

**MINUTES OF THE PLANNING BOARD MEETING  
HELD ON FEBRUARY 23, 2021, AT 7:00 P.M.  
VIA VIDEO CONFERENCE USING THE PLATFORM ZOOM,  
HARRISON, NY**

**MEMBERS PRESENT**

*Thomas Heaslip, Chairman  
Nonie Reich  
Marshall Donat  
Joseph Stout  
Chip Marrano  
Jeffrey Spano  
Ethan Levinson*

**MEMBERS ABSENT**

*Patrick Cleary, Planning Consultant to the Board, Benjamin Heaslip, Assistant Planning Consultant to the Board.*

The Chairman opened the meeting with the Pledge of Allegiance

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**COMMITTEE REPORTS**

- Adopt minutes from January 26, 2021

Motion to accept the January 26, 2021 minutes made by Jeffrey Spano, seconded by Chip Marrano. Vote carried 7-0.

- **SCHOOL OF THE HOLY CHILD – SCIENCE & DESIGN CENTER**  
**ADDITION** (PB19-473) – 2225 Westchester Avenue, Block 601, Lot 4 – Amended Site Plan Approval 1 Year Extension, Steep Slope Approval 1 Year Extension

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

Motion to grant 1 year amended site plan approval made by Chip Marrano, seconded by Joseph Stout. Vote carried 7-0.

Motion to grant 1 year steep slope approval made by Chip Marrano, seconded by Joseph Stout. Vote carried 7-0.

- **SOLAR ORDINANCE** – Draft Solar Ordinance Review

Patrick Cleary noted to the Board that the reason we have drafted this ordinance because of the application before the Board. We have researched solar facilities in other municipalities and gave an overview of the different tiers listed in the draft ordinance. Tier 1 and Tier 2 are residential use; Tier 3 is large scale community facility. He went over the requirements for the different tiers. He noted to the Board if they choose to do so the ordinance can be forwarded to the Town Board for consideration.

Nonie Reich noted that on page 4 number 2 if more detail could be given, page 5 tier one is exempt from site plan, page 6 visual impact with more than 10,000 square feet will have to provide a visual impact study do we want to look more into this, page 7 number f take out reasonably practicable and page 8 number i 25 feet wide.

Marshall Donat also discussed Tier 2 coverage for ground mounts.

Motion to refer to the Town Board for review made by Marshall Donat, seconded by Chip Marrano. Vote carried 7-0.

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1. **11 PURDY STREET – NEW MULTI-FAMILY BUILDING** (PB20-013) – 11 Purdy Street, Block 171, Lot 36 – Site Plan Review, Special Exception Use Permit, SEQR Review, **Public Hearing**

Motion to open the Public Hearing made by Joseph Stout, seconded by Nonie Reich. Vote carried 7-0.

Albert Pirro, Esq. appeared before the Board on behalf of the applicant and the Public Hearing.

Stephen Carnavalla with SJC Engineering appeared before the Board on behalf of the applicant. He gave an overview of new submission showing the proposed and conforming buildings to the Board. He addressed the 2 variances needed for the proposed building, open space, height difference between the proposed and conforming plans and the amenity space on the second floor for the proposed building.

The Chairman asked about the conforming drawings and what is on the fifth floor.

Stephen Carnavalla noted that this is the corridor to the open space with a window.

The Chairman asked about the trash for the building.



D Carnavalla noted that in the garbage will be in the garage.

The Chairman asked where the compressors will be located.

Stephen Carnavalla they will be in the walls for each unit.

Joseph Stout asked about the parking area if it is open.

The Chairman asked if under the conforming plan and the proposed plan you need 2 variances.

Stephen Carnavalla noted that only the proposed needs 2 variances.

Joseph Stout asked if the proposed building is actually 5 feet shorter.

Stephen Carnavalla noted that the conforming is 45 feet what we are proposing is 40 feet the proposed is 5 feet shorter.

Nonie Reich asked what the ceiling height in the proposed is.

Stephen Carnavalla noted 12 feet before mechanicals.

D Carnavalla stated that the proposed will be 8 foot 4 inch to 8 foot 6 inch.

Joseph Stout noted that he did appreciate what you did with the renderings, he noted that the open space in the rear is there because it has to be, the open space on the roof is very nice.

Nonie Reich stated that the work from home space is very nice on the seconded floor.

The Chairman noted that the conforming drawing has more open space on the roof.

Nonie Reich noted that if the Board moves towards the proposed plan I would like to see the roof amenities come to fruition.

The Chairman stated that we have one plan that does not require any variances and one plan that needs variances.

Nonie Reich asked if the work from home space for people in the building.

D Carnavalla noted yes it's only for people in the building.

The Chairman asked Patrick Cleary if we have a plan that does not show everything should we keep the Public Hearing open.

Patrick Cleary noted that yes the Public Hearing should be remaining open.

The Chairman noted that he is for the conforming plan.

Stephen Carnavalla did point out to the Board that the conforming building will be taller than the proposed building.

Al Pirro stated that he does not see the conforming building being built because of a practically for the developer.

Nonie Reich noted that the Board is concerned if we have zoning ordinances that does not allow a developer to build something nice.

The Chairman stated that the Town Board did recognize the restriction on this building. The conforming building is very nice and they are only losing the penthouse and no amenities.

Joseph Stout noted that he thinks the proposed plan is much nicer.

The Chairman asked if the Board if they wanted to send it to the Zoning Board or not.

Motion to refer the proposed plan to the Zoning Board without any recommendation made by Joseph Stout, seconded by Nonie Reich. Vote carried 4-3 (Marshall Donat, Ethan Levinson and Chairman Heaslip voted no).

2. **PEPSICO – AMENDED MASTER PLAN (PHASE 2) PAVILIONS** (PB21-001) – 700 Anderson Hill Road, Block 651, Lots 1-7, 10, 11, 25 – Amended Site Plan Review, Steep Slope Permit, SEQR Review, **Public Hearing**

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

Rob Aiello with JMC appeared before the Board and gave an overview of the pavilions location.

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

The chairman asked if anyone wanted to speak on this matter. There being no one he asked the Board if they had any questions.

Motion to close the Public Hearing made by Nonie Reich, seconded by Jeffrey Spano. Vote carried 7-0.



Motion to grant Amended Site Plan approval made by Marshall Donat, seconded by Nonie Reich. Vote carried 7-0.

Motion to grant Steep Slope permit made by Marshall Donat, seconded by Jeffrey Spano. Vote carried 7-0.

3. **ALLER SUBDIVISION** (PB20-021) – 75 Kenilworth Road, Block 591, Lot 4 – Sketch Plan Review, SEQR Review

Andrew Spatz, Esq. appeared before the Board on behalf of the applicant and the request for a 2 lot subdivision.

Joseph Rina, Engineer appeared before the Board and gave an overview of the application for a 2 lot subdivision. He mentioned the changes that were made because of the comments from the Board at the last meeting. The existing home and the new proposed home will connect to the low pressure sewer system that the Town Engineer suggested. He addressed the reasons that the entrance on Ironwood Lane would not work; the water line for the existing home would have to be relocated and the elevation on Ironwood Lane is too steep and the variances for the two lots.

Gregg DeAngelis with Envirospace Architects also appeared before the Board.

The Chairman stated that it's great that you can get connected to sewer. If you want to have the driveways on Kenilworth Road the Board would require a site distance analysis.

The Chairman noted that during the original approval it was stated that there was no further subdivision of the lots. You need to investigate it and get back to us.

Andrew Spatz asked who brought that up to you.

The Chairman noted that it was the Town Engineer and also staff has reviewed the driveway on Ironwood Lane and does not find it to steep.

Joseph Stout stated that some perspectives would help.

Gregg DeAngelis noted that we would do a study.

4. **7 PURDY STREET – SECONDED FLOOR CHANGE OF USE** (PB21-003) – 7-9 Purdy Street, Block 171, Lot 37 – Amended Site Plan Review, Special Exception Use Permit, SEQR Review

Application not heard adjourned to next month.

5. **UNDERHILL PLACE DEVELOPERS – SUBDIVISION** (PB21-008) – 8 Underhill Place, Block 811, Lot 48 – Sketch Plan Review, SEQR Review

Dan Collins with Hudson Engineering appeared before the Board on behalf of the applicant and gave an overview of the application for a two lot subdivision.

Motion to declare the Board Lead Agency made by Marshall Donat, seconded by Chip Marrano. Vote carried 7-0.

The Chairman asked if the Board had any questions.

There were no questions or comments from the Board.

6. **53 HALSTEAD AVENUE – NEW MULTI-FAMILY BUILDINGS** (PB21-004) – 53 Halstead Avenue, Block 44, Lot 29 – Site Plan Review, Special Exception Use Permit, SEQR Review

Eric Kingsbury with Langan Engineering appeared before the Board on behalf of the applicant and gave an overview of the project.

Stephen Marchesani, Architect appeared before the Board and gave an overview of the buildings, interior layout and open space.

The Chairman asked about the site lighting, landscaping plan and if a photo rendering could be submitted.

Joseph Stout asked why coming in on Thatcher Avenue and not Halstead Avenue.

Stephen Marchesani noted that it's less traveled than Halstead Avenue.

The Chairman asked if you could give us an analysis of the parking and open space.

Nonie Reich asked how far off the side walk is the building on Halstead Avenue.

Stephen Marchesani noted 4 to 5 feet off the property line.

Marshall Donat stated that he would like to see it more off of Halstead Avenue.

Patrick Cleary noted that it's a bit of a challenge to see how the building fits in the neighborhood.

The Chairman stated that the renderings are needed to see how it does fit.



Marshall Donat asked why the entrances on Halstead Avenue are and the cars come in on the courtyard on Thatcher Avenue.

Patrick Cleary stated that Thatcher Avenue has no curb cuts so it may not be safer. We need a full EIF and require more information regarding the computer business across the street as they park in the right-of-way and also have a driveway on Thatcher Avenue. We would need more information before the Board could declare themselves lead agency.

Mike Finan with Langan noted that we will prepare what is needed for the Board.

7. **11 BOXWOOD LANE – NEW SINGLE-FAMILY HOME** (PB21-005) – 11 Boxwood Lane, Block 522, Lot 20 – Wetland Permit Review, SEQR Review

Cliff Davis, Esq. appeared before the Board on behalf of the applicant and the request for a wetland permit for a new home.

David Mooney, Architect appeared before the Board on behalf of the applicant and gave an overview of the application.

Bill Kenny, Landscape Architect also appeared before the Board and gave an overview of the wetlands and the buffer.

Joe Stout asked if there was ever a house on the property.

Cliff Davis stated that just the garage and it was part of a bigger estate.

David Mooney stated that the house was across the street.

Motion to retain Evans Associates made by Jeffrey Spano, seconded by Ethan Levinson. Vote carried 7-0.

The Board will conduct a site visit and directed the applicant to meet with staff before they return.

8. **DUNKIN RESTAURANT – NEW BUILDING** (PB21-006) – 260 Halstead Avenue, Block 122, Lot 46 – Amended Site Plan Review, SEQR Review

Taylor Palmer, Esq. with Cuddy and Feder appeared before the Board on behalf of the applicant and gave an overview of the application for a new Dunkin building with a drive through.

Chris Raffaelli with Studio Architecture appeared before the Board and gave an

overview.

John Canning with Kimley-Horn appeared before the Board and gave a PowerPoint presentation of the traffic study.

The Chairman asked John Canning about this first slide and the customers.

Marshall Donat asked how many parking spaces being removed.

John Canning stated two being removed.

Joseph Stout asked if the applicant would be open to a video from up the street or from a building showing a time-lapse of the traffic in front of Dunkin.

Taylor Palmer noted that there will be an additional parking lot that the town will be providing.

The Chairman asked if it could be a right turns only coming out, that would be a big help.

John Canning stated that they would be open to discussion.

Marshall Donat said that there would be no pedestrian walk way between CVS and Dunkin.

Chip Marrano asked what happens when you get to the window and your order is wrong.

Peter Marrinan, Dunkin owner appeared before the Board and gave an overview of operations.

Joe Cermele, with Keller Sessions appeared before the Board and gave a brief explanation of the stormwater report.

The Chairman asked Pater Marrinan how crucial is the drive through.

Peter Marrinan noted that it is significantly crucial.

Motion to retain a Traffic Consultant made by Joseph Stout, seconded by Jeffrey Spano.  
Vote carried 7-0.

The board discussed that fact that several applicants made note that there is a parking problem in the downtown.



This Meeting was adjourned at 10:45 pm on a motion by Nonie Reich, seconded by Joseph Stout.  
Vote carried 7-0.

The next regular Board meeting is scheduled for March 23, 2021.

*Jacqueline Greer*

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Town Clerk's Office

*Rosemarie Cusumano*  
Rosemarie Cusumano, Secretary

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TOWN CLERK  
HARRIS COUNTY

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