MINUTES OF THE PLANNING BOARD MEETING
HELD ON MAY 24, 2016, AT 7:30 P.M. AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY

MEMBERS PRESENT
Thomas Heaslip, Chairman
Anthony Spano
Mark Rinaldi
Marshall Donat
Kate Barnwell
Paul Genovese

MEMBERS ABSENT
Nonie Reich

Patrick Cleary, Planning Consultant to the Board, Beth Evans, Wetland Consultant to the Town, and Beth Evans were present tonight.

Motion to go into Executive Session for advice of Counsel made by Thomas Heaslip seconded by Paul Genovese. Vote carried 4-0.

The Chairman opened the meeting with the Pledge of Allegiance and stated that Falcon Group Subdivision will be taken out of order and discussed first.

COMMITTEE REPORTS

- Adopt minutes from April 26, 2016

  Motion to accept minutes made by Kate Barnwell, seconded by Paul Genovese. Vote carried 6-0.

- **HARRISON HAMLET SUBDIVISION RE-APPROVAL** – 390 Mamaroneck Avenue, Block 482, Lot 16 – 4th 180 Day Extension

  Mike Charitou owner appeared before the Board on behalf of the extension request.

  Motion to grant 4th 180 day extension made Anthony Spano, seconded by Kate Barnwell. Vote carried 6-0.

- **33 STRATFORD ROAD SUBDIVISION** – 33 Stratford Road, Block 518, Lot 19 – 3rd 180 Day Extension

Motion to grant 3rd 180 day extension made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

- **PEPSICO – PROJECT RENEW EXTENSION OF PHASE 2 AMENDED STEEP SLOPE PERMIT** – 700 Anderson Hill Road, Block 651, Lot 1-5, 10, 11, 25 – 5th 180 Day Extension

  Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of his clients request for a 5th 180 day extension.

  Motion to grant the 5th 180 day extension made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

- **CASCINO SUBDIVISION AMENDMENT** – 117 West Street, Block 302, Lots 29 & 147 – 2nd 180 Day Extension

  Motion to grant the 2nd 180 day extension subject to the letter from the applicant made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

- **OFF-STREET PARKING DESIGN REQUIREMENTS** – Section 235-41 C. Schedule of Minimum Dimensions for Parking Spaces & Aisles Town Board referral for review and recommendation

  Patrick Cleary noted that the amendment is for the length of the parking space which is the standard.

  Motion for recommendation to the Town Board for 18 foot length stall made by Anthony Spano, seconded by Paul Genovese. Vote carried 6-0.

- **GREENWOOD UNION CEMETERY** 4 North Street, Block 201, Lot 15 – 1 Year Site Plan Approval Extension

  Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of his clients request for a 1 year extension.

  Chairman Heaslip recused himself as he is a member of the Cemetery Board.

  Motion to grant a 1 year extension made by Kate Barnwell, seconded by Paul Genovese. Vote carried 6-0.

- **225 HIGHLAND ROAD SUBDIVISION** – 225 Highland Road, Block 523, Lot

20 – 2nd 180 Day Extension

Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of his clients request for a 2nd 180 day extension.

Motion to grant a 2nd 180 day extension made by Kate Barnwell, seconded by Anthony Spano. Vote carried 6-0.

- **LUISO SUBDIVISION** – 33 Bentay Drive, Block 281, Lot 10 – 180 Day Extension

  Phillip Grimaldi, Esq. appeared before the Board on behalf of his clients request for a 180 day extension.

  Motion to grant a retroactive 180 day extension made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

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1. **3040 WESTCHESTER AVENUE – NEW BUILDING** (15-769) – 3040 Westchester Avenue, Block 602, Lot 2 – Site Plan Review, Special Exception Use Permit, Steep Slope Review, SEQR Review, **Public Hearing**

   Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of the applicant.

   Ron Horner with Design Development appeared before the Board and went over the new location for the parking garage.

   Seth Mandelbaum asked if the Board could direct staff to prepare the Negative Dec for next month.

   The Chairman directed Patrick Cleary to prepare the Negative Dec for the next meeting.

   Peter Conklin of 14 Brook Lane appeared before the Board he presented his concerns about the flooding in the area. He stated that the retaining wall on the applicant's side that has fallen down and is still in disrepair.

   Rich Pearson with JMC appeared before the Board and stated that he has met with the Village of Rye Brook engineer and is working on a way to fix the problem.

2. **249 HALSTEAD AVENUE – MIXED USE BUILDING - AMENDMENT** (16-858) – 249 Halstead Avenue, Block 131, Lot 21 – Site Plan Review, SEQR Review, **Public**

Hearing

Mike Tisi, Esq. with John Voetsch's office appeared before the Board on behalf of the applicant.

Motion to open the Public Hearing made by Anthony Spano, seconded by Mark Rinaldi. Vote carried 6-0.

Mr. Toso appeared before the Board and went over his concerns.

Motion to close the Public Hearing made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

Motion to grant Negative Declaration made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

Motion to grant Site Plan approval Mark Rinaldi, seconded by Marshall Donat. Vote carried 5-0 (Kate Barnwell voted no).

3. **14 HIGHLAND RIDGE LANE SUBDIVISION** (16-857) – 14 Highland Ridge Lane, Block 546, Lot 46 (2 Lots) – Preliminary Plat Review, Steep Slope Review, SEQR Review, **Public Hearing**

Mike Finan with Langan Engineering appeared before the Board on behalf of the applicant.

Motion to open the Public Hearing made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 6-0.

Mike Kenney of Purchase Street appeared before the Board and stated his concerns about the steep slopes and the water issue with of the Blind Brook.

A discussion took place regarding other development in the area, drainage, steep slopes and the cul-de-sac.

4. **JACOBSON RESIDENCE – WETLAND PERMIT** (16-949) – 19 Rockledge Road, Block 601, Lot 19 – Wetland Permit Review, SEQR Review, **Public Hearing**

Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of the applicant.

Mike Finan with Langan Engineering appeared before the Board and discussed the project.

Beth Evans appeared before the Board and stated that the proposed house will be

connected to the public sewer and she asked that a deed restriction become part of the resolution to protect the wetlands.

Motion to open the Public Hearing made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

A discussion took place regarding the location of the old home, construction in the wetland buffer and the wetland.

5. **POWELL CATERING – SITE PLAN** (16-940) – 58 Harrison Avenue, Block 45, Lot 10 – Site Plan Review, SEQR Review, **Public Hearing**

Bill Powell appeared before the Board on behalf of the application.

A discussion took place regarding the current CO (catering facility) as opposed to a restaurant. The Building Inspector has issued use violations which Mr. Powell will need to deal with and possibly amend his application.

6. **VERIZON WIRELESS** (16-951) – 2900 Purchase Street, Block 631, Lot 5 – Site Plan Review, Special Exception Use Permit, SEQR Review, **Public Hearing**

Mike Sheridan, Esq. with Snyder & Snyder appeared before the Board on behalf of the applicant.

Motion to open the Public Hearing made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 6-0.

A discussion took place regarding the structural integrity of the smoke stack façade.

Motion to close the Public Hearing made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

Motion to grant Special Exception Use permit made by Marshall Donat, seconded by Mark Rinaldi. Vote carried 6-0.

Motion to grant Site Plan approval pending the improvements to the smoke stack made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

7. **103-105 CORPORATE PARK DRIVE** – 103-105 Corporate Park Drive, Block 621, Lot 3 – Site Plan Review, Special Exception Use Permit, Steep Slopes Review, Wetland Permit

Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of the applicant.

Motion to schedule a Public hearing for June 28, 2016 made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

8. **21 BBD REALTY GROUP SUBDIVISION** (16-869) – 21 Brae Burn Drive, Block 951, Lot 4 (3 Lots) – Sketch Plan Review, Steep Slope Review, SEQR Review

Chuck Utschig with Langan Engineering appeared before the Board and presented the now proposal for 2 driveways for the three lots.

A discussion took place regarding the amount of impervious surface, the location of the three homes, the existing pool and a planting plan.

The applicant was directed to prepare preliminary plat and schedule a Public Hearing for June 28, 2016 made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 6-0.

Motion to declare the Board Lead Agency made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 6-0.

9. **CAPSTICK-DALE RESIDENCE – WETLAND PERMIT** (16-908) – 19 Beverly Road, Block 642, Lot 34 – Wetland Permit Review, SEQR Review

Mike Finan with Langan Engineering appeared before the Board on behalf of the application.

A discussion took place regarding the site visit and additional flood mitigation,

Beth Evans appeared before the Board and stated that the applicant provided an acceptable mitigation plan as requested and a bond should be held for 2 years.

Motion to approve Wetland permit made by Anthony Spano, seconded by Mark Rianldi. Vote carried 6-0.

10. **189 FREMOMT STREET SUBDIVISION** (16-946) – 189 Fremont Street, Block 132, Lot 1 – Sketch Plan Review, SEQR Review

William Locknouer with Hudson Engineering appeared before the Board on behalf of the applicant.

A discussion took place regarding the site visit, landscaping, retaining walls, and street parking.

Motion to declare the Board Lead Agency made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

Motion to schedule a Public Hearing for June 28, 2016 made by Kate Barnwell, seconded by Marshall Donat. Vote carried 6-0.

11. **CASARELLA RESIDENCE – SITE PLAN** (16-1104) – 43 Elmwood Avenue, Block 825, Lot 12 – Site Plan Review, SEQR Review

Steve Marchesani, Architect appeared before the Board on behalf of the applicant.

A discussion took place regarding landscaping, drainage and the house being a legal three family home.

Motion to schedule a Public Hearing for June 28, 2016 made by Mark Rinaldi, seconded by Kate Barnwell. Vote carried 6-0.

12. **12 NELSON AVENUE LLC – NEW BUILDING** (16-1114) – 12 Nelson Avenue, Block 276, Lot 11 – Site Plan Review, SEQR Review

Mark Mustacato, Architect appeared before the Board on behalf of the applicant.

A discussion took place regarding variances, retail space on the first floor, grade, of the site, handicap accessibility lift in the rear parking area, one apartment being handicap accessible, and the amount of parking spaces being provided.

Motion to declare the Board Lead Agency made by Mark Rinaldi, seconded by Marshall Donat. Vote carried 6-0.

13. **POLLY PARK SUBDIVISION – WETLAND – STEEP SLOPE PERMIT** (16-909) – Polly Park Road, Block 566, Lot 2 (4 Lots) – Sketch Plan Review, Wetland Permit Review, Steep Slope Review, SEQR Review

Seth Mandelbaum, Esq. with McCullough, Goldberger & Staudt appeared before the Board on behalf of the applicant.

A discussion took place regarding the adjacent parcel, access issues on Polly Park, the wetland buffer and identifying the wetland.

Chuck Utschig with Langan Engineering appeared before the Board and discussed traffic, site distances on Polly Park and only one common driveway being proposed.

Beth Evans appeared before the Board and discussed the buffer and the wetland encroachment on lot 4.

FALCON GROUP SUBDIVISION – WETLAND PERMIT – STEEP SLOPE PERMIT (16-907) – Sherman Avenue, Block 691, Lot 5 (12 Lots) – Cluster Subdivision Review

Geraldine Tortorella appeared before the Board and stated that the applicant would like to continue with the alternative plan which would be 11 lots and no lots at the bottom off Dorado Drive.

The Board would like to conduct a site visit before the next meeting.

This Meeting was adjourned at 10:55 pm on a motion by Mark Rinaldi, seconded by Kate Barnwell. Vote carried 6-0.

The next regular Board meeting is scheduled for June 28, 2016.

Jacqueline Greer

Rosemarie Cusumano

Rosemarie Cusumano, Secretary

Town Clerk's Office

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TOWN CLERK
HARRISON, N.Y.