

**Minutes of Meeting of the Planning Board  
Village/Town of Mount Kisco  
Tuesday, June 14, 2016**

Members Present: Chairman Joseph Cosentino  
Anthony Sturniolo  
Ralph Vigliotti  
Doug Hertz  
Enrico Mareschi  
Michael Bonforte  
John Bainlardi (Alternate)

Staff Present: Anthony Oliveri, Village Engineer  
Whitney Singleton, Village Attorney  
Jan K. Johannessen, Village Planner  
Peter J. Miley, Building Inspector

The Planning Board convened for a work session at 6:30 p.m. The following items were discussed:

- Bare Burger: A resolution is to be drafted for the next meeting
- Mount Kisco Supply: Resolution to be drafted for the next meeting. The parking calculation is acceptable for the unique use. There will be an additional condition regarding the easement. Town Planner has requested landscaping.
- East Main Food Hall: Outdoor seating resolutions are to include the Code sections.
- New Dimensions: Exceeds development coverage and will require an area variance.

Chairman Cosentino called the meeting to order at 7:37 p.m.

Chairman Cosentino led the Pledge of Allegiance.

Chairman Cosentino stated this is Tuesday, June 14<sup>th</sup> and this is a Planning Board Work Session. First thing I want to announce is as you know we have our Vice Chair back, he was gone for a while and this Board is very pleased to have him back with his expertise and this is a fellow that dots his I's and crosses his T's and Tony, welcome back.

Mr. Sturniolo stated thank you very much.

**Minutes**

Chairman Cosentino stated first thing, okay our minutes, **Michelle, I think we have a quorum for all of it, so let's approve them all in one shot. Do we have a motion?**

**Mr. Hertz stated I'll make that motion, Mr. Chairman.**

**Chairman Cosentino stated motion made by Mr. Hertz...**

**Mr. Mareschi stated I'll second it, Chairman.**

**Chairman Cosentino stated seconded by Mr. Mareschi. On the question. Will the Secretary poll the Board, please.**

**UPON ROLL CALL VOTE:**

<b>Mr. Hertz</b>	-	<b>aye</b>
<b>Mr. Mareschi</b>	-	<b>aye</b>
<b>Mr. Bainlardi</b>	-	<b>aye</b>
<b>Mr. Vigliotti</b>	-	<b>aye</b>
<b>Mr. Bonforte</b>	-	<b>aye</b>
<b>Vice Chair Sturniolo</b>	-	<b>aye</b>
<b>Chairman Cosentino</b>	-	<b>aye</b>

**The motion carried by a vote of 7 to 0.**

Chairman Cosentino stated boy, I haven't heard 7 names in a long time. Okay, we have some formal applications here, the first one is Bare Burger, 441 Main Street. Would you come up and identify yourself for the record please. Okay, maybe they're not here yet, we'll go to the next one, Mount Kisco Supply. Would you come up and identify yourself for the record please?

**1. Mt. Kisco Supply – 369 & 375 Lexington Avenue  
PB2015-0300, 80.48-4-13, 16, 17 (SBL)  
Site Plan**

Mr. Peter Catizone, of Catizone Engineering and Mr. Robert Pasquale, property owner were present.

Chairman Cosentino stated Robert, how are you?

Mr. Pasquale stated good evening everybody, I'm Robert Pasquale, owner of the property.

Mr. Catizone stated good evening, Peter Catizone, Catizone Engineering, engineer for the application. Mr. Sturniolo, it's very nice to see you back again.

Mr. Sturniolo stated thank you.

Mr. Catizone stated so, since we were last here we made two submissions, one was on May 3<sup>rd</sup> which addressed all the outstanding comments by the consultants and the Building Inspector. And then since we had a conversation with our client, Mr. Pasquale and he requested that we make a couple of minor changes to the site plan, I did run these by the Planner and the Engineer, prior to making the submission but in a nutshell, the sidewalk here is now parallel to the building, it used to follow this line which gave a very wide sidewalk at the west side and kept the drive aisle consistent. And we thought it looked a little bit nicer and also gives a little bit more width in this drive aisle, by straightening out this sidewalk parallel to the building. The second thing is that this rear curb line, the requirement is for 10 feet, we had about 11 [feet] last time, and we wanted to gain a little bit more space there where we have actually reduction in coverage with the removal of the building and so on, but it did change the development coverage number a little bit, it increased slightly from the May 3<sup>rd</sup> submission and then there was, we had moved at one point, the garbage enclosure here which is outside of the setbacks and we since had moved it back to where it has been for most of the time for this application. Then there was a comment that we got from the Planner about 4 inch caliper trees and that was for the shade trees that will go in this area and we agreed to that and made that change on the landscape plan. Also, the surveyor has submitted the final plat and we've made the changes requested, we've shown the development, the proposed site plan development on the plan, we've added the notes that this Board has asked for, and we've also coordinated the bulk zoning, there was a slight discrepancy on the lot areas, we were able to clear that up. So, I think we're at the point where we'd like to ask this Board to authorize your Planning to prepare a resolution so that we can move towards final approval.

Chairman Cosentino stated okay, is there anything from staff on this?

Jan Johannessen stated the applicant had addressed all of our prior comments and I felt that they had addressed all the conditions in the Board's preliminary subdivision plat approval.

Chairman Cosentino stated Anthony?

Anthony Oliveri stated we don't have anything.

Chairman Cosentino stated Whitney?

Whitney Singleton stated just what we previously discussed. Pete, can you just explain why the, I was going through the proposed plat and I was confused why its lots 13, 13A and 13B. Why isn't it lots 1, 2, and 3 or lots A, B, and C.

Mr. Catizone stated we don't assign the lot numbers and I think ultimately those are assigned either by the municipality or the County. We could change those to whatever those lots...

Whitney Singleton stated no but the tax ID numbers are assigned by the County but that doesn't match the tax ID numbers, is what I'm saying. You just have 13, 13A, and 13B, instead of just showing that you're ending up with three lots, just saying A, B, and C.

Mr. Catizone stated we're starting off with, it's a little confusing but we're starting off with three lots, this lot here has its own tax designation, this one here to the old lot line has its own tax designation and then this one here has its own. So it's not like we're taking, simply taking an existing lot and splitting it in two, you know we're actually adding...

Whitney Singleton stated I know what you're doing, I was just wondering where you got the numbers and letters.

Mr. Catizone stated we did not assign the numbers.

Whitney Singleton stated okay.

Chairman Cosentino stated Mr. Miley, anything?

Mr. Miley stated no, I was just looking at that myself, is that that just the reference on the key here and legend that established the lot area, to the right of it, flip it over.

Mr. Catizone stated yeah, I mean, it should be.

Mr. Miley stated upper right, middle, there's a legend there...

Mr. Catizone stated this...

Mr. Miley stated is that just a referenced legend, is that what those numbers indicate?

Mr. Catizone stated yes, just to reference.

Chairman Cosentino stated any Planning Board members have anything they want to add?

Mr. Hertz stated I just have a question regarding Peter, on your memo from February 19<sup>th</sup>, I missed the beginning of the work session where this was probably discussed. Does the new lot address the curb cut sizes?

Mr. Catizone stated yes, it does, so we originally had a 20 foot curb cut and we had those dimensioned and shown as 18 feet, we also have a small turn around to prevent cars from backing into the right of way.

Chairman Cosentino stated John?

Mr. Bainlardi stated the only thing I wanted to ask is I'm assuming that the lots, the 71, 72, 73, 74, 81, those are the filed map numbers?

Mr. Catizone stated I believe that they're the filed map numbers, just see if, hang on one second so I can, 16, 17, I believe they're the filed map numbers. This information, the base information is taken right off of the, you know, tax map information.

Chairman Cosentino stated okay, does that answer your question, John?

Mr. Bainlardi stated yeah, I mean, I don't think it really matters at the end of the day.

Chairman Cosentino stated as long as there's nothing else to say...

Mr. Hertz stated let me just ask one more question.

Chairman Cosentino stated Doug, go ahead.

Mr. Hertz stated because you shifted the lot line, very subtly you said on the back, between the residential two things, did that change your building coverage because I know you got a variance, right?

Mr. Catizone stated we did not shift the lot line, the old lot was here, the new lot line as proposed through the entire process, is here. What we shifted is the landscaped, the curb line which establishes the landscape buffer, a minimum landscape buffer of 10 feet is required, we had 11 feet. So we shifted the...

Mr. Hertz stated okay, so it didn't change the building coverage for variance purposes or any of that.

Mr. Catizone stated right, we would have had to go as minimal as it would have been.

Mr. Hertz stated I hear ya. Alright, I misunderstood what you had said earlier.

Chairman Cosentino stated okay, Jan, for the June 28<sup>th</sup> meeting, would you draft a resolution of approval.

Jan Johannessen stated yes.

Mr. Catizone stated just one question, I think the answer is yes, has the public hearing been closed?

Jan Johannessen stated it needs to be closed, I think you left it open for a period of time.

**Chairman Cosentino stated okay, then we need a motion to close the public hearing.**

**Mr. Vigliotti stated so moved.**

**Chairman Cosentino stated was that by Mr. Vigliotti?**

**Mr. Vigliotti stated yes.**

**Chairman Cosentino stated do we have a second?**

**Mr. Sturniolo stated I'll second it.**

**Chairman Cosentino stated seconded by Vice Chair Sturniolo. On the question. Will the Secretary poll the Board please?**

**UPON ROLL CALL VOTE:**

<b>Mr. Vigliotti</b>	-	<b>aye</b>
<b>Vice Chair Sturniolo</b>	-	<b>aye</b>
<b>Mr. Bainlardi</b>	-	<b>aye</b>
<b>Mr. Bonforte</b>	-	<b>aye</b>
<b>Mr. Hertz</b>	-	<b>aye</b>
<b>Mr. Mareschi</b>	-	<b>aye</b>
<b>Chairman Cosentino</b>	-	<b>aye</b>

**The motion carried by a vote of 7 to 0.**

Chairman Cosentino stated you're on your way.

Mr. Catizone stated thank you.

Mr. Pasquale stated thank you, have a good evening.

Chairman Cosentino stated okay, Exit 4 Food Hall, 149-57 Main Street, would you come up and identify yourself for the record please.

**2. Exit 4 Food Hall – 149-157 Main Street  
PB2016-0326, 80.25-3-30 (SBL)  
Special Use Permit**

Mr. Isi Albanese, business owner was present.

Mr. Albanese stated Isi Albanese, Exit 4.

Chairman Cosentino stated okay, how are you?

Mr. Albanese stated nice to see you.

Chairman Cosentino stated okay, Peter, do you want to go over this.

Mr. Miley stated let's let the applicant and I'll answer any questions. I don't want to make his application for him.

Chairman Cosentino stated he wants you to go first.

Mr. Albanese stated oh sure.

Chairman Cosentino stated okay.

Mr. Albanese stated very good. So right now we have 10 seats that are allowed without a special permit. We used to have outdoor seating when we had all 3 spaces, I think we had 35 or 38 seats back then, now with the smaller amount of space and the amount of tables that we have. I don't know if you've been in but most of our tables now are communal seating so its 8 seats instead of 4 seaters, we have a lot less tables, so

with that we're only allowed 4 tables. So in the sketch that you see, we're doing more of the communal seating, the closures that are created there, we had to do just, we had to do 10 seats and then close it off, so we've done planters, so the footprint of what you see there now is the footprint that's going to be, that's going to stay there, the only thing that's going to change is we're going to go from 10 seats to 22 seats.

Chairman Cosentino stated does any Board member want to talk on behalf of this application first before I point to the Building Inspector? By the way, I think you're going to need a public hearing.

Mr. Albanese stated for?

Chairman Cosentino stated pardon?

Mr. Albanese stated for?

Chairman Cosentino stated for your application.

Mr. Albanese stated a public hearing?

Chairman Cosentino stated go ahead Mr. Miley, yeah, I was just told.

Mr. Miley stated the thing I can add is that the applicant came in, he requested an increase in tables and seating from the 4 tables that he has now, to 2 larger tables, increasing the seating by 22 seats. In return the applicant would have to reduce the interior occupancy to meet the Building and Fire Code which is reference in this second application the revised application. Other than, he meets the requirements with regard to side walk clearances, obstructions, pass ability and the barriers that we indicated earlier may have to be modified to essentially, I don't want to say keep people out but essentially separate the walking pedestrian traffic from the clientele that is eating at its establishment.

Chairman Cosentino stated thank you Peter.

Mr. Miley stated you're welcome.

Chairman Cosentino stated Jan.

Jan Johannessen stated just as you mentioned Chairman, under the Village's Code, outdoor seating over a certain number of seats requires a special use permit and under New York State Law, all special use permits require public hearings. So it's not unique to the Village, it's a State requirement that all special use permits require public hearings. That would be why.

Mr. Albanese stated so summer is going to be over by the time, when is the special hearing.

Chairman Cosentino stated I'll put it on as quick as possible I can for you. When can we schedule this public hearing?

The Secretary stated unfortunately, with the requirements, it requires a 15 day publication in the newspaper, the soonest that you would be able to meet that requirement would be for the July 12<sup>th</sup> meeting.

Mr. Albanese stated now would we have to come back to the Board after that or we would we be able to look at everything now and then after the public meeting to be able to...

Chairman Cosentino stated you'd have to come back.

Mr. Albanese stated we'd have to come back.

Chairman Cosentino stated am I correct?

Jan Johannessen stated I could have a draft resolution prepared for that meeting, the July 12<sup>th</sup>, if the Board's willing to act...

Mr. Albanese stated okay because even ordering the special tables is going to take another 2 to 3 weeks to get them done and we're going to be into August and then September.

Chairman Cosentino stated I'll have the draft resolution done by then.

Mr. Albanese stated okay, so for the 12<sup>th</sup>.

Mr. Bonforte stated and we want to also point out that its an annual permit, the outdoor seating. So you'll have to come back again next year.

Mr. Albanese stated I think its just filing a permit of \$100.00, it was in the past after we came to the Board, is that correct or you have to come back every year now?

Mr. Miley stated every year.

Mr. Albanese stated have to come back to the Board every year.

Mr. Miley stated its an application, however, it still needs Board approval.

Chairman Cosentino stated so Michelle, we'll have the draft resolution done by then, alright.

Mr. Albanese okay, alright, for the 12<sup>th</sup>.

Mr. Sturniolo stated question, are you going to, what changes are going to take place with the exterior lighting.

Mr. Albanese stated basically, I don't know if you've seen it...

Mr. Sturniolo stated I mean as a diagram, are you changing the lighting.

Mr. Albanese stated lighting, now. Lighting is going to stay the same.

Mr. Sturniolo stated not adding anything?

Mr. Albanese stated no.

Mr. Bonforte stated may I see that?

Mr. Albanese stated sure.

Mr. Mareschi stated nice job.

Jan Johannessen stated would you be able to provide, even if you hand write it, a title and date on each one of the drawings you submitted, so I can include them in the resolution.

Mr. Albanese stated on these, sure.

Jan Johannessen stated you can just give them to Michelle.

Mr. Albanese stated can I use today's date or...

Jan Johannessen stated what you'd like, as long as it has a unique title and date.

Mr. Sturniolo stated and all of the umbrellas will be like this?

Mr. Albanese stated they're actually there now.

Mr. Sturniolo stated blue, no, any logo on it.

Mr. Albanese stated there's not writing on it.

Mr. Sturniolo stated thank you.

Chairman Cosentino stated I'll have to put this in my pocket.

Mr. Albanese stated nice to see you guys and welcome Mike.

Mr. Mareschi stated take care.

Chairman Cosentino stated okay, under conceptual, 1261 Baldwin Realty, New Dimensions, just come up and identify yourself for the record please.

**3. 1261 Baldwin Road Realty (New Dimensions Remodeling) – 460-466 Lexington Avenue  
PB2016-0331, 80.641-4 (SBL)  
Amended Site Plan**

Mr. Frank Branca was present to represent the application.

Mr. Branca stated Frank Branca, one of the owners of 1261 Baldwin Road Realty.

Mr. Sturniolo stated excuse me, do you have a business card you can give?

Mr. Branca stated I hope so.

Chairman Cosentino stated why don't you...

Mr. Branca stated I don't have one. I have one in my car...

Chairman Cosentino stated okay, tell us.

Mr. Branca stated what we'd like to do is build a 12 by 25 foot storage shed in the back right hand corner of the property for equipment and materials that we have as opposed to leaving them exposed and unsightly on the property. Ladders, wheelbarrows, aluminum brakes, things along those lines.

Chairman Cosentino stated that's it?

Mr. Branca stated that's it.

Mr. Sturniolo stated question, the storage shed, will that be visible from the street if someone is looking in the driveway?

Mr. Branca stated yes, they will, that's why we want to do it out of clapboard siding.

Chairman Cosentino stated so the shed will be visible from the street.

Mr. Branca stated yes but we want to put windows in it, we want to, we'll do it with cedar clapboard siding.

Chairman Cosentino stated did somebody say it was not going to be visible. Did it show it on the plan or something?

Mr. Branca stated no it's visible, it's going to be in the back right hand corner of the driveway.

Chairman Cosentino stated that's where I thought it was going to be.

Mr. Branca stated it will be here, which is visible from the street, upper right hand corner.

Chairman Cosentino stated alright my Board, how do we feel about it? It's a conceptual...

Mr. Hertz stated so, I'll jump in, I think we've identified there are a couple issues here, on your site plan of record, it identifies the area to be used for turn around, so it's supposed to be kept open, you're supposed to be able to keep it, it's a shaded area to be painted for us as turn around, no parking.

Mr. Branca stated that will be directly, people can back out, with the shed coming out this way, with the shed being here, the turnaround will be here so that they can back out and pull straight out of the driveway.

Mr. Hertz stated I think the issue is, these cars, are these cars, if these cars pulled in straight, they were supposed to be able to use this to turnaround.

Mr. Branca stated well that still will let you, 25 feet will still leave from here to the building 16, 25 and 9 is 34, 44, its 50 feet, so it leaves a 25 foot area between the shed and the building for a turnaround because from the curb to the building is 34, 44, is 50 feet. So they'll be able to back out and come with that...

Mr. Sturniolo stated Anthony, question, does the backing out make sense mechanically?

Anthony Oliveri stated backing out?

Mr. Branca stated well they're not going to back out of the driveway.

Mr. Sturniolo stated no, no, no.

Mr. Branca stated just the turnaround area.

Mr. Sturniolo stated I mean just the turnaround area.

Anthony Oliveri stated you'd just have to show with your formal submission, I think you'd have to demonstrate how the parallel parking is going to make that turn.

Mr. Branca stated okay, not a problem.

Anthony Oliveri stated the other thing in your formal submission, your architect used another architect's plan and stamp...

Mr. Branca stated we'll draw a full one...

Anthony Oliveri stated yeah, he's got to use, he really shouldn't stamp...

Mr. Branca stated I'll do a full set of drawings, you want them sealed, I'll have them also sealed.

Anthony Oliveri stated these were sealed, it's just that it's a violation of the education law.

Mr. Branca stated we'll do a full set.

Anthony Oliveri stated you'll have to show that turnaround.

Mr. Bonforte stated I will just say, it was suggested in our Building Inspector's notes to have a site visit, I'm not familiar with the facility right now, you know the property, in that particular section of it.

Mr. Branca stated in that particular area in order to take all of the materials that we had, what I'm talking about are ladders and so forth that were just on the ground and unsightly, I put up a temporary shed, canvas, just to hide it so you don't see a pile of stuff in the back.

Mr. Bonforte stated I'm going to, I don't know how we propose this but I'd like to propose a site visit whether we do it individually or with a group.

Chairman Cosentino stated I've been there, okay and I'm not going to be here this Saturday but if any member wants to pick a date down here, John, would you be available.

Mr. Bainlardi stated sure or I could go on my own, either way.

Chairman Cosentino stated Ralph.

Mr. Vigliotti stated sure, you want to make it Saturday morning or go independently.

Chairman Cosentino stated I won't be here so, I'm going to be away.

Mr. Hertz stated I'd rather go independently, this is just an openly visible spot.

Chairman Cosentino stated okay, so anybody can just go independently and report back at the next meeting.

Mr. Bonforte stated we can go independently.

Mr. Hertz stated there's nothing we need access to.

Chairman Cosentino stated now remember this is conceptual...

Mr. Bonforte stated Frank, so yeah, Frank, we don't need to meet with you then, just individually, independently visit the site.

Mr. Branca stated yeah, you can pull right in, as long as the fish market isn't parking their cars there.

Mr. Hertz stated so another item that I think you need to be aware of is your site coverage currently is at, your building coverage is a 29% and 30% is allowed, so our guess is you're going to be, you're going to end up being over that, so that would require a variance.



Mr. Branca stated I know.

Mr. Hertz stated okay.

Chairman Cosentino stated and landscaping has been changed since the original.

Mr. Branca stated yeah, we'll reflect everything on the plans.

Jan Johannessen stated Chair, if I could, I'd recommend that the Board directs staff to conduct a site visit and review the site for conformance with the site plan of record...

Chairman Cosentino stated absolutely, absolutely.

Jan Johannessen stated particularly with regards to the previously approved landscaping plan.

Chairman Cosentino stated now, I just want bring out one thing, this is a conceptual. Is there any member of Board that doesn't feel they want to see a shed from the street. I don't want to waste this man's time.

Mr. Branca stated let me clarify this, it's not going to be a shed, it may have two doors to get into it but it will be a one story building with clapboard siding, windows, so it's not going to be a shed.

Chairman Cosentino stated I needed to bring that up for reasons.

Mr. Branca stated no, no, I understand but let me explain what we're going to do.

Chairman Cosentino stated what do you want me to call it.

Mr. Branca stated a pretty storage building.

Chairman Cosentino stated okay, a pretty storage building I'll go along with you.

Jan Johannessen stated just on that fact, this will require ARB approval.

Mr. Branca stated yes, I know.

Jan Johannessen stated you'll have to go to the ARB.

Mr. Vigliotti stated in your storage building, you mentioned equipment that you would be storing, what types of materials will you be storing?

Mr. Branca stated we won't be storing materials, it will be strictly equipment that we have, ladders and things along that line.

Mr. Vigliotti stated correct me if I'm wrong, if one of your trucks would be backing up to the shed, perhaps taking one or two parking spaces, temporarily while picking up this equipment, would I be correct in saying that?

Mr. Branca stated no, one space, pull the equipment out, load it, it backs up and pulls out in the turnaround.

Mr. Vigliotti stated so the question I have is, have we allocated that one space to accommodate a truck that is going to be pulling up in front of the shed to get equipment. I just want to make sure...

Mr. Branca stated we'll allocate it, I'll do it on the plans that we're going to do, we'll show you where the truck will be parked because is parked there during the evening.

Mr. Vigliotti stated okay.

Mr. Branca stated and then we'll show the balance of the parking facilities and what we need. We only have 5 employees there during the day and the rest of the spaces are used for any clients that come for meetings and things along those lines. Its not an office where we have 10 doctors and 4 nurses.

Mr. Vigliotti stated well generally speaking we're going through the application and there are some items that will be looked at, the ZBA, ARB and so on.

Mr. Branca stated yup.

Mr. Vigliotti stated I do have a problem with a storage shed in the parking lot and I just leave it at that as I'm not sure how that's going to look from the street. I'm not sure that's a bad precedent to set to have storage sheds in parking lots that are visible from the street. So I just leave you with that, there are other technical issues...

Mr. Branca stated let me ask you a question, if in fact it does create a problem, as individuals, you all have choices to make and it doesn't meet with you, what if I did a second floor addition on the building?

Chairman Cosentino stated if you meet Code and everything, we have, you know...

Mr. Branca stated and then I can use that as a storage and expand the building and use it pull things up and load it and...

Chairman Cosentino stated you'd have to go before the Building Inspector and let him look at the plans and, if you can provide parking et cetera...

Mr. Branca stated so if one doesn't work, I'll go in a different direction and I'll make it a two-story building and storage up above.

Chairman Cosentino stated yeah.

Mr. Branca stated okay.

Chairman Cosentino stated that's not a problem, just go before the Building Inspector, let him look at the plans and provide parking et cetera, whatever you have to do.

Mr. Branca stated let's go with this, if in fact you feel that it is not good for, on the aesthetic end of it, then I'll go to a different direction.

Chairman Cosentino stated absolutely.

Mr. Branca stated because I'm going to build it myself so it doesn't matter.

Chairman Cosentino stated thank you for coming.

Mr. Branca stated okay and you're still going to the site visit...

Chairman Cosentino stated yeah, they're going to do it individually.

Mr. Branca stated I'll redo the drawings under the architect.

Jan Johannessen stated your next step would be submitting a formal site plan application or do you want to reconvene...

Mr. Branca stated well why don't we meet after I turn that in, let's meet the next meeting and go through everything with everyone, this way if everybody is okay with it, fine we'll move, if you're not okay with it then I'll stop and go into the other direction.

Chairman Cosentino stated okay.

Mr. Vigliotti stated right.

Mr. Miley stated Chairman, before...

Mr. Branca stated I don't want to go through a whole thing where everybody here, as long as everybody's on course, fine.

Mr. Miley stated Chairman, I just want the applicant to note that some of these, also the zoning criteria, have to be updated, you weren't privileged to this memo but there's probably going to be a need for an area variance as far as development coverage for the prospective shed...

Mr. Branca stated I figured that.

Mr. Miley stated so I think prior to appearing before the Board, let's get the application tight...

Mr. Branca stated okay, I'll give you a ring on Monday, unfortunately I'm out of town from tomorrow until next week, so.

Mr. Miley stated come in, meet with myself, we'll go over all of the criteria and things that need to be changed, you're going to provide a brand new set of drawings, so Zoning criteria...

Chairman Cosentino stated we can expedite it.

Mr. Branca stated I got it. Okay?

Chairman Cosentino stated thank you so much.

Mr. Branca stated thank you, good night everyone. Have a good Father's Day or Grandfather's Day on Sunday.

Chairman Cosentino stated yeah. GBD Realty, would you come up and identify yourselves for the record please.

**4. GBD Realty, Inc. – 556 Main Street (Manara Laundromat)  
PB2016-0332, 80.57-4-6.1 (SBL)  
Amended Site Plan**

Mr. William O'Neill, AIA and Mr. & Mrs. Paul Maffucci, the property owner, were present.

Mr. O'Neill stated yes, certainly, good evening my name is William O'Neill, I'm the architect on this property. Mr. and Mrs. Maffucci are going to join me.

Mr. Maffucci stated hello, hey guys.

Mr. O'Neill stated that own the laundromat. The family has owned the laundromat for quite some time, they came before about 10 years ago...

Chairman Cosentino stated 10 years ago.

Mr. O'Neill stated m ex-partner Re Hegele, the drawings I think had my name on them too but I didn't appear before you, got an approval to do a second story, they never decided that it, they decided not to go ahead and do that work.

Chairman Cosentino stated right.

Mr. O'Neill stated so the most recent site plan we have is the Jack Fermery one from '84, a copy was submitted with the application. The current condition has a small storage shed which apparently was done without the benefit of clergy, so we're legalizing that and adding a small addition to that, that's the proposal, as well as renovating the inside of the building, making some minor changes to the exterior and re, doing parking a little bit, we have plenty of spaces, we I believe on, this is an updated survey from Johnson Brothers but we have 12 spaces required, we can get 13, we actually get 2 handicap spaces, the way we have this laid out now, I don't think we're required more than one but we can get two in there, if we need two but we have this small addition. I've read through the memos, I don't have any problems with the memos other than, it appears we might have to go be referred to DEP, New York City DEP, it's a very small addition, less than 2%...

Jan Johannessen stated that's only if you are adding impervious coverage...

Mr. O'Neill stated well there's a roof...

Jan Johannessen stated but the roof is over something that's improved already.

Mr. O'Neill stated some of it is and some of it isn't, it depends on whether you count the existing structure, it wasn't part of the old site plan as existing, it's certainly been there, the new addition you're doing right now is over the existing parking area, so that doesn't count. It's a question of how do you view this piece that's existing now, has been there for some time, there is an existing, the Fermery plan shows a stormwater mitigation system that probably doesn't meet today's standards but it was approved at the time, it covers the driveway and the roof of the building, it all comes to a catch basin and a drywell in this location that seems to function perfectly, this catch basin never backs up, it seems to be working. In fact we would be adding nothing to the load that's currently there, so we can go to DEP to get this currently existing piece approved, I'm hoping you'll decide that there's no need to do that.

Chairman Cosentino stated are you adding any machines?

Mr. Maffucci stated no, we're not, no.

Mr. O'Neill stated no change in the number of machines, we're going to put all new machines in...

Chairman Cosentino stated what is the shed actually for?

Mr. Maffucci stated to relocate the hot water unit...

Mrs. Maffucci stated we're moving utilities outside, the hot water heater...

Mr. Maffucci stated and the storage tanks are going to go in that one location.

Mr. O'Neill stated right, so this, currently there's mechanical space in here, its very, very tight, its difficult to get to, its difficult to service equipment, we'll be doing a new type of hot water system and that will go here and there's also a trash room out there now which will get relocated to here.

Chairman Cosentino stated now do you recycle your water or you just use...?

Mr. Maffucci stated no.

Chairman Cosentino stated you don't recycle water.

Mr. Maffucci stated not a bad idea.

Mrs. Maffucci stated the new machines are much more efficient though, in power and water use.

Mr. Vigliotti stated yeah.

Mr. Hertz stated are you doing any solar thermal or any of the other...

Mr. Maffucci stated no, unfortunately.

Mr. O'Neill stated not at this time.

Mr. Maffucci stated not at this time.

Mr. Mareschi stated they're changing all the machines, replacing all the machines.

Mr. O'Neill stated replacing all the machines...

Mr. Mareschi stated 35 and up?

Mr. Maffucci stated there should be 34 that has to be changed because it was 34, its going to stay 34, there is a mistake on the print.

Mr. O'Neill stated at one point we were planning to do 35, I put it on the plan but its actually 34 and that will be reflected on the final site plan.

Chairman Cosentino stated anything from Staff here? This is a conceptual.

Jan Johannessen stated I noted that the site plan of record showed some landscaping best that no longer exist, there may be some benefit to reintroducing those landscaping beds along the sidewalk area in front of the building. The lighting and the landscaping plan will need to be designed to conform with the Village standards, I think I had a couple comments on the lighting plan, if you can incorporate that into your plan set, with your title block...

Mr. O'Neill stated I will.

Chairman Cosentino stated you're talking about the original landscaping that was there, that's no longer there.

Jan Johannessen stated and then the...

Mr. O'Neill stated there's some of it and we're prepared to reestablish that previously approved landscaping, we don't have any problem with that. We assumed you would want that and we will do that.

Jan Johannessen stated and the only other comments was really producing your site plan on top of the survey you just had done...

Mr. O'Neill stated sure.

Jan Johannessen stated and just going through the site plan elements that are required in the Code and making sure its all there.

Mr. O'Neill stated we assumed in our final plan, we would touch all those bases.

Jan Johannessen stated other than that...

Mr. O'Neill stated and I will take that as a PDF put it underneath, so you can tell that it matches. It does match but I want to make it easier for you to tell that it matches.

Mr. Vigliotti stated the question on the clothing collection bins, I noticed they're gone...

Mr. Maffucci stated yes.

Mr. Vigliotti stated that's very refreshing not to see, it's nice to be able to collect clothing but people abuse it and they leave it on the side and in the front and on top, so will that remain a non-clothing bin area? Or is that going to come back?

Mrs. Maffucci stated no plans to bring them back.

Mr. O'Neill stated we understand that you would take a very dim view of that and want us to remove them, we took them out.

Mr. Vigliotti stated okay but the question I have is they're gone now, but will they come back.

Mr. O'Neill stated they will not come back.

Mr. Vigliotti stated okay.

Chairman Cosentino stated you're not going to be adding any...

Jan Johannessen stated that actually requires a site plan amendment.

Mr. O'Neill stated and when we had the discussion about it, it was made clear to us that we needed to get them out of there.

Mr. Vigliotti stated just became abused, it's unfortunate.

Chairman Cosentino stated ugly. You're not going to be adding any candy machines, sandwich machines, soda machines...?

Mr. O'Neill stated outside?

Chairman Cosentino stated inside.

Mrs. Maffucci stated there's some existing.

Mr. Maffucci stated existing, not...

Mr. O'Neill stated there are some machines inside.

Mrs. Maffucci stated and we're going to keep existing.

Chairman Cosentino stated and how many machines do you have inside?

Mrs. Maffucci stated well they're going to be relocated, so I can't, depending on new sizes of the machine...

Chairman Cosentino stated you show them on the plan?

Mr. O'Neill stated I didn't, I show a vending machine area but I didn't show the number of machines, is that an issue?

Chairman Cosentino stated well just, you know.

Mr. O'Neill stated no, I'm just curious, I didn't know there was a restriction on it, I hadn't intended to show exactly...

Chairman Cosentino stated Peter, is that an issue?

Mr. Miley stated I couldn't answer that right now, I'd have to look it up.

Chairman Cosentino stated you have to look it up.

Mr. Miley stated yeah.

Mr. O'Neill stated yeah, I'll look into it too because it never occurred to me that it would be an issue here before this Board but we certainly want to comply with the local codes and you know...

Chairman Cosentino stated I didn't know that's why, I mean it up all the time its not that I just bring it up here now.

Mr. Maffucci stated yeah.

Mr. O'Neill stated right now there are 3 or 4 maybe...

Mr. Maffucci stated yeah, a couple of soda machines and a snack machine.

Mr. O'Neill stated I think there's a snack machine in this area here which won't be available anymore, wasn't there some kind of machine up there...

Mr. Maffucci stated yeah, there is.

Mr. O'Neill stated and then there's 2 or 3 in this area.

Mrs. Maffucci stated then we have soap dispensing machines which are also on the wall but those are going, we definitely need those.

Mr. Maffucci stated so everything is going to be located, to get a couple machines out here and...

Mr. Sturniolo stated question, do you foresee any form of outdoor dining or chairs and tables?

Mr. O'Neill stated there are currently a couple of tables outside...

Mrs. Maffucci stated no, just benches.

Mr. Maffucci stated it's a bench table, it's basically a bench.

Mrs. Maffucci stated just for people to sit outside as they're there, we don't encourage loitering.

Chairman Cosentino stated anything from staff here, this is conceptual.

Jan Johannessen stated what's the retaining wall, is that a concrete wall?

Mr. O'Neill stated it's a reinforced concrete wall, yeah, it's shown on the Fermery Plan.

Jan Johannessen stated is it painted?

Mr. Maffucci stated its painted, yeah.

Mr. Hertz stated I'm curious about something, you had said that you have 34 machines. This count is 50-something machines.

Mr. Maffucci stated no, washers.

Mr. O'Neill stated 34 washers and then dryers to match.

Mr. Maffucci stated right.

Mr. Mareschi stated oh, so the total machines are not 34.

Mr. O'Neill stated yes, that's true. Its washing machines.

Mr. Maffucci stated its washing machines.

Mr. Miley stated let me add Chair, there was a question raised and we were discussing this earlier whether the previous approval included both washer and dryer as independent machines or just calculating washers. I would have to do some research to enlighten us on that.

Mr. O'Neill stated we understood that there's a parking requirement based on the number of machines, based on the previous approval and I believe the requirement was the same...

Whitney Singleton stated according to your plan, it was approved based upon square footage...

Mr. O'Neill stated previously.

Whitney Singleton stated under the C2 Zoning, the then C2 Zoning, at 1 space per 200 square feet. There was a different parking requirement for that use then.

Mr. Miley stated it was classified as retail, you are correct.

Mr. O'Neill stated well we had assumed, we had gone on the assumption, we met with Mr. Miley, we talked about this as, you know 1 parking space per washing machine. If we are, we couldn't possibly comply with the parking requirement if it was all the dryers and all the washers were counted separately...

Mr. Maffucci stated it's impossible.

Mr. O'Neill stated we'd be out of business. But we have this many machines now, there's no change in the number of machines and we do not have a parking problem currently.

Mr. Bonforte stated well when you say machines, you should say washing machines, right, going back to the original plans just to clarify for all of us.

Jan Johannessen stated so its 34 washing machines, how many total machines.

Mr. O'Neill stated Paul, do you know off the top of your head, how many?

Chairman Cosentino stated 55.

Mr. Maffucci stated 22, plus 22 so 34 and 22, so 56.

Jan Johannessen stated and that's what you have, you have 56 machines right now.

Mr. O'Neill stated I believe that's, the count has not changed on either washers and dryers. The washers are the same, we changed the size of some of the dryers, the, I think the biggest dryers right now are slightly smaller than the previous biggest dryers but I think...

Mr. Maffucci stated yeah, we took out, I'm trying to remember because one, the four dryers we had goes down 3 but they're double pocket...

Mr. Miley stated 55 total.

Mrs. Maffucci stated I think our last count was exactly the same.

Mr. O'Neill stated and some of the dryers are one above the other too.

Mrs. Maffucci stated it counted as one though because its in a pocket, so...

Mr. Maffucci stated it might be one or two different.

Mr. O'Neill stated it depends on how you want to count it, we think of it as a single machine but its two dryers in machine. All of the washers are single units, right, there's not stacked washers...

Mr. Maffucci stated that's one machine, it's counted as one.

Mr. Bainlardi stated I, as one member of the Board, I personally don't see the rationale requiring separate counts of washers and dryers for purposes of parking. But I really think it's a determination ultimately for the Building Inspector to the extent that he can determine what's, how it's been determined in the past and I think it's the Building Inspector's ultimate determination if he were to determine it requires all of the machines then, you know then there's, I'm not sure what your recourse is at that point...

Mr. O'Neill stated I guess we go to the Zoning Board...

Mr. Bainlardi stated you can go to the Zoning Board for...

Mr. O'Neill stated we can always seek relief there.

Mr. Bainlardi stated but I think in the first instance, there's other laundromats, so you might be able to find the answer to this pretty rapidly...

Jan Johannessen stated there's 2 other laundromats in Town, we can pull their site plans too.

Mr. O'Neill stated okay, alright, that makes perfect sense.

Mr. Bainlardi stated hopefully it's a nonissue and then put that behind us.

Mr. Miley stated I think originally it was different zoning districts so he may be legally nonconforming if he has a C.O. issued for the, if this application's not, he's not increasing intensity by changing the application, he's essentially modifying, excuse me, making alterations to the existing approved space that needs to be considered as well.

Chairman Cosentino stated sure.

Mr. Miley stated so there is no increase in intensity as far as machine wise...

Chairman Cosentino stated no, there is not.

Mr. Miley stated and the calculation was different back before the Zoning change. If there's a C.O. issued for the space, its essentially an alteration.

Mr. O'Neill stated I always love to be preexisting nonconforming, it helps. So, if that applies here then we would be happy to take advantage of that.

Mr. Bainlardi stated until you want to expand it.

Jan Johannessen stated or a C.O.

Mr. O'Neill stated well we're not expanding the number of machines, we are expanding the space slightly...

Mr. Bainlardi stated yeah but that's a nonissue.

Chairman Cosentino stated you're not building the Taj Mahal here, it's just...

Mr. O'Neill stated we're adding 93 square feet, we're talking about an extremely small addition. What it does is, the primary purpose of this addition is to allow us to have mechanical space where it's easy to work on the equipment, have enough space for the equipment and have a better, more efficient water heating system.

Jan Johannessen stated are there any façade improvements or store front improvements?

Mr. O'Neill stated there are some minor façade improvements, along the front of the building, right now there's some windows high up on the right hand side and we will be removing those and filling those in on, I don't think...

Chairman Cosentino stated you need to go before the ARB on that.



Mr. O'Neill stated excuse me?

Chairman Cosentino stated you need to go before the ARB on that.

Mr. O'Neill stated yes, we understand we have to go before the ARB and there's a door here, we're changing, there's 2 doors here and we're going to take one of them out, we don't need it for egress and it will allow us to put you know a bench, some seating in front of there. Other than...

Jan Johannessen stated when we met conceptually...

Mr. O'Neill stated yes.

Jan Johannessen stated I think there was phased plantings, do I recall that there was some vestibules that were going to be...

Mr. O'Neill stated we don't anticipate being able to do those under our current economic projections for some time, so we decided to leave them off this application. We do plan to phase the construction but we determined that within the next or so the duration of our permit, we wouldn't be able to get to the vestibules, they just didn't have the money to do that, so rather than apply for that and then have to come back and modify it because we weren't able to do it in a reasonable amount of time, we figured we'd leave it off, if conditions allow we can find the money to do that later, we'll come back and ask for that again.

Jan Johannessen stated can you submit elevations with your formal application?

Mr. O'Neill stated absolutely and we'll make an ARB application as well.

Chairman Cosentino stated you know that building used to be a Pontiac agency.

Mrs. Maffucci stated I read that.

Chairman Cosentino stated and before that it was Lincoln and Mercury.

Mrs. Maffucci stated I read that too and then a couple of restaurants.

Mr. Hertz stated let me just make this comment. So, I'm in the solar electric business, I'm not in the solar thermal business so this is not my thing but there are 2 types of business that benefit tremendously from solar thermal, one are laundromats, there are a couple of those. When you have a year round, very heavy use for hot water, so I'd ask you to look at that seriously, as long as your expanding your mechanical room, if you building for the long term, it's a win-win, the price of gas is cheap now but I don't expect it to be cheap in 20 years. So take a look at it, there's available public funding for it, you don't layout money, they are pretty good things,

Mr. O'Neill stated very good, we will, we'll absolutely look into it and the idea of there being some funding for it will help.

Chairman Cosentino stated good.

Mr. Maffucci stated appreciate that.

Mrs. Maffucci stated thank you.

Chairman Cosentino stated okay, thank you for coming and we'll put on it, you know whenever you want just tell Michelle. Do your homework...

Mr. O'Neill stated we have a little homework to do.

Chairman Cosentino stated go before the ARB and start that.

Mr. O'Neill stated should we do that first?

Chairman Cosentino stated well you can start the process. This is just a conceptual anyway. When you make your application then...

Jan Johannessen stated you can run them concurrent.

Mr. O'Neill stated DEP?

Jan Johannessen stated that's really a call for the DEP.

Mr. O'Neill stated if we don't tell them about it, they won't know to make the call, do we have to tell them about it?

Anthony Oliveri stated yeah, you have to tell them. They'll probably want to do a site visit, I think traditionally they base it on the site, not so much the last approved site. They also might go back and look at aerial photos and things like that but you need to do that...

Mr. O'Neill stated but the answer is that I need to contact them.

Anthony Oliveri stated yeah, its going to be conditional of any approval that you need DEP, their approval.

Mr. O' Neill stated either waiver or approval.

Anthony Oliveri stated yes.

Mr. O'Neill stated alright, thank you very, very much.

Mrs. Maffucci stated thank you.

Mr. Maffucci stated thank you everybody, have a good night.

Chairman Cosentino stated is there anybody here from Bare Burger. Neal, you want to represent them?

Mr. Rentz stated absolutely. Burger craving.

Whitney Singleton stated Chairman, the representative for Bare Burger may have assumed that his submission was sufficient, he was not told not to attend but I'm presuming that...

Chairman Cosentino stated well I mean, I was going to put it down for approval on the resolution.

Whitney Singleton stated for the next meeting.

Chairman Cosentino stated for the next meeting, June 28<sup>th</sup>, get it off our plate.

Mr. Bainlardi stated sounds good.

Chairman Cosentino stated I mean they've done everything...

Mr. Bonforte stated can we do that without the applicant here, is that what we're suggesting? Let's...

Chairman Cosentino stated so put this on for the 28<sup>th</sup> for approval.

Mr. Bonforte stated do we have to make a motion chairman?

Chairman Cosentino stated no.

Jan Johannessen stated can I ask Michelle to contact the architect and have them resubmit a full plan set showing the removal of the front outdoor seating area.

Mr. Bainlardi stated he says he does a fair amount of business online, people don't come to the store...

Chairman Cosentino stated Michelle, did everybody get a copy of this NYC, they all should have copies here.

The Secretary stated yeah, I brought them, I remembered.

Chairman Cosentino stated gentlemen, can I have you attention for a minute...

The Secretary stated just before we begin, there is no money in escrow.

Chairman Cosentino stated no, but I just want them to read it themselves. We just want you read this, this is the New York City Environmental Protection, this is concerning the...

Jan Johannessen stated there's no escrow.

The Secretary stated not that I know of.

Chairman Cosentino stated Hearth and the only reason why I'm giving you a copy, I didn't want to be derelict in saying I didn't get it, the Planning Board was CC'd on this, so I think you ought to read it, digest it. Anthony Oliveri was CC'd, Armand DiAngelis, Christian Sexton were CC'd.

Anthony Oliveri stated Michelle didn't give me a copy of it.

The Secretary stated no. You got copied from DEP, but you can't bill.

Jan Johannessen stated there's no escrow in place.

Anthony Oliveri stated I read it in my office, I can bill now.

Chairman Cosentino stated right and we're not going to talk about this because there's no escrow but I think that you should read this and if it wasn't CC'd to the Planning Board, you wouldn't be getting copy of it, so. If there's nothing else here, wait a minute, hold on. Alright, do we have a motion to adjourn.

Mr. Mareschi stated yes sir.

Chairman Cosentino stated motion by Mr. Mareschi, second?

Mr. Bonforte stated second that.

**Chairman Cosentino stated on the question? All in favor.**

**The motion carried by a vote of 7 to 0.**

The meeting adjourned at 8:25 p.m.