

Minutes Meeting of the Planning Board  
Village/Town of Mount Kisco  
Tuesday, April 22, 2014

Chairman Cosentino called the meeting to order at 7:40 P.M. in the Municipal Building.

**Members Present**      **Chairman Joseph Cosentino**  
**Doug Hertz**  
**Sol Gibbons**  
**Enrico Mareschi**

**Members Absent**      **Stanley Bernstein**  
**Vice Chairman Sturniolo**  
**Ralph Vigliotti**

**Staff Present**      **Whitney Singleton**  
**Anthony Oliveri**  
**Jan K. Johannessen**

**Staff Absent**      **Rob Melillo**

**Public Hearing Continued**

**The Hearth at Mount Kisco**  
**270 Kisco Avenue**  
**PB2012-15, 69.49-4-1 (SBL)**

**Site Plan Review**  
**Special Use Permit**  
**Steep Slopes and Wetlands Permit**

**Present:**    **Mark P. Miller, Attorney at Law, Veneziano & Associates, representing the applicant**

**Christian Sexton, Vice President, Development, The Fortus Group**

**Carl Guy, The Fortus Group**

Mark Miller: We are at a point now, as indicated on the agenda, where there are three critical path items that we are looking for resolution from your board. In turn, our next big step is dealing with Department of Environmental Protection (DEP). We've had several informal meetings with DEP. It looks like we are going to need one variance, but before we can go to them for that, we need, particularly with respect to the three issues that we want to talk about tonight, to know what we are doing with the secondary emergency access road; whether it's in or out. In order to avoid multiple variances, we are proposing to narrow the main driveway and provide stabilized shoulders to decrease impervious surface, which helps us in a number of ways with DEP. The third issue is the walls. I don't know how many of you went to see the wall. Candidly, that is not related to DEP, but we would like to get answers on those three issues so we can move forward.

*Mr. Guy distributed hand-outs to the board.*

Carl Guy: Relative to the three issues at hand, the first one being the secondary access road. We indicated we just assume it go away. I understand there has been conversation on your end that you may want to keep it. At this point, it is just a matter of "is it in, or is it out?" If we don't put it in, then the trees that we are taking out here (indicating) all stay. We think there is enough road width and whatnot to accommodate vehicular traffic in the event of an emergency. That is a matter of opinion. We just need to get an answer on that.

Chairman Cosentino: It is the consensus of the board that we want the access road.

Carl Guy: On the walls, I understand you guys were not too crazy about the wall that you saw. We talked amongst ourselves about trying to take the walls that you can physically see and make them a type of a fieldstone wall. It will be a structural concrete wall, laid up with something similar in pattern to the random rock phase that you see here (indicating). As you come in the main entrance, the green walls represent the walls that we feel can be visible. This is the main entrance on Kisco Avenue (indicating) and this is as you come around the first curve, the two walls that support the lower retaining wall, and this wall here, as you come around the corner here (indicating). These three walls, in our opinion, cannot be seen because they are blocked by these two walls that support the upper retaining wall. Once you come around the corner you are above them, so you are really looking over the top of them and you are not going to see any of the walls once you're around the corner. These two walls (indicating) are simply just to minimize the amount of trees we take down. They are pretty far away from the road, so we feel that the trees in here won't really be visible. This one, (indicating) you are above so you will be looking over the top of it, because that is the Saw Mill. This wall (indicating) is just a short retaining wall up on our side away from everything. We are proposing using the same color scheme. From across the valley, all you will see is the color tone, whether we use the fieldstone wall or the type of wall you saw here. As a compromise we would like to try and do this. That way, the walls that you physically see look like that (indicating), and if you do happen to see these walls across the valley, the color is going to blend with both.

Chairman Cosentino: The consensus of the board is that any visible wall going up the driveway should be fieldstone. We reviewed all the walls more than once. From the original FEIS (Fire Effects Information System), we envisioned fieldstone walls.

Carl Guy: We think this is what you are going to see. Do I leave it up to Chuck and Anthony to look at what walls they feel are visible at all?

Chairman Cosentino: We have to leave it up to our staff, Jan and Anthony, to make sure that any wall that is visible going up the driveway is fieldstone. Also, I would like it on the record that I am echoing Mr. Vigliotti's voice, even though he could not be here.

Carl Guy: Generally speaking, I would like to propose this and leave it up to staff and our engineering to finalize this.

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Chairman Cosentino: Absolutely.

Doug Hertz: I think this does largely what we are looking for.

Carl Guy: Lastly, In meeting with DEP in trying to minimize the variances, prior to what we are proposing here, being able to handle the run-off and meet DEP standards, we had a sizing issue with this pond (indicating). By making the road width 20 feet with two four-foot shoulders for access, emergency vehicles, turning radius, etc., they still have everything they could drive on with this product. All this additional impervious allows us to get rid of variance request and make this pond meet the requirements for the DEP. That drove making this shoulder pervious instead of impervious.

Chairman Cosentino: The problem is our code does not call for anything else but a paved road.

Carl Guy: We have a paved road.

Chairman Cosentino: I'm talking about blacktop.

Carl Guy: This is paved all the way up. The only thing we made impervious was the shoulders.

Chairman Cosentino: We don't want the shoulders. It has to be full blacktop from side to side.

Carl Guy: Including the shoulders, even though they are engineered?

Chairman Cosentino: The road has to stay the width that it is, blacktop.

Whitney Singleton: Your board determines the standards. The code requires 24 feet of paved land. If it is to be modified, it would be modified by your board.

Carl Guy: Is that a village road or a private road, because this is a private road.

Whitney Singleton: Either one.

Carl Guy: It's a private drive.

Whitney Singleton: Ultimately, the Planning Board can modify their requirements. The question is do they wish to.

Carl Guy: So drives and roads have to be 24-feet? Because this is a driveway.

Whitney Singleton: That was the position of our building inspector, who is now deceased, but yes, he rendered a memo on this, 24 being a minimum standard for anything in the village. That was in the context of Mr. Panetti's application.

Anthony Oliveri: I think one of the concerns with the system that you're proposing is that it is a cellular plastic material that grows grass. Typically

you see that in overflow parking areas and things of that nature. On a shoulder, it is not going to be driven on. It will only be there for pull-offs. You really can't plow that material. That was a concern of the board. You really, effectively, are reducing the width of the road for normal traffic.

Carl Guy: I don't know how to respond to that only because I know we had a real problem with DEP.

Chairman Cosentino: I realize that, but it is what it is. We need the 24-foot road, and we need it paved.

Doug Hertz: You are proposing 20 plus 4 and 4, so you're going to 28 with that. If you went back to the 24 foot paved and still used the impervious for the 2 and 2...

Carl Guy: It's a calculation. It's the reduction of impervious where you pick up the benefit.

Anthony Oliveri: You are effectively reducing the impervious with the four feet. The DEP looks at this type of material as a pervious surface. It's grass. You can't really equate it to a paved width, because you're not going to drive on this grass surface. You could park on it. You could pull off on it. You're not going to drive on it. It is not meant for a travel, it's meant, for example, an overflow parking situation.

Chairman Cosentino: When they sand this road, which will be heavily sanded, where does all the sand go?

Anthony Oliveri: You will end up with sand in the cells.

Mark Miller: In light of the building inspector's memo, would the minimum road width be an appropriate subject to the Zoning Board of Appeals (ZBA).

Whitney Singleton: I don't think so. I'm going off the cuff here so don't hold me to this. It would either be something to go to the ZBA with or alternatively have to evaluate whether it's a provision of the code as opposed to being varied by the ZBA, which could be waived or modified by the Planning Board.

Carl Guy: The problem is that the DEP doesn't allow pavers. They don't count pavers as impervious.

Jan Johannessen: That may be subject to another variance. Did you discuss that option with them?

Carl Guy: If that pond at the bottom of the hill has to have a variance, we are going to have a tough road to hoe.

Mark Miller: My understanding is that by reducing the road width, we get down to needing a variance with respect to the slopes, but since we only need one practice with the reduced roadway, we can meet the standard of the DEP that requires that what we are proposing be no less protective of the water supply. Based on my understanding with Chuck, if we were to leave the road width where it is, the impervious surface increases to an extent that we need two practices to cover the bottom however many

hundred feet of road. We have literally no room for the second practice. So, while we can get the variance with respect to the slope in which the practice is located, if we can't have the second variance, we are going to have an impossible time getting the DEP to recognize that what we are proposing is no less protective because we will only have one practice instead of the required two.

Christian Sexton: What if we didn't plant grass? What if it was all stone in that system?

Anthony Oliveri: Like a paver system?

Christian Sexton: Say we came up with a grid system and only used stone.

Anthony Oliveri: They require 50 percent open space in the system for them to consider impervious.

Carl Guy: Say we found a similar system, and instead of putting grass in it, it was stone?

Anthony Oliveri: It's really up to the board.

Chairman Cosentino: Correct me if I'm wrong. They just said they had 28 feet. We're looking at 24 feet. Am I correct?

Anthony Oliveri: Yes.

Chairman Cosentino: So, in essence they have more room than they need for the 24 feet.

Whitney Singleton: They are saying they want to reduce the paved width of the road to 20 feet.

Carl Guy: My question then, is if we go to a different system for in the ground instead of the plastic but only put stone in it so that it's still pervious but it's still a durable surface.

Chairman Cosentino: But that doesn't go by the code. We need 24 feet paved.

Doug Hertz: Our concern, and I think from an operating standpoint it will be your concern, is that this is a steep, twisty road. The minute you knock down both drive aisles by two feet, you are in a tough situation. It's not like you've got a long, easy stretch with long site lines.

Carl Guy: To be honest with you, I hate the access, but there is no other way to get up here.

Doug Hertz: We are with you on that, but we are concerned about narrowing what is a difficult access and not giving it its full due by leaving it at a nice, safe width.

Carl Guy: I guess we are not going to have an answer tonight. I'm not quite sure how to respond, because it's a reduction of impervious area that makes this all work by engineering. It's not like I'm trying to get away from paving the road.

Chairman Cosentino: Our hands are tied. It's 24 feet paved. If we just do it for here, some other developer is going to come in and say, "Hey, The Hearth has 24, you reduced it to 20; what are you going to do for me"? What answer am I going to give them?

Anthony Oliveri: I even spoke to the DEP and asked them about pervious asphalt. They would not accept that as a pervious surface. It may be a suggestion of something to bargain with the DEP. In terms of getting a variance for the redundant storm water features, if you pave the road with a pervious asphalt, maybe they would be more apt to grant a variance.

Carl Guy: We cannot pave the drive area pervious. It does not hold up.

Anthony Oliveri: Pervious asphalt?

Carl Guy: Yes. You cannot do the whole drive. It will not hold up on this road as the main drive area. I would consider the shoulders.

Anthony Oliveri: Maybe something like that. If it's an asphalt surface and it's essentially a paved width, the board would be more comfortable with it.

Doug Hertz: Could you pick up a more pervious area in your parking lot?

Mark Miller: I believe the issue is that the upper part of the site is covered, stable and done. We are really talking about the first third. Anything we do up here (indicating) has no impact on needing a second practice.

Chairman Cosentino: What about Anthony's idea about the sides?

Mark Miller: In other words, 20 foot of impervious blacktop and 2 feet on either side pervious?

Anthony Oliveri: They will not accept it as a pervious surface like grass, but it might help with the variance system.

Carl Guy: I agree with you. I just don't think DEP accepts it as a pervious.

Anthony Oliveri: Have they indicated that they will accept what you have now and not go to variance?

Mark Miller: I think Chuck's calculations indicate we would not need the second practice down below.

Carl Guy: We have to go to the DEP, but we have to have the plan pretty much firmed up. They don't want to see us with open-ended items. I've met with them and they've looked at this and they would like the road to come in from the top, from the water tower.

Chairman Cosentino: That is not going to happen.

Carl Guy: I told them I am in a Catch 22.

Mark Miller: Is there anything else that might give the board comfort; if we had the 20-foot paved or something?

Chairman Cosentino: What about the comments that Anthony and Jan had?

Anthony Oliveri: We issued the comments in December. We are waiting on some resolution to these issues.

Chairman Cosentino: Why are we taking so long on that?

Carl Guy: In my comments with Chuck, he has all of the comments addressed. He wanted to finalize this and then bring everything back at once.

Chairman Cosentino: What about the Kisco Avenue pipe? I understand it may not take.

Anthony Oliveri: That was one of the questions on our comments memo.

Carl Guy: I don't know if Chuck has looked at the storm water. I know he and I have talked about it.

Chairman Cosentino: That is a very important part of the puzzle here. That pipe goes across and over to the stream, and I don't know whether that is going to carry all of that.

Carl Guy: Part of what he was doing here was reducing the amount of flow that would actually hit Kisco Avenue through this practice.

Chairman Cosentino: If it needs a pipe, the village of Mount Kisco is not paying for that.

Carl Guy: I will cross one bridge at a time.

Chairman Cosentino: That is a big part of the bridge.

Carl Guy: I know, but I'm not even going to make it to the bridge until I can figure out how I'm going to get a drive up here.

Whitney Singleton: I'll go back and look at the provisions of the village. It is ultimately going to come down to whether that is something, with all due respect to the Zoning Board, the Planning Board wants that to happen or not. I will create a memo for your board.

Chairman Cosentino: As Doug brought out, the road is narrow, windy and steep. To cut it down would be tough.

Whitney Singleton: If I'm not mistaken, when they did either the first or second phase of Curtis Instruments, they put some sort of pervious pavers on that road and it didn't work, and they ended up paving it over.

Mark Miller: We've resolved the secondary access road, that's in. We've resolved the walls. Anything that is visible will be fieldstone and anything not visible would be the other. We need to figure out the access drive. Thank you very much.

### **Formal Application**

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**BP Fuel  
540 East Main Street  
PB2014-0259, 80.57-4-4 (SBL)  
Amended Site Plan**

*There was no one present at the meeting representing BP Fuel*

Whitney Singleton: The applicant knows they are on for an approval. They have seen the resolution.

Motion to Approve Amended Site Plan for Mount Kisco Snacks, a/k/a BP Fuel

Motion: Doug Hertz  
Second: Enrico Mareschi  
Aye: Sol Gibbons  
Aye: Enrico Mareschi  
Aye: Doug Hertz  
Aye: Chairman Cosentino

### **Formal Application**

**Northern Westchester Hospital  
400 Main Street  
PB2003-02D, 80.49-2-14, 80.57-2-8, 80-49-3-10, 11 & 13  
Certificate of Occupancy**

### **Present:**

**Joel Seligman, President and Chief Executive Officer, Northern Westchester Hospital**

**Michael Caruso, Vice President, Facilities, Northern Westchester Hospital**

**Chris Shopinski, Director, Maintenance and Project Management, Northern Westchester Hospital**

**Scott W. Blakely, R.L.A., Senior Vice President, Principal Landscape Architect, Insite Engineering, Engineer for the Project**

Michael Caruso: We are here to talk about the amended site plan for the north parking lot, which once was a berm. The reason we are submitting an amended site plan is because the original plan took out 50 parking spaces within that north parking lot. We have engaged Insite Engineering to come up with an alternate design to that.

Scott Blakely: Our office has been working with the hospital for several months trying to develop a plan that eliminated the amount of parking lost in the creation of this buffer between 117 and the parking area. We developed a number of different scenarios, taking into account the existing trees that are along 117 that we felt should remain. There are a number of

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trees there that are in very poor shape; the Bradford Pears which get ice damage exist in this area and on this end (indicating). The trees that are really worth saving are the five London Plain Trees in this area, and two of the larger trees on this end. We originally developed and submitted to your board along with some visuals the creation of some stone piers and a barrier fence with supplemental plantings. I know Mike and Chris met with staff, received some feedback on the fence proposal, and it was requested of the hospital to come back with an alternative because it did not appear to be acceptable to the board. We present to you tonight an alternative, and we would like to have a kind of work session tonight to discuss that. We would like to tell you our thoughts and hear your thoughts, and leave tonight with plans to re-submit a revised amended application.

Michael Caruso: We are going to have an arborist look at these big plane trees to see the type of shape they're in. Based on that assessment, we would look at whether some of them need to come down if they are in bad shape. If they wind up staying here, we are proposing some type of stone wall that would go along here with a break every so often. That break would allow people that cross from Main Street over if they are parked at the Lutheran Church, and maybe consider a break over here (indicating). We would naturally break the wall where these trees are as not to interrupt their root systems. We are thinking of approximately a four-foot break. Additionally, at one point in time we also had a seating wall that was put over here at the entrance. We reviewed that and decided to keep all the plantings there and put some benches all along here as opposed to a seating wall right in this corner. We are considering putting three benches on each side as you come into the campus, because this is way you would ingress the campus, and this is the way you egress the campus. At one time, there was also a seating wall over here (indicating). This area is where that cube sign is as you pull into the hospital. Scott has developed putting some plantings in there as opposed to a seating wall that we do not feel would be used anyway. The big intent over here (indicating) is that, although we have parking that is set back here, this has a lot of trees that are healthy. You really can't see the parking in here. We thought we would put our efforts on this end over here (indicating).

Scott Blakely: One of the purposes for the elimination of the seating walls is because I think it would be very uncomfortable with someone sitting at that main entrance. Our thought was to pull them back along this walkway, where there is a little bit more privacy, where the hospital can keep an eye on people that are utilizing that area rather than out where the traffic is. I think the main goal of this project that the board is trying to accomplish is to provide that visual buffer to the cars. Where you get that biggest view is as you approach from the north on 117 at Moore Avenue – that view across this (indicating) parking lot and the view coming from 117 as you approach this. We have tried to focus the creation of the stone walls in this area up to where we have those London Plane trees and in this (indicating) area to block that view. We are looking at a number of alternatives for this 200 feet that exists along these London Plane trees, because really when someone is driving along East Main Street, their view is straightforward. They are not really looking to the right or to the left at the parking. Our thought is to provide some type of fence, but something different than what we previously proposed.

Michael Caruso: We wanted to get the concept out to you, where we have

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directed this.

Chairman Cosentino: What are you doing on the Moore Avenue side?

Scott Blakely: This is an alternative plan where we are proposing the locations of the proposed stone wall and piers. This is that one London Plane tree that we talked about. We will start that outside the root systems of this (indicating) tree, bring that around, wrap that around the corner and bring it to this area just shy of this series of five trees right here. This would be a proposed four-foot high stone wall with piers set every 30 to 40 feet. The question is if we go with a four-foot stone wall, does the code permit us to go with a pier that may be four and a half feet, just to break up the monotony of that same height. I will have to discuss that with Rob. Then, from this point over, we would be looking to do some type of screening.

Chairman Cosentino: Why do you want to put screening on a stone wall?

Scott Blakely: Because we will interrupt the root systems of these trees that we are trying to save.

Jan Johannessen: Aren't the more significant trees towards the entrance?

Scott Blakely: No. It is these five right here (indicating).

Chris Shopinski: They are the five large sycamores.

Jan Johannessen: They are in the middle?

Chris Shopinski: Yes.

Jan Johannessen: Aren't they closer to the Main Street side as opposed to the parking lot?

Scott Blakely: We want to have an arborist look at them and give us feedback. If we can get the wall in, we would utilize the wall, but we don't want to harm those trees. The other trees we are talking about are these Bradford Pears (indicating), and this Sycamore London Plane tree is the one that is located along the entrance road. Then, we have a couple of Bradford Pears on the Moore Avenue corner.

Chairman Cosentino: How far down does it go on Moore Avenue?

Scott Blakely: There is a series of evergreen plantings in here (indicating) and then there was a proposed planting that we would maintain from the original approval along there, because we have the flexibility of getting that planting in, because we are not moving curb lines. These scheme would eliminate no parking along the frontage. We have a striped island on this corner, so we've designed this wall to work within the limits of the existing parking.

Doug Hertz: May I jump back to something more conceptual? When we did the original approvals and all the parking counts, etc., you were okay with gaining "X" number of parking spots, and you were okay with "let's berm the front of this" and the requisite loss of some of those spots. What has changed?

Chairman Cosentino: I'm glad Joel came tonight. The problem is, when you keep putting more into the hospital you need more parking. You are going to put rehabilitation in there now, am I correct?

Joel Seligman: We are converting a medical unit. It's a lesser acuity unit.

Chairman Cosentino: Every time you put something new in, you need more parking. So it's good that we're saving in parking spaces, because you really need them. The problem is, I realize the economy and what you are trying to put into the hospital to make up the difference. I understand the hospital could be hurting. 426 (spaces) in the parking garage was not enough.

Joel Seligman: What is happening to hospitals in healthcare is that we are being asked to take care of sicker patients; there is more acuity. We don't have more numbers of patients, we have sicker patients with a higher staffing ratio. Going forward, we actually expect hospitals to get smaller, not bigger. The growth is ambulatory care and physician offices. We don't have a lot of ambulatory care and physician offices on this campus. Most of that is in Chappaqua Crossings. That is what really has made this work. Granted, there are days when it's already a problem. I wish we had more. We don't project more volume of things on this campus. We project sicker patients, so there may be more staff and more intensity. It's not bigger numbers. In fact, across the country, hospitals are now seeing smaller numbers year after year, and that is one of the things Obamacare will do. I don't think we have to worry about it going that way.

Chairman Cosentino: You can't prove that right now.

Joel Seligman: I agree with you. We're not there.

Chairman Cosentino: I walk the parking lot and I could not find a parking space there.

Joel Seligman: There are days, and it's making us crazy. We thought we were beyond that.

Chairman Cosentino: Every spot you lose is a problem.

Joel Seligman: We are aware of that.

Chairman Cosentino: I think you're making the right move here by saving the parking spaces, but I think that is just putting a Band-Aid on it. I don't think it's going to get smaller. We, as a Planning Board, try to do all we can for the hospital, and I think you've known that from when you first started this project. You may not agree with that.

Joel Seligman: Time will tell, but this year we had fewer patients admitted than we had last year. Last year we had fewer patients than we had the year before. That is the trend in in-patient care. It's going to be fewer and fewer. If that trend continues, this will work itself out. If it doesn't, you may be right.

Doug Hertz: A 50-spot difference is a big number. My concern is that we came up with a really good plan, it took us forever to hash it out, it worked

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for the village. It did what we wanted, which is to create a visual buffer, and we were trying dress up the entrance to the village. You are the spot, that turn, and you get seen in a lot of views. You have a lot of frontage and a lot of visibility. While I appreciate the predicament, I am less than happy that we structured this such that the parking lot was the last thing to go, and therefore, now it's vulnerable. I feel a little bit chagrined that we created the situation that allows this to happen.

Michael Caruso: I agree we maintain a visibility, and this design incorporates and tries to keep everything we've proposed. All it really does is take away from the impact to the parking element.

Chairman Cosentino: We are looking for street appeal. The hospital is beautiful when you come down 117. You've done a great job, thanks to us.

Michael Caruso: We absolutely want to do that as well. I know we've done a lot of beautification on the hospital, and I think this is going to turn into something that will maintain. There are nice plantings on both sides that will anchor coming into the hospital. Along here (indicating), you still are going to have the plantings that are here. You have some evergreens and things we've planted at Phase One that have matured a bit now. I think it's going to look good without impacting the parking in the hospital.

Chairman Cosentino: You three have been very understanding on what we want and I'm happy how you work with us. This is really the last part.

Joel Seligman: I agree. We like the berm idea, but the 50 spaces is a big problem.

Chairman Cosentino: Let's be very clear, if there were 125 spaces left in the garage, you'd have a berm here. That's not the case.

Doug Hertz: What about doing it as a half berm? What about berming up to a retaining wall?

Chris Shopinski: A retaining wall on the parking side?

Doug Hertz: Yes, so that what you're seeing from the roadside is a berm. It maintains the look. All of the plantings that have gone in were okay. We know this is a temporary planting. It's not meant to stay. It's going to come out, build the berm and go back in, or it will get reshuffled. That was the plan. I want to make sure that what we end up with, and if your prediction that in a year or two or five years or whenever, you start to have a lesser need for parking, that we have not given up for building in this year and this one moment in time a design that would preserve what everyone wanted for a very, very long period of time to give us a short term resolution.

Chairman Cosentino: I spent two hours at the hospital today. In order to do that, you need to build a wall in the back of it to hold it, and you still will probably lose some parking.

Chris Shopinski: And that would be a substantial wall.

Chairman Cosentino: The only way you're going to save the parking there

and have it look nice is to put a nice looking fieldstone wall in the front with some shrubs in front of the stone wall and some piers. That would save the parking.

Joel Seligman: That would also serve the purpose of screening.

Scott Blakely: We have very limited width between the back of the curb line and the sidewalk in this area. The right-of-way is out further here (indicating) but the sidewalk comes on to our property. As this narrows down, we have very limited area in here. We have the streetlights and parking light lighting that has to be maintained. It will be very difficult to do anything grade change-wise.

Chairman Cosentino: Doug is absolutely right. When this first came before us, we envisioned eliminating those parking spaces. It doesn't work anymore.

Scott Blakely: The proposal to put in a four-foot high wall will help buffer the front ends of the cars.

Chairman Cosentino: We need a nice rendering of it.

Scott Blakely: It won't need a lot of planting in front of that wall, but we can soften the base of it, and if there is anything we can do to extend this wall over without harming those trees. Once we develop this, we will give you the visuals.

Jan Johannessen: Please provide us with pictures of a wall that is similar to the wall that you proposed.

Scott Blakely: We will work through that with the hospital, and the next time we appear before you we will have the visuals and a planting plan. By then we will also have an arborist at the site to give us the conditions of the trees.

Jan Johannessen: Are you proposing a sign at the Moore Avenue and Main Street entrance?

Michael Caruso: We were not.

Jan Johannessen: That was something that was discussed at the meeting.

Joel Seligman: It's pretty obvious it's a hospital.

Scott Blakely: We were looking to dress up this corner (indicating), add a little planting in here to kind of mimic and pick up that same detail on each side.

Doug Hertz: When you come in here (indicating), you really are not looking at just this. You are looking into here. I know you are trying to save these trees, but I'd really love to see something that gave us a block for the whole length.

Scott Blakely: There are a number of different types of screen fencing. We try to avoid wrought iron, but we can do something similar to that.

Chairman Cosentino: I think a few members of the board are going to look for a full, fieldstone wall. I would get a rendering on that.

Scott Blakely: If we find out that installation of a full fieldstone wall would affect the root systems of the sycamores, would the board consider us taking those down?

Chairman Cosentino: Have someone look at them, and let us know.

Chris Shopinski: We would hate to take down a beautiful, mature tree if we don't have to.

Chairman Cosentino: We don't want you too, but we want it to look nice. See what you can give us with the trees there and without.

Doug Hertz: I will make the comment that I understand your dilemma, but I'm really not happy sitting here.

Chairman Cosentino: I agree with you, but we didn't create that.

Joel Seligman: We cannot do without 50 parking spaces. Whether it's right or wrong, it's the reality of the situation. We need the spaces.

Scott Blakely: We will look at the alternatives and get back to you.

Whitney Singleton: What are you proposing on Moore Avenue?

Scott Blakely: I have a copy of the old, approved plan. The parking goes from here (indicating) to here, and we're going to propose to maintain what was previously approved over here. We do have some issues with the water main that we have to make sure we can avoid. We are looking at that, but we are going to try to basically mimic the scheme that was approved by your board.

Jan Johannessen: So, it's going to change from what is there today?

Scott Blakely: Yes, and then there is a serious of deciduous trees that were planted. The deciduous trees are shown here (indicating). Those will be under-planted to give a visual buffer to the bumpers of those cars. We will look to mimic along that road what was there. We will wrap that stone wall and tie it into the edge of these evergreens that are planted, because these are in fairly good shape right now, and they provide a fairly dense buffer looking from the corner of Moore and 117.

Chairman Cosentino: We will see it on the rendering.

Sol Gibbons: You do show a proposed screen fence here on Moore.

Scott Blakely: I think the fence is off the table.

Chairman Cosentino: Remember we are here to help you, we will see you when you get the rendering done.

### **Formal Application**

Village of Mount Kisco  
Planning Board Meeting  
April 22, 2014

**Three Boys Hot Bagel, Inc., a/k/a Sinapi's Hot Bagel  
222 Main Street  
PB2013-0257,80.33-1-13 (SBL)  
Change of Use**

**Present: Anthony Sinapi, Tenant**

Chairman Cosentino: We have a memo from Rob here and resolution for approval. Anthony, do you agree with everything that's on it?

Anthony Sinapi: No. Five in the evening is good, but we open at three in the morning to make the bagels.

Chairman Cosentino: You don't open until 5.

Anthony Sinapi: I have wholesalers and deli people to come in to pick up.

Chairman Cosentino: But you're not open to the public.

Anthony Sinapi: No. But if someone comes in and wants a cup of coffee....

Whitney Singleton: Let's address this now. It's Condition 11.

Anthony Sinapi: When we are baking, we leave the doors open. If someone comes in, I am not going to tell them they can't come in.

Whitney Singleton: At the end of Condition 11, leave the hours the same and say, "but these hours shall not preclude deliveries, pick ups by service or supply personnel at other hours."

Anthony Sinapi: That's fine.

Whitney Singleton: Does the board care that the seating he is limited to inside or outside?

Chairman Cosentino: He will have to get a permit from the village manager if he wants outside seating.

Anthony Sinapi: Right now there is no seating because the place is so small. We will try to fit some seats in, but it won't be much.

Whitney Singleton: I'm trying to head this off from a former debacle. You are only allowed one-third outside what is inside. You are only allowed ten people inside. We can say he can provide seating inside or outside, but it is still that 10.

Jan Johannessen: Condition 12 reads, "the maximum number of seats permitted shall be ten seats, whether located indoors or outdoors."

Anthony Sinapi: That's fine.

Motion to Approve Change of Use and Amended Site Plan Approval as Amended by Discussion

Motion: Doug Hertz

Village of Mount Kisco  
Planning Board Meeting  
April 22, 2014

Second: Enrico Mareschi  
Aye: Sol Gibbons  
Aye: Enrico Mareschi  
Aye: Doug Hertz  
Aye: Chairman Cosentino

### **Correspondence**

- Letter from the Westchester County Planning Board regarding the Boys and Girls Club dated April 14, 2014
- Letter from the New York State Department of Environmental Conservation regarding the Boys and Girls Club dated April 14, 2014

*Chairman Cosentino noted that we will wait for the arrival of Vice Chairman Sturniolo before the Rules and Regulations are discussed and/or approved. Vice Chairman Sturniolo is tentatively due back at the end of May.*

*As there was no further business to be discussed by the Planning Board, on motion by Mr. Mareschi seconded by Mr. Gibbons, the meeting was adjourned at 8:45 PM.*

Respectfully submitted,

Sol Gibbons  
Acting Recording Secretary

dm