

**MINUTES OF THE PLANNING BOARD MEETING
HELD ON NOVEMBER 28, 2023, AT 7:00 P.M. AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY**

MEMBERS PRESENT

*Joseph Stout
Chip Marrano
Jeffrey Spano
Kimberly Burkan
David Gelfarb
Ryan McAuliffe*

MEMBERS ABSENT

Marshall Donat

Patrick Cleary, Planning Consultant to the Board, Benjamin Heaslip, Assistant Planning Consultant to the Board were present tonight.

The Chairman opened the meeting with the Pledge of Allegiance.

COMMITTEE REPORTS

- Adopt minutes from October 24, 2023

Motion to adopt the October 24, 2023 minutes made by Chip Marrano, seconded by Jeffrey Spano. Vote carried 6-0.

- **WELLINGTON GREENE – MULTI-FAMILY BUILDING** (PB22-032) – 110 Halstead Avenue, Block 76, Lot 8 – Adopt Resolutions

Patrick Cleary noted that the site plan resolution was modified this afternoon to reflect some changes by the Town Engineer, I&I fee and EMS fees were also added.

Motion to grant Negative Declaration made by Chip Marrano, seconded by Kimberly Burkan. Vote carried 6-0.

Motion to grant Site Plan approval with changes made by Jeffrey Spano, seconded by Chip Marrano. Vote carried 6-0.

- **241-247 HALSTEAD AVENUE – NEW BUILDING** (14-439) – 241-247 Halstead Avenue, Block 131, Lot 17 – Site Plan Approval 7th 1 Year Extension

Steven Wrabel, Esq. with McCullough Goldberger and Stoudt appeared on behalf of the 7th 1 year extension. He noted that the applicant had been working on purchasing the adjacent property but the town has purchased it for a parking lot.

We are asking for extension of 2016 approval so we can proceed with amended site plan application so we can proceed with amended site plan with the Board.

Patrick Cleary noted that we have been meeting with the applicant and have seen site plans and it's my understanding they will be submitting relatively soon.

Motion to grant 7th 1 year extension made by Chip Marrano, seconded by Kimberly Burkan. Vote carried 6-0.

Steven Wrabel noted that the client asked we come before the Board to show the architectural concept plan next month and get your feedback, but wanted to check.

The Board agreed that they would like to see the new architectural concept.

- **RIVERSIDE MANOR CLUSTER SUBDIVISION A/K/A HARRISON HAMLET** (17-1322) – 390 Mamaroneck Avenue, Block 482, Lot 16 – Final Plat 3rd 180 Day Extension

Mike Charitou, Owner appeared before the Board and noted that Peter Catizone just heard from the Town Engineer and we should have the bond and inspection fee next week.

Motion to grant 3rd 180-day extension made by Jeffrey Spano, seconded by Chip Marrano. Vote carried 6-0.

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1. **27 CENTURY RIDGE ROAD RESIDENCE** (PB23-030) 27 Century Ridge Road, Block 691, Lot 84, Steep Slope Permit

Maximillian Mahalek, Esq. with Cuddy & Feder on behalf of the applicant Grosso Brothers General Contracting this is a request for a reissuance of a steep slope permit previously granted by this board, that permit was granted in the spring of 2022 and was renewed for a six-month period this past summer and that expiration is coming up at the end of December. Since that extension this past summer there is a TRO or a temporary restraining order in place due to ongoing litigation on the property so construction cannot be done because of that. He noted that some updates were made and technical information requested by the Building Department and to the Town Engineer. He asked if the Public Hearing can be scheduled for the next meeting.

The Chairman asked if any questions from the Board. There being no questions he asked for a motion to schedule the Public Hearing for December 19, 2023.

Motion to schedule the Public Hearing for December 19, 2023 made by David Gelfarb, seconded by Chip Marrano. Vote carried 6-0.

2. **DISH WIRELESS – SITE PLAN** (PB23-023) – 2900 Purchase Street, Block 631, Lot 5
– Site Plan Review, SEQR Review, **Public Hearing**

Maximillian Mahalek, Esq. with the Law Firm of Cuddy & Feder on behalf of the applicant Dish Wireless along with Frank Bacardi the project coordinator with the contractor for Dish Wireless. Dish Wireless is the provider of a new wireless service which is part of the federally mandated rollout across the country and there are certain deadlines to be reached to provide service within certain market areas at certain times set by the federal government. The proposal is for antennas in place where Sprint has antennas on an existing chimney at Manhattanville College. We understand that there was a comment of the structural integrity of the chimney and the town engineer did take a look at reports regarding repairs that recently were done to ensure that the tower is structurally integrable.

The Chairman noted that he did see the chimney repair report but did not see a structural analysis.

Maximillian Mahalek noted that structural analysis was submitted with the original materials dated April 2023 and following that date there was a comment from the Town Engineer regarding what is the condition of the tower and there is a memo from September 26, 2023 stating that a structural assessment should be performed to see if the structure can safely incorporate the proposed improvements. There was a memo dated October 18, 2023 from Ronald Graiff noting that he has conducted his review and finds the chimney to be structurally sound.

The Chairman asked if he is the radiation guy.

Patrick Cleary noted that he is and he has reviewed the report and both the engineering and building department have reviewed his memo and agreed.

Motion to open the Public Hearing made by Chip Marrano, seconded by Kimberly Burkan. Vote carried 6-0.

The Chairman asked if anyone would like to speak on this matter or any questions from the Board. There being no one or any questions he asked for a motion to close the Public Hearing.

Motion to close the Public Hearing made by Jeffrey Spano, seconded by David Gelfarb. Vote carried 6-0.

Motion to grant Site Plan approval made by Chip Marrano, seconded by Jeffrey Spano. Vote carried 6-0.

3. **SCHOOL OF THE HOLY CHILD – AMENDED SITE PLAN** (PB23-029) 2225 Westchester Avenue, Block 601, Lot 4 – Amended Site Plan Review, Steep Slope Permit, SEQR Review, **Public Hearing**

Steven Wrabel, Esq. with McCullough Goldberger & Staudt on behalf of the School of the Holy Child and introduced the head of the school Colleen Pettus, CFO Don Devine, Civil Engineer Chuck Utschig, and Architect Joe Costa. We were here last month; the school is looking to demolish its existing convent building so that they can construct a new modern facility for instruction on its STREAM curriculum. The building is going to be smaller than the existing structure and further from the property line and will be putting stormwater facility were none currently exist. This will be an environmental benefit and asset to the girls that attend Holy Child in their education. We had a site walk last week and the one issue that seemed to come up was fire access; the Building Inspector and the Fire Marshal both were out at the site and we did provide them with an amended drawing to address their comments from the site walk. We received a memo from the Fire Marshal today and no issue with the current plan. We would like to open the Public Hearing and can answer any questions as best we can.

The Chairman asked if the Board had any questions; motion to open the Public Hearing.

Motion to open the Public Hearing made by Chip Marrano, seconded by David Gelfarb. Vote carried 6-0.

The Chairman asked if anyone from the public would like to speak on this matter; motion to close the Public Hearing.

Motion to close the Public Hearing made by Jeffrey Spano, seconded by Chip Marrano. Vote carried 6-0.

Motion to grant a Negative Declaration made by David Gelfarb, seconded by Chip Marrano. Vote carried 6-0.

Motion to grant Site Plan approval made by Jeffrey Spano, second by Ryan McAuliffe. Vote carried 6-0.

Motion to grant Steep Slope permit made by Chip Marrano, seconded by Joseph Stout. Vote carried 6-0.

4. **TROTTA'S PHARMACY – AMENDED SITE PLAN** (PB23-027) – 15 Halstead Avenue, Block 42, Lot 11 – Amended Site Plan Review, SEQR Review, **Public Hearing**

Joe Fernandez, Architect for the project; last month we were before the Zoning Board for several variances that we required for the vestibule and dumpster corral and were granted so now we're back before you and if you have any questions and if the public has any.

The Chairman noted that the Engineer is still waiting for comments from his question last month.

Patrick Cleary noted that the Engineering memo from last month was that he needed clarification as to whether or not any stormwater improvements that were necessary, are there any modifications to drainage flows one way or another.

Joe Fernandez noted no there is not.

Patrick Cleary asked if you could provide that information to the Engineering Department just so we could get a signoff from him, that could be a condition of your approval.

The Chairman also noted that another comment was the overhang but that was changed.

Joe Fernandez noted that he did not see the engineering memo, I would have commented.

Motion to open the Public Hearing made by Chip Marrano, seconded by Jeffrey Spano. Vote carried 6-0.

The Chairman asked if anyone from the public wish to speak on this application, motion to close the Public Hearing.

Motion to close the Public Hearing made by David Gelfarb, seconded by Chip Marrano. Vote carried 6-0.

Motion to grant Site Plan approval subject to engineering comments addressed made by Jeffrey Spano, seconded by Ryan McAuliffe. Vote carried 6-0.

5. **120 COTTAGE AVENUE RESIDENCE – WETLAND PERMIT** (PB23-028) – 120 Cottage Avenue, Block 961, Lot 7 – Wetland Permit Review, SEQR Review

Meredith Juliana with Langan, we were originally coming back to you for our wetland review but we received comments on the wetlands today and we don't see any major issues with those comments so we will respond to them. We were made aware that Cottage Avenue is part of the Purchase Street 100-foot buffer requirement do need to go to the Zoning Board issue and are here to request a referral to the ZBA for the December meeting.

The Chairman asked for a motion to refer this to the Zoning Board.

Motion to refer to the Zoning Board of Appeals made by Kimberly Burkan, seconded by Chip Marrano. Vote carried 6-0.

6. **TRATTORIA 632 – ADDITION** (PB22-028) – 632 Anderson Hill Road, Block 644,

Lot 21 – Amended Site Plan Review, SEQR Review, **Public Hearing**

Application was not heard.

7. **GOLF CLUB OF PURCHASE – MASTER PLAN REVIEW** (PB23-031) – 10
Country Club Drive, Block 961, Lot 10 and Block 951, Lot 21 – Steep Slope Permit
Review, Wetland Permit Review, SEQR Review

Steven Wrabel, Esq. McCullough Goldberger & Stoudt on behalf of the Golf Club of Purchase who own two separate parcels of land comprising of approximately 195 acres that made up the golf club. I have with me tonight the Director of Golf, Carl Alexander, General Manager Sofie Mond and Superintendent Erin Kraus and we also have our Civil Engineer Tim Allen and Chris Robins our Wetland Consultant. Were here tonight for a Master Plan review, wetland permit and steep slope permit application. He gave a little bit of the background of the club and why there looking to do this than our consultants will walk you through their portions. The club was approved at part of the larger Purchase Estates residential development those approvals were granted in 1992 the club was constructed and opened in 1996. It's not 27 years later and much of their membership joined early on when the club was opened. So that large membership is not starting to phase out a little bit and what were seeing is a number of the club members are relocating; moving and are not playing golf as much as they use to. So the club is looking towards the future and unlike many of the other clubs in the area Purchase is Golf only they are not a country club, they don't do tennis, swimming or the all popular pickleball so unlike the other clubs in the area who have seen fairly significant increases in membership post Covid the club does not have that wait list to get in and in fact that we addressed in our letter because there an equity club it requires one member to leave before another member can join. There is a waiting list right not to leave the club.

David Gelfarb asked that's such an unusual system saying that one has to join before one can go why don't their bylaws just establish a limit or even the board can be designated to say there is a limit.

Steve Wrebel noted that part of the fact is the term equity club which generally means a member owns a piece of the club so their fee when they join is largely refunded on the way out. Part of this is the financial element of it and part of it is the club was formed with an idea as to how many members they would like to accommodate and the goal here is not to increase membership it's not to make it a busier club than exist its really to improve the playability and try to attract new members. In the last 27 years the technology for equipment has changes the way golf is played has changed and younger players hit the ball further so the goal is to improve playability. The 18 holes and practice area exist the club is not looking to significantly alter the layout of the course or the direction of the course, but they are looking to make certain modification to improve playability. He addressed the modifications and addressed the irrigation system which needs to be replaced.

Tim Allen, with Bibbo Associates stated that the club is 195 acres and the property is covered with wetlands and that was considered during the original application. Through this process the major changes are relocations of Tee boxes and some disturbance in the wetland on only three holes, most of the disturbance will be in the buffer which is 165 acres the interesting improvements of the course itself are on existing play only.

David Gelfarb noted that he did not realize that the club was on both sides of Purchase Street; do you have tunnels underneath Purchase Street.

Patrick Cleary noted that you don't see them from Purchase Street, it was a clever design the approach ramp aliens into the tunnels and you don't see it from Purchase Street at all.

David Gelfarb asked where they are on the plan.

Tim Allen noted that the tunnels are on 2 to 3 and 8 to 9. The majority of the course is on wetland buffer and 122 trees to be removed and the Board will get a better sense during the site walk.

Chris Robins with SLR, Wetland Consultant noted that have been delineation wetlands on and off the site and have contacted the DEC regarding regulatory wetlands on this project, holes 16, 17 and 18 are built around state regulated wetlands and they said we are fine with the state and we are working with the Army Core of Engineers on holes 7, 10 and 18. We have walked the property with your wetland consultant Steve Marrano and we will adjust the wetland around 11 and will coordinate with Steve Marrano.

David Gelfarb asked if the map GC1 say which hole is were.

Patrick Cleary asked if David wanted a full-size set of drawings.

Chris Robins noted that there will be a few modifications that will be made regarding an offsite pond and other wetland boundaries.

Tim Allen noted that we have reviewed the memo from the Engineer and will address his questions.

Steve Warble noted that as Tim stated a site walk would be beneficial and we would like to set a Public Hearing and declare lead agency.

Patrick Cleary noted that just before we do that Mr. Chairman, I probably was the only one here in 1992 and Beth Evans was as well so unfortunately, we have lost Beth's institutional knowledge of all of the issues that were seeing discussed today. It was an awful lot that went into treading this golf course through those wetlands and we are looking in this with fresh eyes however there was a full environmental impact statement back then and perhaps Chris Robins could look through those findings and address your current plans and how they relate to what we were thinking about 30 years ago when this was approved; that would be helpful.

David Gelfarb asked what about our work via timing fact that the State we had indication that has to approve some of this. What would be our schedule versa if we should wait until we get approvals from the Army Core and the State.

Patrick Cleary noted that its more that the Army Core and the State, I think there ahead of the curve with the state than the Army Core, the challenge is this is not a conditional approval, we need to hear from the regulatorily agencies so we are dependent on them doing their job in a timely manner so it is a challenge to get that to happen.

David Gelfarb asked so is it worth waiting for them to act, what if they were to say no.

Patrick Cleary noted that 30 years ago we did an unusual waltz with three regulatory agencies regarding the wetlands a shared jurisdiction as Chris mentioned, so obtaining approval from DOT we can't assume the Army Core is okay with that even though they have joint jurisdiction we have to get the ball rolling and coordinated. During the original approval all those agency's work together 30 years ago. It doesn't see like that's happening now but it could and I hope they can make that happen but it really is a joint deal here.

David Gelfarb asked why would we move ahead if we don't know if the Army Core and the State are going to approve.

Patrick Cleary noted that you could move ahead with the master plan but the approval here is the wetland permits, that is the big thing we can't go ahead without this coordinated review has to happen.

Motion to retain Tim Miller Associates made by Jeffrey Spano, seconded by Kimberly Burkan. Vote carried 6-0.

Motion to Declare the Board Lead Agency made by David Gelfarb, seconded by Chip Marrano. Vote carried 6-0.

The Board will conduct a site visit before the next meeting.

This Meeting was adjourned at 8:40 pm on a motion by Chip Marrano, seconded by Jeffrey Spano. Vote carried 6-0.

The next regular Board meeting is scheduled for December 19, 2023.

Jacqueline Greer

Town Clerk's Office

Rosemarie Cusumano
Rosemarie Cusumano, Secretary

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