MINUTES OF THE PLANNING BOARD MEETING
HELD ON DECEMBER 17, 2014, AT 7:30 P.M. AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY

MEMBERS PRESENT
Thomas Heaslip, Chairman
Anthony Spano
Mark Rinaldi
Kate Barnwell
Joe Stout

MEMBERS ABSENT
Nonie Reich
Marshall Donat

Patrick Cleary, Planning Consultant to the Board, was present tonight.

The Chairman opened the meeting with the Pledge of Allegiance and announced that item number 11 the Delfico Subdivision has been adjourned to the January meeting.

COMMITTEE REPORTS

- Adopt minutes from November 18, 2014

  Motion to accept minutes made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

- **PEPSICO – PROJECT RENEW AMENDED STEEP SLOPE & WETLAND PERMIT** – 700 Anderson Hill Road, Block 651, Lot 1-5, 10, 11, 25 – Steep Slope 180 Day Extension, Wetland Permit 2 Year Extension

  Seth Mandelbaum, Esq. with McCullough Goldberger & Staudt appeared before the Board on behalf of the applicant. He gave an overview of the project and the progress that has been made. He noted that the applicant would like to invite the Board to have a site visit in the spring to see the progress.

  Motion to grant a 180 Day Extension for amended steep slope permit made by Kate Barnwell, seconded by Anthony Spano. Vote carried 4-0.

  Motion to grant a 2 year extension for the amended wetland permit made by Anthony Spano, seconded by Kate Barnwell. Vote carried 4-0.

- **SEVILLE PLAZA** – 55-33 Calvert Street, Block 121, Lots 22-25, 29 – 6th 1 Year Extension

  Seth Mandelbaum, Esq. with McCullough Goldberger & Staudt appeared before the Board on behalf of the 1 year extension. He noted to the Board that the applicant is hoping to start construction in 2015.

  Motion to grant a 1 year extension made by Anthony Spano, seconded by Joe Stout. Vote carried 5-0.

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1. **CASCINO SUBDIVISION AMENDMENT – STEEP SLOPES – WETLAND PERMIT** – 417 West Street, Block 302, Lots 29 & 147 (2 Lots) – Amended Subdivision Improvement Plan, Wetland Permit, Steep Slopes Permit, **Public Hearing**

   Nick Demos, Project Engineer appeared before the Board on behalf of the applicant.

   The Chairman noted that we are not going to grant this tonight because of a memo we received from our Engineering Department. There was work done on the property that has been causing flooding in neighborhood. We are going to keep the public hearing open.

   David Weiner the Owners Rep. appeared before the Board and stated that this is the first time he is hearing about this. He has met with the Town Engineer and was unaware of this problem. He did not believe that the flooding is coming from their property. It's coming from up the street and over the curb on to the neighbor's property.

   The Public Hearing will remain open until it is corrected.

2. **STERLING ROAD CLINTON LANE LLC – SUBDIVISION & STEEP SLOPE** – Sterling Road, Block 507, Lot 2 (2 Lots) – Subdivision Review, Steep Slope Review, SEQR Review, **Public Hearing**

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

   Mike Finan with Langan Engineering appeared before that Board and went over the storm water retention being proposed.

   A discussion took place regarding the land that will not be built on either being donated

to the town or a restrictive covenant. Discussed was a town program that will deal with the flooding in the area.

James of 12 Clinton Lane appeared before the Board and said that he was a little confused how the process works. There were some questions that we asked last meeting and they were not answered. He discussed with the board and showed then video of the last rain fall.

Doug Schafer appeared before the Board and showed them some photos of the flood from 2007. He discussed the pipes and gas lines underground and discussed the damage that may occur during blasting.

Matt appeared before the Board on behalf of his grandmother Elizabeth Fuld who lives at 11 Clinton Lane, he asked the Board some questions that she had. He stated that a pipe in the street is broken and the town does not have the money to fix it so her basement and yard floods all the time.

Elizabeth Schafer who is part owner of 8 Clinton Lane asked if the engineer could explain the underground water rate again.

Mike Finan explained the rate of runoff and how it is collocated.

Maryann Clow of 1 Geneses Trail appeared before the Board asked about the water runoff from this development.

Chris Bilotta of 7 Genesee Trail asked about the elevation of this project because we have such a high water table.

Carol Chaimowitz of 12 Clinton Lane appeared before the Board and noted that the pipe that has broken now floods our driveway. She stated that the blasting will disturbed the underground pipes even more.

Jill Caird of 165 Sterling Road asked about the amount of insurance that is going to be provided by the blaster and how long is the blasting going to last. She also discussed the blind curve on Sterling Road.

Seth Mandelbaum stated that just an estimate from Mr. Seal is that the blasting will take about a month and 1 to 2 detonations a day. It's based on the amount of rock that has to be removed.

Paul Jorissen of 63 Woodlands Road appeared before the Board and asked what Mr. Seal's conclusion was. He stated his concerns regarding blasting and the flooding in the neighborhood.

Seth Mandelbaum read Mr. Seal's conclusion to the Board.

The Chairman suggested that the applicant fund an independent blasting expert and an independent engineer.

Seth Mandelbaum said he has to discuss with the applicant first.

The Board decided that it will hire an independent expert for the blasting only.

3. **DI LUNA SUBDIVISION** – 180 & 190 Underhill Avenue, Block 806, Lot 10 (4 Lots) – Sketch Plan Review, SEQR Review, **Public Hearing**

John DiLuna owner appeared before the Board on behalf of the application for a 4 lot subdivision.

Patrick Cleary noted that the submission was received late and because of the time frame the Board can only direct the applicant to prepare the final plat.

Motion to close the Public Hearing, prepare final plat and resolutions made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

4. **HARRISON SHOPPING CENTER – GENERATOR** – 341-385 Halstead Avenue, Block 174, Lot 9 – Site Plan Review, SEQR Review, **Public Hearing**

Stephen Marchesani, Architect appeared before the Board. He stated that the property that the Board requested us to move the generator to is owned by the town. The town gave an easement to the owner to access the rear of the property.

The Chairman asked Mr. Marchesani to see if the town will give an easement for the generator and also to investigate if another piece of land owned by the applicant would be suitable away from the neighbors.

Motion to keep the Public Hearing open to January 20, 2015 made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

5. **38 IRVING PLACE SUBDIVISION** – 38 Irving Place, Block 94, Lots 15 (15-16-17-18) (2 Lots) – Final Plat Review, SEQR Review, **Public Hearing**

George Mottarella, Engineer appeared before the Board on behalf of the applicant.

The Chairman noted that all engineering issues have been resolved and asked if anyone

would like to speak on this matter.

Mary O'Keefe of 30 Irving Place neighbor appeared and asked the board to have the engineer to explain what is being done.

Mike who rents the first floor apartment of 124 Harrison Avenue asked about the driveway locations on Irving Place.

Motion to close the Public Hearing made by Mark Rinaldi, seconded by Kate Barnwell. Vote carried 5-0.

Motion to grant Negative Declaration made by Mark Rinaldi, seconded by Joe Stout. Vote carried 5-0.

Motion to grant Site Plan approval made by Joe Stout, seconded by Mark Rinaldi. Vote carried 5-0.

6. **122 LINCOLN AVENUE SUBDIVISION** – 122 Lincoln Avenue, Block 641, Lot 19 (2 Lots) – Sketch Plan Review, SEQR Review, **Public Hearing**

Motion to open the Public Hearing made by Mark Rinaldi, seconded by Joe Stout. Vote carried 5-0.

Neil Alexander, Esq. with Cuddy & Feder appeared before the Board on behalf of the application.

A discussion took place regarding the new layout and the entrance location.

Motion to refer with a favorable recommendation to the Zoning Board of Appeals made by Mark Rinaldi, seconded by Kate Barnwell. Vote carried 5-0.

7. **225 HIGHLAND ROAD SUBDIVISION** – 225 Highland Road, Block 523, Lot 20 (3 Lots) – Final Plat Review, Steep Slopes Review, SEQR Review, **Public Hearing**

Steve Wrabel, Esq. with McCullough Goldberger & Staudt appeared before the Board on behalf of the application for a 3 lot subdivision.

Motion to open the Public Hearing made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

Jane Canning of 223 Highland Road who shares a driveway asked if during construction will the shared driveway be used.

A number of residences from Rye appeared before the Board regarding their homes flooding for the first time during the last storm.

Greg Forbes of 254 Highland Road asked about the amount of blacktop being added and stated that people speed on Highland Road.

Mike Finnan with Langan appeared before the Board and went over the storm water management being proposed on this project and answered some of the questions that the neighbors have asked.

Discussed took place regarding the rock chipping code, storm water management and flooding in Rye. Also discussed

Mark Castaldi of 22 Highland Road a neighbor asked about landscaping and the runoff on the side property line which is shared by his property if it can be directed onto the applicant's property.

A neighbor asked about the curve, due to its location was wondering if a study could be done.

Mike Finan noted that we have done a site distance analysis already.

Patrick Cleary asked Mike if a 50 mile could be studied for the site distance.

A discussion took place regarding landscaping and the swale away from the neighbor's property.

8. **HARRISON PLAYHOUSE LOFTS** – 227-239 Harrison Avenue, Block 133, Lots 35 & 11 – Site Plan Review, Special Exception Use Permit, SEQR Review

John Verni, with Verco Properties appeared before the Board and stated that he sent in his fiscal report to the Board as requested at the last meeting.

A discussion took place regarding the fiscal report, construction phases and variances needed.

Motion to refer to the Zoning Board of Appeals with a favorable recommendation made by Anthony Spano, seconded by Mark Rinaldi. Vote carried 5-0.

9. **103-105 CORPORATE PARK DRIVE** – 103-105 Corporate Park Drive, Block 621, Lot 3 – Petition for Zoning Amendment, Site Plan Review, Special Exception Use

Permit, Steep Slopes Review, SEQR Review

Seth Mandelbaum, Esq. appeared before the Board on behalf of the application.

The Chairman noted that we would like to schedule a Public Hearing and declare ourselves lead agency.

Motion to declare the Board Lead Agency made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

Motion to schedule a Public Hearing on January 20, 2015 made by Joe Stout, seconded by Kate Barnwell. Vote carried 5-0.

The Chairman stated that the 3 Board Members that did not attend the site visit will be required to attend another site visit.

10. **590 HARRISON AVENUE SUBDIVISION** – 590 Harrison Avenue, Block 441, Lots 50 (PO15) (5 Lots) – Sketch Plan Review, SEQR Review

Mike Finan with Langan appeared before the Board on behalf of the 5 lot subdivision application.

A discussion took place regarding the wetland that is owned by the Town, site visit to be scheduled before the next meeting, steep slope, and the amount of cut and fill were also discussed. The new driveway was discussed with the State DOT and the state asked to move the driveway for the adjacent neighbor on to our cul-de-sac.

Motion to retain Evans Associates made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

Motion to declare the Board Lead Agency made by Anthony Spano, seconded by Joe Stout. Vote carried 5-0.

11. **DELFICO SUBDIVISION** – 540 Anderson Hill Road, Block 643, Lots 45 (PO44) – Sketch Plan Review, SEQR Review

Application not heard, adjourned to the January meeting.

12. **GABRIELE SUBDIVISION** – 393 Columbus Avenue, Block 911, Lots 10 & 13 – Sketch Plan Review, SEQR Review

Pellegrino Orsini with Michael Rino Architects appeared before the Board on behalf of the application for a 3 lot subdivision. He stated that he has worked with the Town Engineer and are here to show the Board the concepts.

The Chairman stated that the Town Engineer has commended the efforts of the applicant in his memo.

Motion to schedule a Public Hearing for January 20, 2015 meeting made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 5-0.

This Meeting was adjourned at 10:40 pm on a motion by Mark Rinaldi, seconded by Joe Stout. Vote carried 5-0.

The next regular Board meeting is scheduled for January 20, 2015.

Rosemarie Cusumano

Rosemarie Cusumano, Secretary

Jacqueline Greer

Town Clerk's Office

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