

**MINUTES OF THE PLANNING BOARD MEETING
HELD ON DECEMBER 19, 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*

MEMBERS ABSENT

Ryan McAuliffe

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 November 28, 2023

Motion to adopt the November 28, 2023 minutes made by Chip Marrano, seconded by Marshall Donat. Vote carried 6-0.

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1. **120 COTTAGE AVENUE RESIDENCE – SITE PLAN REVIEW & WETLAND PERMIT** (PB23-028) – 120 Cottage Avenue, Block 961, Lot 7 – Site Plan Review, Wetland Permit Review, SEQR Review

Meredith Juliana, Landscape Architect with Langan Engineering stated that we are before you tonight with a couple of updates, we were here in November and as you recall we needed to go to the ZBA for the 100-foot buffer along Purchase Street, we were able to do that. We submitted to the ZBA and attended on Thursday; they had no comments or questions for us on the work that is being done in the 100-foot buffer so we are anticipating findings from them in January so we are here tonight for two reasons. One is we also submitted a site plan application for the work in the 100-foot buffer to go along with the wetland permit application and we wanted to give you the update on how the Zoning Board went and request a public hearing for the January meeting for the Site Plan. We understand we have a few outstanding comments from Engineering and wetlands but are working to resolve those. There were fairly minor comments on both of those letters and both are in progress on being resolved. One is the sewer that were working out and the other is just a minor discrepancy of wetland flagging.

The Chairman noted that we can schedule a Public Hearing for January 23rd.

Motion to schedule the Public Hearing for January 23, 2024 made by Jeffrey Spano, seconded by Marshall Donat. Vote carried 6-0.

2. **LIEKEFETT RESIDENCE – AMENDED WETLAND PERMIT** (PB23-032) – 9 Highland Ridge Lane, Block 546, Lot 59 – Wetland Permit Review, SEQR Review

Steve Wrable with Mccullough Goldberg and stout on behalf of Kai and Indira Liekefett who are the owners of 7 and 9 Highland Ridge Lane along with me tonight is Joe Modafferi from JMC our Civil Engineer, just to give the Board a little bite of background and history to the site; in 2010 the Board granted subdivision approval and wetland permit approval to create two single family homes. The wetland permit was reapproved last year with a slight tweak to some work on the neighboring property but that wetland permit contemplated two homes, pools, grading, stormwater mitigation and significant impacts to wetland and wetland buffer. As Joe is going to walk you through it's about a 2.6 acre property and roughly 50% is wetland or regulated wetland buffer, so it is accentually impossible to make reasonable use of the site without some disturbance to the buffer but what my clients have done is they bought of those lots and at their request the Assessor has remerged them and they intend to develop the entire property with just one house which will be their house and what that allows us to do is move many of the proposed improvements, the house, pool entirely outside of the buffer area though as Joe will give the details some grading some work has to occur within the buffer in piacular stormwater mitigation; so while this is significantly less impact to the wetland buffers and the wetland itself it is still a different impact from the prior approval. So, we are here seeking amended wetland permit approval from the Board. With that I turn it over to Joe to give you some of the specifics we are looking at and if you have any questions, we will be happy to answer them.

Joe Modafferi with JMC, Project Manager for this project, 2.6-acre site and was recently merged from a two-lot subdivision that was in front of your Board quite some years ago and are applicant the Liekefett's are proposing a single-family residence with a pool and patio and a proposed pool house as well on the site. The habitable floor area is about 7,000 square feet with a foot print of about 4,000 square feet it is all a legally conforming single-family residence meets all of the requirements and essentially, we have about 8 square feet of impervious surface in the buffer and the rest of the disturbance is related to site grading, stormwater management and the wetland mitigation that we are providing. The mitigation is consistent with the previously wetland mitigation where were excoriating the arear where the wetland is to better create a nicer wetland. We have extensive plantings we are providing. We have included a comparison plan of the two-lot subdivision that was previously showing that there is extensively more impervious area including a pool and patio for the first lot and small corner of the pool and patio for the seconded lot in the wetland and the proposed significantly reduces the wetland buffer disturbance. The mitigation with all the plantings, were proposing to install 17 evergreen trees, 36 deciduous trees and 135 shrubs within the wetland and wetland buffer area and also along the southerly property line for some screening that was essentially part of the previous approval. The slight change from the last plan to the current plan is the stormwater management. It's a significant deduction in the disturbance within the wetland and wetland buffer is 6,800 square feet and the impervious area within the wetland is a reduction of a little over 1,700 square feet. I can answer any questions.

The Chairman noted that the next action will be to hire our Wetland Consultant Tim Miller Associates, this does not require a Public Hearing.

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

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

Albert Pirro, Attorney represents Hillside Associates, LLC which are the owners of 632 Anderson Hill Road. Tonight, Mr. Chairman as a continuation of the Public Hearing for SEQRA Determination and site plan approval. At the last meeting the Board voted unanimously to send this matter to the Zoning Board. The Zoning Board on December 14, 2023 issued a Negative Declaration and a uncoordinated review of the application and unanimously issued approval of all the variances necessitated to undertake this project subject to the approval of the Planning Board in the event to elect to grant both SEQRA Determination allowing the project to go forward and site plan approval. Mr. Chairman at the last meeting we had a Public Hearing which tonight is a continuation. We made a full presentation to the Board my question is whether or not there are any further questions that the Board may have.

David Gelfarb asked if you have the language of the approval of the variances.

Patrick Cleary stated to the Chairman while it is being reviewed you may want to open the Public Hearing.

The Chairman asked for a motion to open the Public Hearing which the variances are being reviewed.

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

The Chairman asked if anyone from the public like to speak on this application. There being no one he asked for a motion to close the Public Hearing.

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

Patrick Cleary asked if there were any conditions associated with the variances.

Al Pirro noted there were no conditions but there was one issue raised by one Board member raised concerns about us checking in with the fire department in terms of visibility in and out of the site. I had indicated that it has been there since 1910, but I don't know whether or not the fire department has had any pickler view or not.

The Chairman noted that he did not see that as a condition.

Al Pirro noted that it wasn't a condition it was just a comment that the Board made.

Patrick Cleary noted that the fire marshal clarified that the tunnel is not changed and there is not change to the tunnel its not a great condition to begin with but it is what it is and there is no change. I don't believe that the fire department has an issue with it; they wish it wasn't there but they have no problem with it continuing.

David Gelfarb asked if the tunnel being lowered.

Al Pirro noted that it will remain as is. Just as a reminded that the project calls for a very small extension of this application back into the rear yard, the rear yard is 550 feet deep and were going back 39 feet and the entire addition is rather small change.

David Gelfarb asked how you can define that the existing restaurant is part of the character of the neighborhood.

Al Pirro noted that the restaurant has been there since 1910 a restaurant.

The Chairman asked what are the action that we would take.

Patrick Cleary noted that two actions so a neg dec because this was a coordinated review between two boards so a neg dec and site plan.

The Chairman asked for a motion for a Negative Declaration on SEQRA Findings and Site Plan approval.

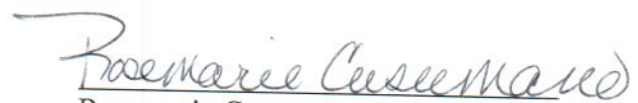
Motion to grant a Negative Declaration made by Chip Marrano, seconded by Jeffrey Spano. Vote carried 6-0.

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

This Meeting was adjourned at 7:30 pm on a motion by Chip Marrano, seconded by Marshall Donat. Vote carried 6-0.

The next regular Board meeting is scheduled for January 23, 2024.


Deputy
Town Clerk's Office


Rosemarie Cusumano, Secretary

2023 FEB 27 A 9:25

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