

**MINUTES OF THE PLANNING BOARD MEETING
HELD ON SEPTEMBER 26, 2023, AT 7:00 P.M. AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY**

MEMBERS PRESENT

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

MEMBERS ABSENT

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 July 25, 2023

Motion to adopt the July 25, 2023 minutes made by Chip Marrano, seconded by Marshall Donat. Vote carried 7-0.

- **81 CRYSTAL STREET – SUBDIVISION** (PB22-021) – 81 Crystal Street, Block 423, Lot 1 – 180 Day Extension

Ryan McAuliffe recused himself from the proceeding.

Adamo Maiorano, with Community Designs Engineering appeared before the Board regarding the request for the 180-day extension.

Motion to grant 180-day extension made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 6-0.

- **3040 WESTCHESTER AVENUE – NEW BUILDING** (15-769) – 3040 Westchester Avenue, Block 602, Lot 2.05 – 7th 1 Year Site Plan Extension, 7th 1 Year Steep Slope Extension

Chip Marrano recused himself from the proceeding.

Seth Mendelbaum Esq. with McCullough Goldberger & Staudt addressed the

request for the 7th 1 year extension request.

Motion to grant the 7th 1 year site plan extension made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 6-0.

Motion to grant the 7th 1 year steep slope extension made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 6-0.

- **7 PURDY STREET – SECOND FLOOR CHANGE OF USE** (PB21-003) – 7-9 Purdy Street, Block 171, Lot 37 – 2nd 1 Year Amended Site Plan Extension, 2nd 1 Year Special Exception Use Extension

Pat Cleary noted that we did get a late request and the reason for the extension is because of tenant's leases.

Motion to approve 2nd 1 year amended site plan extension made by Jeffrey Spano, seconded by Kimberly Burkan. Vote carried 7-0.

Motion to approve 2nd 1 year special exception use extension made by Jeffrey Spano, seconded by Kimberly Burkan. Vote carried 7-0.

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1. **DISH WIRELESS – SITE PLAN** (PB23-009) – 3 Calvert Street, Block 121, Lot 46 – Site Plan Review, SEQR Review, **Public Hearing**

David Gelfarb recused himself from the proceeding.

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

Motion to adjourn the Public Hearing made by Marshall Donat, seconded by Kimberly Burkan. Vote carried 7-0.

2. **DISH WIRELESS – SITE PLAN** (PB23-021) – 244 Westchester Avenue, Block 692, Lot 5 – Site Plan Review, SEQR Review, **Public Hearing**

David Gelfarb recused himself from the proceeding.

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

Motion to adjourn the Public Hearing made by Marshall Donat, seconded by Kimberly Burkan. Vote carried 7-0.

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

Application was not heard, adjourned by applicant.

4. **15 LAKESIDE DRIVE – STEEP SLOPE** (PB23-024) – 15 Lakeside Drive, Block 545, Lot 93 – Steep Slope Review, SEQR Review

Paul Noto, Esq. Attorney for the Pomponio's and gave an overview of the reason they are here for the steep slope application.

Maiorano, with Community Designs Engineering addressed the steep slope and the retaining wall.

The Chairman asked if the Board has any questions, we will keep it open to the next meeting so that you can answer the engineering questions.

5. **ZIHENNI RESIDENCE – WETLAND PERMIT** (PB23-026) – 4 Pilgrim Road, Block 601, Lot 32 – Wetland Permit Review, SEQR Review

Steve Marrano with Tim Miller Associates appeared on behalf of the applicant and gave an overview of the proposed new dwelling and pool. He went over the historical changes of the property regarding the wetland and the measures that will be taken.

The Chairman noted that the town engineer has some concerns and would like to have an engineering consultant hired to review this.

Motion to retain Woodard and Curran made by Chip Marano, seconded by Jeffrey Spano. Vote carried 7-0.

6. **MORGADO RESIDENCE – AMENDED SITE PLAN** (PB23-025) – 49 Park Avenue, Block 856, Lot 17 – Amended Site Plan Review, SEQR Review

Richard Morgado owner of the property appeared before the Board and gave an overview of the application regarding parking in the rear of the property. He addressed the letter from Mary Marlar and Mr. Kim that were submitted to the board.

The Chairman noted that you have been before this Board regarding parking and the engineer has questions that you can't meet the requirements of zoning and need variances.

Patrick Cleary noted that this is not a commercial building but the parking has to be treated like a commercial property.

Motion to schedule a Public Hearing for October 24, 2023 made by Marshall Donat, seconded by Kimberly Burkan. Vote carried 7-0.

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

Joe Fernandez, Architect for Trotta's Pharmacy and gave an overview of the applicant who in 1999 began renting and in 2009 took over the drycleaners and laundry mat, August of 2023 purchased the building; and addressed the proposed renovations.

The Charmian noted that parking is an issue and asked if any parking will be removed for the dumpsters.

Joe Fernandez noted that no parking will be removed and the trash area is going to be shortened.

Marshall Donat asked about the garbage pickup.

Motion to schedule a Public Hearing for October 24, 2023 made by Marshall Donat, seconded by Chip Marrano. Vote carried 7-0.

Motion to refer the application to the Zoning Board of Appeals for required variances made by Chip Marrano, seconded by Jeffrey Spano. Vote carried.

A discussion took place regarding the Zoning Board will require two months so the Public Hearing should be moved to November.

Motion to schedule the Public Hearing for November 28, 2023 made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 7-0.

8. **BRIGHT HORIZONS OUTDOOR IMPROVEMENTS – SITE PLAN** (PB23-022) – 100 Manhattanville Road, Block 631, Lot 17 – Amended Site Plan Review, Special Exception Use Permit, Steep Slopes Permit, SEQR Review

Diago Villareale with JMC gave an overview of the application. He noted that they have addressed the comments from Patrick Cleary and have submitted additional drawings.

Patrick Cleary asked to have one thing clarified if I'm in the main parking lot you have to pass the daycare center or can you go other directions to leave.

The Charmian asked if they have to get state licensing.

Diago Villareale addressed the questions from the Town Planner and the Chairman.

Motion to schedule a Public Hearing for October 24, 2023 made by Kimberly Burkan, seconded by Marshall Donat. Vote carried 7-0.

9. **FERRARO SUBDIVISION (BREFERE SD) – AMENDMENT** (PB23-019) – Old Lake Street and 640 Lake Street, Block 995, Lots 10 & 21 – Amendment to Final Plat, **Public Hearing**

Motion open the Public Hearing made by Chip Marrano, seconded by David Gelfarb. Vote carried 7-0.

Motion to adjourn the Public Hearing made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 7-0.

10. **TRATTORIA 632 – ADDITION** (PB22-028) – 632 Anderson Hill Road, Block 644, Lot 21 – Amended Site Plan Review, SEQR Review, **Public Hearing**

Al Pirro, Attorney for the applicant appeared before the Board and noted that this is a continuation of the Public Hearing. We were at the last meeting were directed to go to the Zoning Board for variance but the applicant since then decide that they need more space in the basement and first floor. We have met with the neighbors in the rear of the property and we noticed that there is a gap in the landscaping and we will provide addition screening for them, lighting and outdoor dining and noise also limiting the outdoor dining to 9:30.

Rob Aiello with JMC address the parking, shared driveway with the deli next door. He addressed the non-conformity of the lot. The proposal includes an addition to the building in the rear which is a 2-level basement and 1st floor addition with dining on the roof, new parking in the rear for a total of 51 parking spaces.

Chris Raffaelli with Studio Architecture addressed the layout of the existing conditions and the proposed addition; extend the main dining room and the dining room at the bar and stairs from the outdoor roof.

Marshall Donat asked if the front outdoor seating will remain.

Patrick Cleary noted that some of the project was not clear but they have clarified it and it is a continuation of the Public Hearing.

Motion to open the Public Hearing made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 7-0.

Al Pirro noted that the Zoning Board does not have authority regarding all SEQRA determination.

Patrick Cleary noted that the Board can declared them selves lead agency or send them to the Zoning Board and have them do the same thing they did for Wellington Greene.

Motion to adjourn the Public Hearing to November 28, 2023 made by Marshall Donat, seconded by Chip Marrano. Vote carried 7-0.

11. **RENAISSANCE HARRISON – RESIDENTIAL MIXED-USE COMMUNITY**
(PB22-030) – 80 West Red Oak Lane, Block 621, Lot 4 – **DEIS Public Hearing**

David Gelfarb recused himself from the proceeding.

Seth Mandelbaum, Esq. with McCullough Goldberger & Staudt appeared before the Board regarding the DEIS and noted that we have received confirmation from Wegmans that they are still in favor of the connection. We also received a letter from PEPA, and other consultant's memos. He asked for the verbal Public Hearing to be closed and keep open the written portion open for 10 days.

The Chairman asked if any questions from the Board.


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

Leslie Snyder, Esq. with Snyder & Snyder attorney for Windward School and addressed the school's concerns regarding the traffic during the hours from 2:30 to 4:00 and stormwater management concerns, construction impacts regarding blasting and chipping which may impact some of the students, air quality during construction.

Motion to closed the verbal portion of the Public Hearing and extend the written portion for 10 days made by Chip Marrano, seconded by Marshall Donat. Vote carried 6-0.

This Meeting was adjourned at 8:50 pm on a motion by Chip Marrano, seconded by Jeffrey Spano. Vote carried 7-0.

The next regular Board meeting is scheduled for October 24, 2023.


Rosemarie Cusumano, Secretary

Jacqueline Greer

Town Clerk's Office

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TOWN CLERK
HARRISON, NY

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