handicap bathroom and a second bathroom off a separate corridor. Also a staff bathroom and the rear would be the bar area and cooking and pizza ovens. Up front reuse the existing over head door since the glass is fairly new. That could be opened seasonally for some outdoor dining shielded by a wall and plantings and some seating out there as weather permits. The awning is shown on the drawing. I believe that we will have time to address these issues. There is no engineer on board yet. We are going to have to get a civil engineer, a landscape architect. We will be happy to discuss these memo items that Mr. Cassidy wrote and try to get a formal submission.

Chairman Cosentino: You will have to go to the Architectural Review Board also.

Ed Gemmola. Definitely. We tried to get as much information for the preliminary and conceptual review to hopefully get some guidance from the board. If there are any questions Mark can explain his partnership.

Mark Viola: We are affiliated with A&S Deli. My background is hotel and restaurant. My family has been in the business for 50 years. Basically it is a wood fire pizza place, family orientated. It is pretty Self explanatory. Fine people.

Chairman Cosentino: Do you work at A&S?

Mark Viola: No.

Vice Chairman Sturniolo: The cooking end of the business, is this going to be one of those imported dome ovens?

Mark Viola: Actually we have someone right in Armonk that will be making the ovens to our specifications.

Vice Chairman Sturniolo: You are going to cook with wood?

Mark Viola: Wood and we have backup gas.

Vice Chairman Anthony Sturniolo: What is the cooking temperature of the wood?

Mark Viola: 750 degrees.

Vice Chairman Anthony Sturniolo: Are there any items that you are selling besides pizza?

Mark Viola: Yes, it is a limited menu. Salads chicken, Espresso, wine and beer, pasta. It is a limited menu.

Doug Hertz: Can you tell me where the kitchen is?

Ed Gemmola: It is in the line. Actually when you come in through, if you could visualize the whole establishment here has a wall behind it and it is a bay inside of a garage. The whole back of this would be a

kitchen. Everything will be seen from the customers entering into the building.

Doug Hertz: So that area you described is the bar is more than a bar. So it then is an open bar.

Ed Gemmola: We have some refrigerators and boxes at the back. This would be for staff only to access the refrigerators and walk in boxes in the rear.

Vice Chairman Anthony Sturniolo: Could you go into the point of the 17 off street parking spaces. Is this 19 under the word parking on the lot and how did you get to that difference.

Ed Gemmola: We showed 17 and we were contemplating 2 spaces for the owner in the back.

Chairman Cosentino: those 2 parking spaces on the side, they will not be up to code.

Ed Gemmola: There are 12 and there in tandem and they are more than 44

Chairman Cosentino: How wide are they going to be?

Ed Gemmola: They are going to be 12 feet. They would just be for the owner. Again that would be for the owner not for patron use.

Whitney Singleton: Where will they be?

Ed Gemmola: Along the side of the building. That would be facing the bays to the right. We can coordinate delivery of products and trash pick ups.

Austin Cassidy: Over by the trash area?

Ed Gemmola: Correct.

Chairman Cosentino: If you are going to park two cars there how is it going to work with trash and delivery?

Ed Gemmola: I would have to coordinate it if the pick up is early morning. This would be the same thing for the products being delivered.

Ralph Vigliotti: I don't think we can count those two spaces into your count.

Ed Gemmola: It is showed at 19 here, so I would change that, but that would be additional.

Ralph Vigliotti: Full bar?

Ed Gemmola: Just wine and beer.

Ralph Vigliotti: How is the counter space being utilized?

Ed Gemmola: When you come in off the curb you walk in and your hostess will be there but she would also have access to that area

there. You have the bathrooms over here and this would almost be a sitting area and lounge area. Then you can proceed to your table. It just allows you to see what is transpiring with the food preparation. People today are very conscious of what they are having and they like to see.

Ralph Vigliotti: There are not going to be any stools? It is just an open area displaying product perhaps but nothing more than that?

Ed Gemmola: There is a granite top here that runs along the top shelf.

Ralph Vigliotti: What is the purpose of the counter?

Ed Gemmola: It is cosmetic. In between that there will be a wall with bar glass. So you can see what is being cooked, but it also gives you some quiet time so you don't see everything that is going on.

Chairman Cosentino: I don't normally ask this question. I am confused. Is this going to be A&S's restaurant?

Mark Viola: A&S is my partner.

Chairman Cosentino: You personally have nothing to do with A&S?

Mark Viola: That is correct. I came to them with the idea and they liked the idea and being they were here already they said let's do it. It sounds like a great idea.

Doug Hertz: For a moment let's get back to parking and it references what is on your drawing. So what you have is 21 total including one handicap and four spaces across the street. Do we need to talk about that?

Ed Gemmola: We have an agreement for the 4 spaces we have to show that across the street. 17 are what we have here.

Chairman Cosentino: I do not think that is true. We would have to check with council on that.

Ed Gemmola: What's that?

Chairman Cosentino: You don't have 4 spaces across the street.

Ed Gemmola: Okay

Chairman Cosentino: I wish you did.

Whitney Singleton: There is no entitlement that I am aware of.

Doug Hertz: Whitney whether or not there was or was not don't they have to satisfy their parking requirement on site? You can only show what you can accommodate what you have on site.

Chairman Cosentino: Nanette we are working on the first application. We are talking about parking now. I didn't know if you have done anything on it. Looked at? This is a conceptual for 41 Armonk Rd.

Ed Gemmola: I think that we were here in 2004.

Chairman Cosentino: It was a much smaller scale. Nanette you haven't looked at it.

Nanette Bourne: No.

Austin Cassidy, Building Inspector: Why don't you walk us through a little bit of the drawing. The majority of your parking is over here. On the dotted parallel line that is on your drawings that is an existing curb now?

Ed Gemmola: There is an existing curb now, which is dotted and we are showing that to remove and it shows up on the survey which I submitted with the package.

Austin Cassidy, Building Inspector: So essentially the parking will then rely on cutting the slopes

Ed Gemmola: It is not as steep as some of the previous solutions we came in with. We were back in here and with the grade here might be a 4-5 foot and taper down to nothing. A gravity wall is what we are envisioning not concrete and then planting behind it and a decorative type wall like a mesa block or a plumb block.

Austin Cassidy, Building Inspector: It is in the designated Main Street area. DEP will need to be involved. You are creating an impervious surface. I don't know if the board would have any thought on that. It is something that there should be some loose dialog on.

Ed Gemmola: Let's say one way in here we might be able to narrow this down to 20 feet and we might be able to get one or two more cars. Hopefully along here depending on the curb cut.

Chairman Cosentino: I think that should all come with the application.

Austin Cassidy, Building Inspector: It goes as to how he wants to present it to you. If you are looking at the drawing that is in front of you. Everything on the dotted line is part of the retaining wall if you have any thought that may direct him to how he wants to formally submit it.

Chairman Cosentino: Naturedly, Anthony you are going to have talk on this. Drainage and stuff like that; I am not the engineer here. They are going to have to get an engineer.

Anthony Oliveri: Austin mentions it in his memo. We will be looking at pervious and impervious surface. You are going to have to create a new grade plan. I know there was an issue with drainage and that will have to be addressed and fixed.

Ed Gemmola: We show the trench drain which is actually off the property right in here. We are decreasing paving around the back. We are going to have to do an existing and proposed.

Anthony Oliveri: Is there any drainage on the site now?

Ed Gemmola: No, other than the trenching here.

Anthony Oliveri: Whether you have stormwater is another issue.

Ed Gemmola: We are prepared at this point get the engineers involved.

Chairman Cosentino: You (Anthony Oliveri) are going to have to get involved with their engineer. Nanette, you will have to get involved and they will have to come back again regarding parking, and give us something we can go by. Right now we have nothing to go by.

Nanette Bourne: Did you discuss phase one.

Mark Viola: That I would have to check if I have it here. I will go check.

Nanette Bourne: I would urge you to mix it in.

Vice Chairman Sturniolo: In the interim the wood burning pizza ovens, obviously it will create a lot more exhaust smoke than gas fired, which basically will be going up. What are you doing with the chimney to hide it and be concerned about the neighbors behind you, which would smell and smoke.

Ed Gemmola: We would have got the data from the ovens supplier. They actually come equipped with a catalytic converter. So if you do start it up and you use the gas to start it up. There is backup gas. There are some controls on for the fuel for. The wood itself, I would have to find out.

Vice Chairman Sturniolo: Right the big buzz word with all the pizza places in Mt Kisco is wood burning. I just want to know what kind of precautions or measures that will be put in place to handle the wood burning. Because you obviously want to use wood to make the Pizza more so than natural gas.

Ed Gemmola: I would have to research that.

Ralph Vigliotti: Just a few questions and some have been answers already. The curb on Armonk RD., will that be curbed off? You are showing two driveways, now will there be curb on Armonk Rd.

Ed Gemmola: We show the curb to the right and the left and ending here (showing on site plan). There is a curb cut from property line to property line.

Ralph Vigliotti: I guess the question would be are you or will you be required to connect your two curb cuts?

Anthony Oliveri: It is a state road. I would imagine they would want that curb.

Ralph Vigliotti: I don't think we want to see our folks using that an area to park for overflow parking.

Ed Gemmola: Do you want a continuous curb?

Chairman Cosentino: Are they going to go down?

Anthony Oliveri: straight down? The State usually does require curbing in front.

Ralph Vigliotti: So where we are talking about curbing there are three sectors. One, two and three. Are you planning landscaping in those areas?

Ed Gemmola:

I purposely did not show that green because I wanted to show the green that was on this property per say, we are assuming that will be some sort of lawn area. I don't know what the agreement would be with the landlord and tenant did the planting.

Ralph Vigliotti: It certainly would enhance the property to have landscaping around some green space on those three areas. Snow removal, where do you propose to put the snow?

Ed Gemmola: There is an area in here (referring to the site plan) and an area in here. Then again you would have to put something (plantings) that could hold up under the all the salt. You are going to pile it there and this area would not be paved.

Ralph Vigliotti: We would like to see that on the drawings. You have two entrances and I am not sure why you need two. I don't think that you need an ingress, egress on both. I think if it was one way in and one way out, you could increase a couple of parking spaces which I really believe you may need and that is one of the larger issues for a very popular restaurant. Because there really is not overflow parking down there. Parking is key. Are you going to be delivering pizza?

Mark Viola: No. No Delivery no pick up.

Ralph Vigliotti: Now how can you have no pick up and no delivery?

Mark Viola: Wood fire pizza is not good traveling.

Ralph: Vigliotti: That is very helpful as far as parking because that would take a lot of parking away. You are comfortable to put that on the record as part of your resolution?

Mark Viola: 100% sure.

Ralph Vigliotti: That is perfect. How many employees are you anticipating on a busy night?

Mark Viola: It could flow 3-5 or 3-7. Obviously I would be there.

Ralph Vigliotti: That is where the parking becomes limited. Because if you had seven people. Let's do the math, you have 11 spaces. You go by the number of tables that you are proposing there will not be enough spaces for the tables that you have. I think that is something that we are going to have to discuss at some point. Picking up those two spaces is important. It is really important that you pick up those two spaces.

Mark Viola: We also have the facility which is A&S parking lot which allows me to park there and the people from A&S already park there. It is not that long of a walk from here to there.

Chairman Cosentino: You can't use A&S for parking your vehicles from here to there.

Mark Viola: No I am speaking for myself, as an owner.

Chairman Cosentino: I thought you meant the whole crew would be parking over there, because then you would have to be in violation.

Ralph Vigliotti: That could be an interesting energy when you are there.

Doug Hertz. What we are looking at is some sort of off street parking for staff with some shuttle, car pooling.

Chairman Cosentino: You're not talking about A&S?

Doug Hertz: I am not being specific, but I am just saying you are parking offsite not that the restaurant is not using that. It is at a site where that will have different... It would free up those spaces as to what they are suppose to be.

Ed Viola: I also have my two family member's daughters that I am bringing to this business.

Ralph Vigliotti: When we are going through the planning process, although I understand how you find to save as many spaces as you can. You still have to look at X number of employees, and X number of spaces, and folks dining. I know in the back of everybody's mind, maybe you cross the street there is an overflow. Then they put a chains across the street then there is no overflow and we have seen in the village where neighboring businesses have done that. They put chains on their properties at night so the restaurant or the thriving business that they are going to have that opportunity to use there property it is an overflow.

Mark Viola: I would not want to infringe on someone else's property.

Ralph Vigliotti: It is not you.

Mark Viola: Even the patrons coming it would do diligent for me to make sure that the regulations will be followed the way they are suppose to be. I have been involved in enough establishment and working for Marriott for a number of years.

Chairman Cosentino: Do you have another restaurant like this one?

Mark Viola: No.

Austin Cassidy: Just to follow up. I see that the parking now is compliant with state codes. What are you actually proposing?

Chairman Cosentino: You are going with fifty?

Ed Gemmola: Yes.

Austin Cassidy: If it is mathematically worked out then the parking is coming in the right number. Technically you have no place to store. That needs to be talked about formally when it comes in.

Ed Gemmola: The patio is seasonal right?

Chairman Cosentino: Yes



Austin Cassidy: Joe you weren't to talk about parking. It couldn't be 15 inside and 10 more outside.

Ed Gemmola: The reason why we inflated the patio, is also the fact in the summer time, spring or fall, people like to sit outside. If they had to wait ten or fifteen minutes for a table, they can sit there and have a glass of soda or wine and then come inside. I understand your point.

Ralph Vigliotti: You do have an opportunity to pick up one or two parking spaces where the patio located. We are trying to create spaces. Three, four or five spaces and you have picked up two spaces with the one way in and one way out. You might be able to pick up another one at the patio. The patio would look smaller. So whatever you can do to create more spaces.

Chairman Cosentino: It is a good idea Ralph but then you are going lose greenery.

Ralph Vigliotti: Whatever you ratio make it. You've managed to address all of my questions. I am happy there is no takeout of pickup because that will really help the parking. It really will.

Chairman Cosentino: What you are going to do now is to go for your next application which would be a Formal Application. We will put you on the agenda. Work with Nanette and Anthony on this, so we have more information when you come back to us. We can then talk about it.

Doug Hertz: I know Austin was alluding to this. We have considered and have looked and you are creating a lot of pervious surface.

Chairman Cosentino: Are we talking about pavers, something like that.

Doug Hertz: There are number things that we have done successfully. You can talk to Austin, Nanette and Anthony of things that we have done successfully in the Village.

Vice-Chairman Sturniolo: Take a look at the back parking area behind A&P.

Chairman Cosentino: It looks a whole lot better than it does now. What I would do to save time is try to get to the Architectural Review Board. You will save a lot of time that way.

Nanette Bourne: The applicant talks about cleaning up the site. There are drainage issues that will have to be addressed.

Chairman Cosentino: Thank you for coming. Stay in touch with our consultants.

**Formal Application:**

- 1. The Mount Kisco Diner  
252 Main St.  
PB2011-10  
80.33-6-9&10**

**Anthony Montelone, Attorney, Representing Applicant  
Russ Davidson, KG&D Architects**

**Frank Georgiou – Owner**  
**Harry Georgiou “**  
**Christina Georgiou”**

Chairman Cosentino: We have a formal application here for the Mt. Kisco Diner, 252 Main St. Will you come up and identify yourself for the record.

Anthony Montelone: Attorney for the applicant.

Russ Davidson: With KG&D Architects.

Frank Georgiou: Owner, along with son and daughter.

Anthony Montelone: Well before you the site plan and details. I am going to let Russ get into any details.

Russ Davidson: It is a little bit of a different proposal as we have said in the cover letter from what you have seen earlier. There are a few things, like providing a little bit more parking, (one more space). There is less seating. There is little bit of a different mix. We have done the parking calculation two ways required by code, gross square footage and capacity seating count, and it does meet the greater of the two which is the capacity. I did bring with me after talking with Austin earlier today. We have from there diner interior designer a detail seating count. It lists every six seat and open area. This is back up for the calculations that were submitted with our letter. The area in orange is a proposed new addition. We do have the one loading area. There is proposed for outdoor terrace and redoing the handicap ramp in this area. This will be step down and have a planter (viewing Site plan). This will be an elevated planter. There is also the addition is set back and there is also a new planter here. Both visible from the street. Currently there is a planter here which is in a little bit poor conditions which will be revived. There is a lot of effort being said to show it as a green facility, from plantings point of view. In addition we are trying a couple of things that are a little bit innovative. I heard pervious pavement mentioned. What we would like to do with these twelve new parking spaces here that are along the line is to use a pervious pavement system for just for the parking area here. Not the drive lane. It is not really shown to be too durable for the driveway. This pervious pavement and what we want to do is collect some of the roof water and direct to a rain garden in this area. This is more sustainable approach the storm drainage. It is not going to be collecting paving run off. It will be collecting an under drain from the pervious pavement and the roof drains will directed there so it will be fairly clean water. This is a good way filtering water. It supports the wildlife. We did get in here comment that we need more details in that and we are happy to provide it. What else is different is that this driveway remains exactly as it is. As you may remember in a previous application that there were several internal circulation patterns analyzed and this one that was preferred by the board, which is in this way and out this way. (Referring to site plan) This landscape buffer is going to remain. This is the new parking area. This is a new delivery area. One of the things that have changed and have allowed us to tighten up the addition a little bit. Is right now the basement stair is not here and this proposal is going to provide a new basement stair, so that it allows the new addition to tuck up right tight to the existing building. This will be the delivery area. This is a delivery area for modest size trucks not tractor trailer trucks. Another one of the engineer comments was to

demonstrate turning radius that is compliant. That was part of earlier traffic studies, and we can add that to drawings on future submission. We are still working on the architecture with the restaurant designer. What I can tell you is that it is going to be not completely unrecognizable as the current facility, but the entire front of the building is going to be replaced. This terrace and planters and stairs and all along the front and all of these planters will be roughly squared with roughly coarse granite that you see in a stone wall. On the back here and up and down in the neighbor, there is a real attempt to make this sort of an upscale restaurant look with stone and stucco adobe probably some metal roofing or copper accents. We are still working that out. It is not going to be the stone that you see there. We think it is going to fit in really nicely in Mt Kisco and upgrade the area. Again planters here and here. (Showing location on site plan). This does provide a small area for outdoor seating with about 18. It is not anticipated that this would ever be in use when the restaurant is all fully in use. There is a little area here for snow collection here, here and here. (Showing locations on site plan.). This area is used for snow collections. We have proposed all new lighting in the area that is new, and obviously this is a complete removal of the Paul's Power. The net result of this development is less coverage than what is there now with Paul's Power and the existing facility and we think the pervious pavement are definitely help with some of these storm drainage issues. Even with that said it less coverage then the two lots now.

Vice Chairman Sturniolo: You said the addition is small than the previous one we saw a couple of years ago, about how much?

Ed Gemmola: About 110 square feet. That was 1,365 and this is 1,250 on the upper level plus partial basement.

Stanley Bernstein: I like this concept over with what you did before. It looks like it will work. You have three major problems. Parking, parking, parking.

Ed Gemmola: We have worked hard on it and happy to review. It is our understanding that this is a loosening session where we understand it is a complicated issue and we will be happy to meet with Nanette and Austin to go over the seating account. We did a detail spreadsheet that was submitted and we have to start somewhere.

Vice Chairman Sturniolo: You will need a parking count and a traffic flow analyst and everything to support what you are saying.

Ed Gemmola: It does meet code. I also wanted to point out which we put in your cover letters, since this was originally submitted things have changed in the area. That has led the diner to use a parking attendant for a great period of the time. To make sure that the people that are using this lot are patronizing this business. And it has been their experience that with very few exceptions. The existing parking is adequate for this restaurant that there is only peak overflow time on weekend mornings, and that is the time the rest of the neighborhood is underutilized. We do understand that it is a peak issue.

Vice Chairman Sturniolo: On the same side of the coin is the last time around with parking studies the restaurant across the street which is no where near as successful as it currently is. You were able to utilize some parking across the street, because it was never filled. So it is kind of like a two way.

Ed Gemmola: The experience of the Georgiou Family has worked here all the time, is that this parking is adequate. There is almost no occasion when it is not adequate. Weekend mornings again are the only times then that has been experienced. It meets it by gross square footage and the seating capacity. We have worked very carefully to size the addition so that it does work by size. They would really like to move forward with the addition and try to avoid the expense of large and costly parking studies and traffic studies at this point.

Austin Cassidy: Mathematically it works

Ed Gemmola: The spreadsheet that was attached to our letter calculates it by both methods. It is a little bit different. I think they have as many as 130 now but what is happening in the revised seating plan they are lowering the density of seating in the existing restroom.

Doug Hertz: What I am curious about is your giving anecdotal evidence that it is adequate now. It is interesting to look at how many seats you have versus existing parking spots versus anticipated seats. We want to acknowledge the anecdotal information matches.

Ed Gemmola: That is why we did the detailed spread sheet and the facts are there.

Doug Hertz: What do you think the current seating is?

Frank Georgiou: It is 134.

Ed Gemmola: There will not be 134 just to be clear.

Doug Hertz: I understand. The new basement, it is the new building in its entirety. It will go from 134 to 186. What is and what will be the parking proposed?

Ed Gemmola: 49 existing spaces. They paid for 2 in lieu of parking.

Anthony Montelone: The employees have never parked on site and are not parking on site now and won't in the future. The principal park their vehicles on the property up above which they own. The argument that they need to prepare is that they need more parking than the code requires, because we are a successful restaurant, I don't think that is in the code. We are meeting the code requirement and will be more than happy to work with you on that issue, but to tell us that we need to provide more than the code requires, and we have to provide for employees, where the code has a scheduled for none customers and there are calculations to determine what the parking requirements are for non customers. We are meeting those requirements.

Chairman Cosentino: I can accept what you just said Tony. We go by the code. We have no choice.

Anthony Montelone: I am saying we meet the code.

Chairman Cosentino: Council can you read what the code says?

- Whitney Singleton: What the code provides as a standard is a minimum on minimum standard parking and is to be held to the highest. What happens a few years ago is the board expressed its' concerns for example the diner that a minimum standard was

not sufficient enough for the diner. We do recognize that the applicant has purchased spaces, but there is also minimal that they find existing needs a variance. Perhaps more than the minimum may be needed. They can't obviously have the highest which is not.

Tony Montelone: Hearing that argument, you look at some of the other restaurants in the immediate area I am not sure your board applies the same standard to the other restraints in the immediate area, which created severe parking problems for us, (Diner) because their customers are using our lot. The board has to be consistent in applying the same standards to all of the applicants and not just one, because we are successful.

Whitney Singleton: This is also the contractors. I refer to Austin when parking came in and what restaurant could get by. When somebody comes in for an amendment to the site plan, and we don't apply the law from the past it is of today. 251 in the Village code I don't know what was approved and I don't know the parking requirements were in the 50's at that point in time. I just know what is going on today and, you have very successful restaurants right across the street from one and other. I am sympathetic to the parking problems that you have to deal.

Chairman Cosentino: I have actually seen a couple of people park across the street and walk to your restaurant, and more going from your restaurant.

Frank Georgiou: That is why I did not propose a parking plan.

Chairman Cosentino: Nanette, on the last time they were here you had made a comment or a report of parking.

Nanette Bourne: Yes, I think the last time they were in front of the planning Board. I want to see this work out. I have a lot of old stuff and I don't want to start where we left off. You have adjusted your parking.

Anthony Montelone: We have also removed an eyesore in the community and an eyesore on Main St. as part of this improvement,

Doug Hertz: I think we are all very sympathetic to the application of the Diner. We all love the diner and we all go there. You are successful today and would love to help you remain successful. That being said, we do have a responsibility. I will make this comment on the math that we were discussing. This is one way of looking at it; if you look at your existing conditions you have 134 seats, and 51 parking spaces. This is 2.6 per parking space. On your new proposal you 160 a 64 parking spaces. That is 2.9 seats per parking spot. You effectively increased the density of your parking use by 11.6%. So each spot now has to work 11.6% harder to accommodate part of the seating you represent. It may be compliant but as denser use seating the parking provided.

Anthony Montelone: I understand what you are saying, but there are very few times during the week when the diner is at capacity. We all know when that is. That is Sunday mornings and sometimes Saturday mornings. The rest of the time the parking lot is usually has ample space for people coming in and out. As diners leave diners come in.

Those particular times no restaurant can have enough parking, neither us nor anyone else. I remember I brought this up with the funeral home. You cannot provide enough parking for a funeral home when there is a big funeral. People are going to be coming from everywhere. There is just not anyway to reasonably provide for it under the code for the Planning Board to reasonably provide for. I think consideration has to be given to the fact when the diner is most busy, when the parking lot will admittedly be full. A very small percentage of the time 2 mornings a week and both of those mornings are weekend when other parking is available including the public parking lot. Which is on Hyatt Ave. and the metered parking which is also on Hyatt? So there is ample parking in the immediate area for the Diner.

Russ Gemmola: I would also point out, with the math and I am very happy to see that everyone believes in doing for the diner is done right. Also keep in mind, your code when you put in new buildings you take the parking by .75. So your code mathematically takes out density for new construction. You have already acknowledged that when you do the new facility your parking count is lower and right in the calculations. The math that you are using is not unexpected based on your code. That is what it says.

Austin Cassidy: I think?????

Russ Gemmola: My only point was to; I did not know the math. That is my point. We would like to really move forward as quickly as possible. So our next step? We don't have a count with the impervious surface, because technically I don't believe we count that as pervious surface. If we were able to count it as pervious we would be under.

Chairman Cosentino: I take umbrage to something, and you have said it twice already, that you want the process to go quickly. We do all the processes as quickly as possible. Don't do what somebody else has done to us. We want to help Frank out. He is a good man. Don't push the board.

Russ Gemmola: Understood. There is no intention there.

Chairman Cosentino: That is the second time I heard it, don't say it again. We want to help and we are not here to say we are going to deny, we want to help Frank and The Diner. It is good for the village. You just have to go through the process to do it.

Anthony Montelone: We are willing to work you. I understand and know that. You have been around a long time.

Anthony Montelone: We are here to answer any of your questions.

Doug Hertz: I don't know what the current condition is. In the past there have been tractor trailer deliveries in the front. I did notice that when we talked last time you had said that you were going to have smaller truck deliveries. I know the circulation of the parking lot is designed only for 30 – 40. What would be the process and Whitney maybe I will address this to you as well. Did we hope this site in compliance as it always requires more on street parking now if we could get that bus stop moved further south? What is the process for doing that?

Austin Cassidy: You can enquire with NYDOT.

Chairman Cosentino: But you would have space in the back.

Doug Hertz: Is this curb cut moving? If you have a new curb cut here incorporating Paul's Power. It is not open, so you are eliminating a curb cut that is here and move it to here. You are already going to be dealing with DOT, so have an opportunity to look at this space in much better way.

Chairman Cosentino: We have talked about it before.

Doug Hertz: I would strongly urge you to begin the dialog with the powers that be and maybe make this on street parking. You are always going to have some space. It is not clear to me based on this, if there is going to be an additional one, space, two spaces that you might think you would get back. Paul's Power lot is open space, there is no parking there.

Russ Gemmola: That is a good point and we have been focusing on what we are doing on site, but let us do a little work there with DOT and look at what is really happening.

Doug Hertz: What the additional parking right on sight.

Russ Gemmola: The Diner is not experiencing tractor trailer deliveries.

Stanley Bernstein: Not true. Every now and then I see a trailer truck in the front.

Frank Georgiou: Not necessary delivering to me.

Stanley Bernstein: It may be someone else.

### **Inaudible-Too Many People Speaking.**

Doug Hertz: Having a bus stop that is always going to be open with that a perfect opportunity for tractor trailers to use that.

Stanley Bernstein: If you can fix that it would solve multiple problems.  
Russ Gemmola: Austin can work with DOT and I will work the county.

Vice Sturniolo: Austin I have a question. If the bus stop was shifted how does that really affect the parking count for the diner?

Chairman Cosentino: They would not have to go in the back.

Vice Chairman Sturniolo: It does change the reality of it. We can say the same thing if you move something else a half mile away, created 2 more parking spaces somewhere else.

Doug Hertz: They are not feasible spaces or specific for the diner or for another business. And this is for all the businesses in the area.

Chairman Cosentino: Let's not kid one another here. I see time after time that you have a space to unload in the back, the truck driver is going to come up with a box truck and he is not going to go in the back. Unfortunately the Police Dept. does not issue summons.

Russ Gemmola: Right now there is not a dedicated loading area. So you can if you get over 50 physical spaces on site that triggers the

dedicated loading birth. This is the first site plan that will have a dedicated loading birth.

Chairman Cosentino: In the back?

Russ Gemmola: In the back.

Chairman Cosentino: So the box truck pulls in the back and unloads or whatever he has to do and pulls out. If you don't have parking in the front you could possibly put 3 meters here.

Anthony Montelone: We will work on that. That is something that we will exhaust.

Russ Gemmola: We were focusing on him right now and that did come up last time and we would be happy to work on it.

Chairman Cosentino: You pick up two spaces that way.

Russ Gemmola: There were some engineering comments we are happy to work with.

Chairman Cosentino: You can get in touch with Anthony and also Nanette and she will get back to us. Let's see what we can do here.

Anthony Montelone: Thank you very much.

Chairman Cosentino: Is there anything else that needs to be discussed?

Doug Hertz: We were talking about flaws and I did see and photographed the violation. What number do you dial to go direct?

Chairman Cosentino: You 241-1100.

Doug Hertz: I like the idea of posting signs in an area where we have had this problem.

Chairman Cosentino: Unloading vehicles, something like that. Is that right Austin.

Austin Cassidy: You need DOT approval.

Chairman Cosentino: Even signs on private property?

Doug Hertz: Maybe that is To Be Determined. Maybe that could be a creative suggestion for a violator.

Chairman Cosentino: Can you put a sign on N Bedford Rd for No parking of unloading vehicles in the street is a violation and state the dollar amount. On the private property.

Whitney Singleton: You can't regulate the deliveries. You can say to the diner stop the delivery and correct.

Chairman Cosentino: Please work with the diner. They are going to need some help. If you have 50 ft. and everybody comes with one car it would be 25 seats and 19 parking spaces where to the other 6 cars?



Doug Hertz: 17.

Chairman Cosentino: Where do the other cars park?

Anthony Oliveri: 50 seats.

Chairman Cosentino: There are not 50 tables it is 50 seats. So you have four at a table.

**Inaudible Too Many People Speaking.**

Doug Hertz: It is all about parking. He has 60 employees that are parking on site.

Vice Chairman Sturniolo: Do we want to close the meeting? I Motion to close the meeting.

Ralph Vigliotti: Second.

Respectfully Submitted by,

Stanley Bernstein  
Board Secretary