

Village of Tarrytown, NY

One Depot Plaza, Tarrytown, NY 10591-3199
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Planning Board Minutes 4/28/2014

Planning Board
Village of Tarrytown
Regular Meeting
April 28, 2014; 7:00 p.m.

PRESENT: Chairman Friedlander; Members Tedesco, Aukland, Raiselis, Birgy; Counsel Shumejda; Village Engineer McGarvey; Secretary Bellantoni

APPROVAL OF THE MINUTES – March 24, 2014

Mr. Tedesco moved, seconded by Mr. Birgy, that the minutes of March 24, 2014, be approved as submitted; three approvals with one abstention. Motion carried.

CONTINUATION OF PUBLIC HEARING – Bartolacci - 67 Miller Avenue

Chairman Friedlander stated that this application has been adjourned.

CONTINUATION OF PUBLIC HEARING–Toll Brothers, Inc.-229 Wilson Park Drive (lot 10)

Chairman Friedlander stated that this application has been adjourned.

CONTINUATION OF PUBLIC HEARING – Tarrytown Associates LLC – 1-7 Main Street

Leo Napier with the law firm of Friedman, Hartfenist, Kraut & Perlstein, attorney for the applicant, introduced himself as well as Rex Gedney, project architect. Mr. Napier said this project has been before the board for some time and nothing much has changed since they last appeared before the board. They were directed to meet with the fire department and get comments from them and to look into the records of the Historical Society for any information about the number of units in the building before the fire. He said he met with the Historical Society but they did not have any floor plans of the building; however, they did have articles on the two fires in the 1960's and 1970's. The articles stated that the building only had 16 units, not 18 as they originally stated. He is only assuming that the floor layout must have been different. He said they had pictures showing that the back area did have a roof which was burned out in the fire. He could not understand why the prior owners did not replace it when they repaired the rest of the building after the fire.

Mr. Napier said they met with the Fire Department on April 8th and he was given a letter from them by Mr. McGarvey today (copy attached). He read each comment and commented on each. Items # 1, 2, 3, 7 & 10 are not a problem. The following are his responses to the rest of the items:

- In response to item #4, Mr. Napier said the commercial spaces and the common residential areas have sprinklers but not the individual units, but the new units will have sprinklers. Chairman Friedlander was concerned that the existing units will not have sprinklers. Mr. Napier said they are grandfathered in and under new construction they are required to have sprinklers.
- Item #5, Mr. Napier will confirm with the building department and if there is not sufficient pressure, they will install a pump.
- Item #6, the questions regarding utility locations in the basement, he and the project architect walked through the basement before the meeting and they are going to have to take some measurements to figure out how the layout will work.
- Item #8, currently the smoke/co detectors are not on a central monitoring system; but if the project goes forward, they will be installed to meet State code.

- Items #9 regarding corridor/stairwell emergency lighting, he defers to the building department. Mr. McGarvey said if this project goes forward, your architect will have to verify that. Mr. Napior said that will not be a problem.
- Item #11, common basement; Mr. Napior said after having just been in the basement he confirms that it extends from the edge of the Music Hall to the edge of Broadway and it is not open to any adjacent structure. It seems to be one large basement.

Chairman Friedlander asked if there is a fire retardant wall between this building and the Music Hall. Mr. McGarvey said each building has its own block and brick wall. Mr. Napior said there is actually an alley between the two buildings. Chairman Friedlander asked if the side of the building is brick or stucco and wood. Mr. Gedney, project architect, said it is stucco and wood. Chairman Friedlander asked if that is flammable; Mr. McGarvey said the wood is. Chairman Friedlander is concerned about what can be done to make it safer for the very important historical Music Hall since this building does not have sprinklers in all of the units.

Chairman Friedlander asked if the board or Mr. McGarvey has any comments or questions. Mr. McGarvey said at the site inspections the Fire Department came up with some helpful and good ideas of what should be done and he believes the applicant is willing to do them.

Chairman Friedlander asked about the parking requirements. Mr. Napior said we are adding two units so they will need five space and they are willing to pay into the parking fund for those spaces. Chairman Friedlander asked if the payment into the parking fund is for commercial or residential. Mr. McGarvey said it doesn't matter.

Ms. Raiselis asked if they are doing anything to the elevation or the front of the building, Mr. Napior said no only the rear. Mr. McGarvey said it was just scrapped and painted a year or two ago. Ms. Raiselis said it looks good painted.

Chairman Friedlander opened the meeting to the public. No one responded.

Ms. Raiselis moved, seconded by Mr. Aukland, to close the public hearing. All in favor; motion carried.

Ms. Raiselis moved, seconded by Mr. Aukland, that the Planning Board declare itself Lead Agency for the proposed project. All in favor, motion carried.

Ms. Raiselis moved, seconded by Mr. Aukland, that there will be no significant adverse environmental impacts as a result of this proposed action. All in favor; motion carried.

Ms. Raiselis moved to approve the reconstruction/construction of two apartment units on the third floor of 1-7 Main Street with the following conditions:

- Approval by the Building Inspector/Village Engineer
- Acceptance by the applicant and adherence to the conditions and comments by the Tarrytown Fire Department as stated in the letter submitted with these conditions dated April 25, 2013 (year should have stated 2014) and signed by Terence M. Murphy, 1st assistant chief.
- Payment of any outstanding escrow fees prior to the granting of the building permit/certificate of occupancy.
- Signing of the final site plan by the Planning board Chair.
- Payment to the Village Parking Fund for two units which equals 5 spaces.
- Approval by the Zoning Board for an increase in the existing non-conformity of the lot size because use ceased to exist for more than six months.

Mr. Birgy asked Counsel Shumejda if we are setting precedence by allowing an expansion that does not conform to the zoning. Counsel Shumejda said this has to go to zoning, and we judge each case individually and by its merit. If it does set precedence, so be it. He said it would be difficult to find another building in this unique situation; they are rebuilding what was previously there and was destroyed by a fire.

Mr. Aukland said he would only be concerned if the footprint was changing, but it is not.

Chairman Friedlander said they are increasing the number of units within the same framework of the building. The density has increased in conformance with the code but the square footage has not increased. Counsel Shumejda said to make it clearer add to the conditions that the two new units will be constructed within the confines of the original building.

Mr. McGarvey stated that Mark Fry said at a previous meeting that originally there was a 4th floor to this building. He asked if it was possible that the two additional units were in the 4th floor. Mr. Napior said he doubted it because when looking at the pictures, that space would be much too tight for two apartments. Mr. McGarvey asked Mr. Gedney if he thought that apartments had been reconfigured at some point. Mr. Gedney said he did not believe so.

Mr. Birgy asked Mr. McGarvey if the Fire Department looked for other safety issues when they went through the building. Mr. McGarvey said yes we looked at various issues but we do not have the right to inspect the existing apartments unless they are doing work. Mr. Birgy said at the last meeting some of the tenants said there were a lot of problems with the building which were not being addressed; by approving this are we adding to the problems. Counsel Shumejda said any tenant can call the building department if they feel there are fire and safety issues and then the building department can go in for an inspection. He said he did not recall anyone saying there were fire and safety issues. Mr. Birgy said fire and safety was not specified, only that there were issues in the building.

Mr. Napior said his client has not heard from the one tenant who spoke at the last meeting. He said the new units will be built in accordance with New York State code.

Chairman Friedlander asked Mr. Gedney if they have the square footage of each unit and the number of tenants in each unit. Mr. Gedney said the units are roughly 1,200 s.f., but they do not know the number of tenants in each unit; they can find out. Mr. Gedney said the tenant that was at the last meeting has a unit that is adjacent to the space where the new units will be built. He said she takes advantage of that open space and he felt that she may be upset because she is going to lose it.

Ms. Raiselis said they seemed mostly concerned about what is going to happen during construction; the noise, etc. She suggested they outline construction schedule/guidelines to give the tenants so they are aware of what is going to happen before it happens and lessen their anxiety. Mr. Gedney said they certainly can do that. They have done that with other buildings that the client owns; it is done very nicely.

Mr. Birgy asked if the tenants have leases or are they month to month. Mr. Gedney said it is his understanding that they all have leases.

Mr. Tedesco suggested they add an additional condition that all units must be sprinklered. Mr. Napior said he does not know the cost of that. They will certainly sprinkle the new units but can't say if they can go over and above what is required. He also said it would be invasive to the existing tenants and they may not want that. Mr. Aukland said maybe we could ask the Fire Department to go in and assess the need for sprinklers. Mr. McGarvey said that is not the purview of the Fire Department; it falls under my purview, and we cannot go in and tell them that it must have sprinklers because of the wood structure. New York State Code says it is an existing building; and only if work is done in those units to trigger the addition of sprinklers, can I enforce that law. He said any new structure must have sprinklers or any structure that is renovated 50% or more must have sprinklers. If they were to go in and renovate all of the units, that would trigger the need for sprinklers.

Mr. McGarvey did suggest that they increase the size of the line coming in for these two new apartments to plan for other apartments in the future when/if they are renovated. Mr. Gedney said if they need a new riser, they will install a larger one.

Chairman Friedlander asked who is responsible for the smoke and carbon monoxide detectors. Mr. McGarvey said the landlord is responsible to supply them; the tenant is responsible to maintain them.

Ms. Raiselis add the following condition:

- The reconstruction of the two apartments is contained within the existing envelope.

The motion was seconded by Mr. Aukland; all in favor. Motion carried.

NEW PUBLIC HEARING – HKP Realty Inc. – 25 Main Street

Chairman Friedlander stated that this application has been adjourned at the applicant's request.

NEW PUBLIC HEARING - Split Development Corp. - 58 Gracemere

The Chairman read the following Notice of Public Hearing:

PLEASE TAKE NOTICE that the Village of Tarrytown Planning Board will hold a public hearing on Monday, April 28, 2014 at 7:00 p.m. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

*Joseph DeNardo
83 Harriman Road
Irvington, NY 10533*

For site plan approval for property located at 58 Gracemere to construct a single-family house. The property is shown on the tax maps as Sheet 1.190, Block 112, Lot 27 and in the R-60 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Planning Board

Dale Bellantoni, Secretary

DATED: April 18, 2014

The certified mailing receipts were submitted and the sign was posted

Jim Annicchiarico, of Cronin Engineering, spoke about the sitewalk. He stated they demarked the driveway, staked the house and marked the trees to be removed. They are in agreement with Lucille Munz, the Village Landscape Architect, to try to save trees that were discussed in the field. They received some changes to the landscape plan which they have no problem making.

Chairman Friedlander asked what can be done to screen the area at the conservation easement at the back of the property. Mr. Annicchiarico said he is sure Mr. DeNardo will be amenable to any of Ms. Munz suggestions.

Chairman Friedlander said to Ms. Munz that he would like to be sensitive to the back of those three houses that back the trail there; just soften it. Mr. Annicchiarico said there are some trees there. Chairman Friedlander said he just wants to take another look at it. Ms. Munz said it would be worth another look. She said some canopy trees added would be good.

Ms. Raiselis said she feels the Architectural Review Board should be involved with the rear of the houses that back the public area. Can they just put up any fence they want? We will have all different fencing along that space.

Chairman Friedlander said when it is cluster zoning we, as the Planning Board, can make a condition as part of the subdivision approval regarding fences. There is no condition in this subdivision so the homeowners by right can put up any fence they want; and if it meets code, there is nothing we can do about. We will have to keep that in mind for Jardim.

Mr. Aukland said he agrees that there should be some demarcation between private and public land; that said, we are here to talk about a single site plan review. How do you plan to delineate between the private and public property? Mr. Annicchiarico said they do not have a plan for that and deferred to Mr. DeNardo who replied they are leaving it as is, just like the other lots. Ms. Raiselis said would you be opposed to putting a loose line of boulders. Mr. DeNardo said then he will have to move trees. Ms. Raiselis said no, just a loose delineation with a few boulders; this way the homeowners will know where their property ends and they won't be mowing into the open space thinking it is part of their property.

Mr. Friedlander said there is also a liability issue for the Village, isn't there. Isn't that the issue about demarcation? Counsel Shumejda said the demarcation issue came up with Wilson Park which is a dedicated public park; this is open space, which is different. He said it can be used as a trail way. Ms. Raiselis asked about the aqueduct. Counsel Shumejda said that is a public park.

Mr. Annicchiarico said according to their plan the only thing they are installing back there is a retaining wall and drainage; they were not planning to landscape the area other than some grass up to the drainage line.

Ms. Munz asked if they are going to put permanent markers in the corners. Mr. DeNardo said we can do that. Mr. Aukland said they would like corner markers; and if there is going to be a trail to Taxter Ridge Park, we can demark on Village property. Mr. DeNardo said we will be doing a site visit for 56 Gracemere and we can look at it then.

Mr. Annicchiarico said he will take a look at the subdivision plan and maybe they can put in corner markers on other lots as well.

Mr. Aukland asked if this house is zoning compliant. Mr. Annicchiarico said yes, no variances or waivers are necessary.

Chairman Friedlander opened the meeting to the public.

Mary Bushman Kelly, 103 Gracemere, said this is where the deer live. If no rule is made, you can expect fences because the deer will come in and eat all of the expensive landscaping. She suggested they make a decision on the fence.

Mr. DeNardo said they can plant deer resistant plants.

Ms. Munz said the plants being proposed are deer resistant but they are not bullet proof, especially after the bad winter that we had, they are eating plants that they normally would not eat. She said a deer fence has to be at least 8' and they can even jump over that. She said there are other things that can be done to help. She said she doesn't know how you can regulate the fencing.

Chairman Friedlander said how do we get control of what goes on the border of public property? He said the question is what can be done on the back of these four lots running against the conservation easement. Ms. Munz said inconsistent fencing is another problem. Counsel Shumejda said something could have been done during the cluster subdivision. Now you are dealing with individual lots. Each lot will have different conditions. Village law limits the fencing to 6'; anything above that needs zoning board approval. An earlier time would have been more appropriate for this condition.

Mr. McGarvey said we have the applicant here who owns all four lots. Can't we just ask him if he or we can make a condition that those four lots do not have a 6' stockade or visual fence along the rear property line; and if they go before the zoning board for a 8' deer fence, all four lots must be consistent. Mr. Annicchiarico said they are not proposing any fencing but if they want that, he doesn't feel anyone will have a problem with it. Counsel Shumejda said it would have to be a covenant in the deed that no 6' fence could be put at a certain distance from the determined property line. Mr. DeNardo said no fence at all? Chairman Friedlander said if it is see through it would be acceptable; anything that blocks the view will not be allowed. Counsel Shumejda clarified no solid fence. Mr. Annicchiarico said we can also put in a condition that they must be consistent on all four lots. Ms. Raiselis said even better, you guys could put up the fences in the rear and let the homeowners do the side yards if they want.

Mr. Birgy asked if a net deer fence is a structure. Mr. McGarvey said not technically but they still must go before the zoning board for approval and they must take out a building permit so that we can be assured that it is installed properly and within the boundary of their property.

Robert Rachlin, 9 Gracemere said he lives right in the middle of Gracemere and has been there for 50 years. He said it has been open space all the time he has lived there and there have not been many changes. He is opposed to fences because it will make it look like a prison. Ms. Raiselis asked Mr. Rachlin if he worries about the deer. Mr. Rachlin said no, they are our neighbors and you learn to live with them.

Mr. Aukland said we are here for a site plan application. We are asking for corner markers. He said there is one fence there already and we would not like any more.

Counsel Shumejda said are you going to add the condition, no solid fencing. Chairman Friedlander said, yes.

Lucille Munz said she is just pointing out for privacy that you achieve that with evergreens, etc.

Counsel Shumejda so there will be a covenant or restriction in the deed stating no solid fences on the property. He asked if it will be noted in the building permit so that future buyers will be aware of the condition.

Ms. Raiselis said to define solid. Mr. McGarvey said 50%. Ms. Munz said 75%, opaque fence, 6' high that you cannot see through.

Chairman Friedlander said we want to have a visual path that you can see through on both sides of the property.

Mr. Birgy moved, seconded by Mr. Aukland, to close the public hearing. All in favor; motion carried.

Mr. Birgy moved, seconded by Mr. Aukland, that the Planning Board declare itself Lead Agency for the proposed project. All in favor, motion carried.

Mr. Birgy moved, seconded by Mr. Aukland, that there will be no significant adverse environmental impacts as a result of this proposed action. All in favor; motion carried.

Mr. Birgy moved to approve the construction of a single-family house as specified in the application at 58 Gracemere subject to the following conditions:

- Approval by the Building Inspector/Village Engineer particularly in regard to the adequacy of the storm water/drainage plan.
- Approval of a landscaping and screening plan by the Village Landscape Consultant. Plantings should be non-invasive native species or non-invasive ornamentals. This condition is also to be recorded in the homeowner's deed and conveyed with the property. If, during the implementation of the approved landscaping plan, any changes or amendments are desired, such changes must be approved by the Planning Board.
- Payment of any outstanding escrow fees/recreation fees prior to the granting of a building permit.
- Approval by the Architectural Review Board.
- Prohibits the erection of solid fencing. There will be a covenant in each of the deeds and a notation on the building permit and certificate of occupancy that there will be no solid opaque stockade-type fence on the property.
- Permanent property markers will be placed in the rear corners of the property line.
- Signing of the final site plan by the Planning Board Chair.

Motion seconded by Mr. Aukland; all in favor. Motion carried.

NEW PUBLIC HEARING – HAS-UWC – Jardim East Subdivision

The Chairman read the following Notice of Public Hearing:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday, April 28, 2014, at 7:00 p.m. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

*The Holy Spirit Association for the Unification of World Christianity
Jardim Estates East
Sheldon Avenue
Tarrytown, New York 10591*

To consider the application for final subdivision approval of property they own off Browning Lane to allow for an 11-lot subdivision.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.190, Block 119, Lot 10; Sheet 1.190, Block 115, Lot 47; Sheet 1.190, Block 112, Lot; and Sheet 1.200, Block 120, Lot 2 and is located in an R-60 (Residential) Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Planning Board

Dale Bellantoni, Secretary

DATED: April 18, 2014

The certified mailing receipts were submitted and the sign was posted

John Kirkpatrick with Oxman Tulis Kirkpatrick Whyatt & Geiger in White Plains, representative for the Holy Spirit Association for the Unification of World Christianity introduced himself as well as Kaye Allen and Olga Majatova from the Holy Spirit Association and Keith Staudohar of Cronin Engineering who designed the plan.

Mr. Kirkpatrick said they made application for final approval of an 11-lot subdivision. Two of the lots have houses on them; one for approximately 80 years and the other 100 years; so this application is really for nine new lots. Mr. Kirkpatrick said they are requesting that the approval be conditioned on the completion of a deal to sell all of the open space and two of the lots to the Town of Greenburgh. As previously discussed this is an offer made by the East Irvington Civic Association and their representative, Danny Gold, is here with us this evening. This application is in keeping with the findings that were made at the end of the environment impact statement process which resulted in a Findings Statement, a Draft and Final Environmental Impact Statement made by this board. In 2012 the Findings Statement required the following:

- Improvement to roadway conditions.
- Add walking paths in various locations.
- Make safety improvements
- Make a central mail location
- Signage
- Address construction access.
- Outline Homeowner Association that will be in conjunction with this.
- Address parking on lots 2 and 4, which is where the existing houses are located.
- Discuss possible density restrictions on lots 2 and 4 because lot 2 is a three-family house and lot 4 is a seven-family house.

Mr. Kirkpatrick turned the meeting over to Keith Staudohar to discuss the original plan and the alternative plan.

Mr. Staudohar said the plan that he just handed out is the revised plan which is the one they would like to go to. Mr. Staudohar said the original 11-lot plan which was submitted in February of 2014 consisted of the following:

- Nine new houses with six of them on a new road built to Village standards and provided with public water and sewer.
- Three open space parcels, one of which is 24.3 acres and would be held in title to the HOA; the existing pond is part of that as well as a piece of land on the north side of Gracemere up in the southwest corner.
- Provided pedestrian access along the existing portions of Gracemere.
- Provided a guiderail separated from the existing road with a 3' walking path.
- Provided signage
- Provided some pull off areas
- Provided a central mail location

As of now the applicant is working on a deal with the East Irvington Civic Association which is reflected in the plan handed out earlier. The new plan is for a 9-lot subdivision with seven new houses, six would still be accessed by the new road. This new layout allows us to deed to the Town of Greenburgh approximately 28.7 acres of land which will be adjacent and to the east of Taxter Ridge Park which is owned by the Town. They will still maintain the open space parcel at the pond and in the southwest corner.

Mr. Staudohar said as a result of the reduction in the lots, there is a reduction in disturbance and it is now under a 5 acres threshold that the New York State DEC requires for stormwater. We can now reduce or eliminate the requirement for stormwater quantity and quality control; so we were able to reduce some of the site's disturbance further by reducing some of the stormwater management facilities shown on the February plan. The total disturbance is now in the 4.2 acres range. They were able to eliminate one basin down on the road near the wetland. They retained the one where the two cabins are located. They will be removing the cabins and providing a stormwater basin there to collect the water from the new road where it will be retained, cleaned and put back into the swale and down into the pond.

Mr. Aukland asked if there is a difference in the resolution with or without this open space or will they remain the same.

Mr. Kirkpatrick said they are looking for an approval of the 11-lot subdivision with a condition for what we would like to achieve, which is the 9-lot subdivision. Mr. Aukland asked if there are any changes to the basic fabric of the infrastructure going down to nine lots. Mr. Kirkpatrick said no changes. Mr. McGarvey said the drainage will change. Mr. Staudohar said other than the drainage all of the other utilities, infrastructure, and roadway improvements will remain the same. Chairman Friedlander said with 11 lots you had two drainage basins; with nine lots only one basin; that's another difference. Chairman Friedlander said one of the benefits of the nine lots is the elimination of one of the drainage basins. Ms. Raiselis said is that a benefit; we have a very wet area there. Mr. Staudohar said the benefit is with the 11 lot plan we will have a disturbance of over five acres and the 9 lot plan will have just over four acres; we are reducing the disturbance and eliminating the need for stormwater management that is required for the 11-lot plan. Everything else that we discussed in the Findings has not changed.

Mr. Aukland said we are not trying to eliminate the wetland, just trying to eliminate the runoff from the new road. Mr. Staudohar said there is less disturbance, less runoff, so we do not need the second basin.

Chairman Friedlander asked about lot 15. Mr. Staudohar said it is long gone. Chairman Friedlander asked for the total amount of land. Mr. Staudohar said about 46 acres but we are only developing seven houses on about 8 acres; it's about one house for every seven acres that the own. Chairman Friedlander said they did a great job creating open space in this area.

Mr. Birgy asked for a fast review of what is going to happened to the infrastructure for the residents that are here. Mr. Staudohar said there is an existing 8" water main that ends in front of the Viertel property which we are going to connect to and extend it into the site and bring it up to the cul-de-sac. Regarding the sewer, some of these sites will have an ejector pump which we are going to tie into a gravity sewer than runs down and ties into a manhole at end of Woodlawn and Walnut. He said there will be a new gas main brought up by con Edison and the electric will be underground. Mr. Birgy asked if any of the existing residents will be able to access the new electrical services being brought up. Mr. Staudohar said we are not planning to bring it to anyone else. If they want to they can speak with the utility companies. Mr. Birgy said will it be sized so that they can connect to it. Mr. Staudohar said we could probably do that. Mr. McGarvey asked if the residences up there now have underground electric; Mr. Staudohar said no.

Ms. Raiselis said in the previous plan the HOA is going to govern that piece of open property. Mr. Kirkpatrick said the original concept said the HOA would maintain the 24 acre piece, the pond and the piece across from the existing house. The changes with the new plan are the 24 acres piece is transferred to the Town of Greenburgh. Ms. Raiselis asked who is maintaining the road that goes to the Mascelli house. Mr. Kirkpatrick said that half that road is presently owned by the Mascellis and the other half is owned by the Church; they will both be responsible for the maintenance. The Mascellis have indicated that they would like that to be a private driveway. Mr. Aukland said he believes that the Mascellis only own half the road in front of their property so there will be a stretch of road which will be wholly under HOA or the Town of Greenburgh. Mr. Kirkpatrick said yes, but they have an easement over it so they won't be cut off. Mr. Staudohar said there is going to be a trail head on the church property where the easement ends for the Mascelli property for access to the new Taxter Ridge Park.

Ms. Raiselis asked if the trail is going on the south side of the road. Mr. Kirkpatrick said yes. Ms. Raiselis asked who is going to maintain the pond and the other open space parcel. Mr. Kirkpatrick said the HOA will own them and maintain them.

Chairman Friedlander opened the meeting to the public.

Joan Cohen, 15 Gracemere said this plan is completely different than the plan that was originally presented to them. She does not understand the difference in the lots. Mr. Kirkpatrick explained the difference in the two plans. He said the new road comes past her property and all the way up to the cul-de-sac. He said the old road will be improved. Mr. Staudohar explained how they are going to rebuilt and improve the old road; there will be some widening, signage and traffic calming features in the narrower area. Ms. Cohen asked about the wetlands. Mr. Staudohar said it will remain untouched and they will be removing the old cabins, installing a basin to catch the water from the new road and then it will be diverted back into the swale that runs along the existing road.

Ms. Raiselis asked about the tree across from the Aukland property. Mr. Staudohar said he will do his best to save it. He said there is pavement on the Aukland property which will be removed and the pavement will be added to the other side of the road. Ms. Raiselis said but what if the property owners of that property don't mind the pavement on their property and you shift the width and taper onto that property instead of north. Mr. Staudohar said if the board is happy with that they will aim for that.

Robert Kearns, his wife is the owner of the Mascelli property. He asked about the two cottages that are coming down and what will go there. Mr. Staudohar said a shallow stormwater basin will go there. Mr. Kearns said a retention pond? Mr. Staudohar said a detention pond. Mr. Kearns said he is concerned about the West Nile virus. Mr. Staudohar said this basin is designed to dry out; it will not detain water. Mr. Kearns said there are wetlands on your property back there that have never dried out. Mr. Staudohar said we are not touching those wetlands. Mr. Staudohar said everything around the Mascelli property will remain, including the easement, except for the two cottages that are coming down. Mr. Kearns asked about parking for the open space. Mr. Kirkpatrick said the Planning Board wants them to maintain access to the open space. They are proposing to put a trail alongside your driveway where the cabins are now situated. Mr. Kirkpatrick said they have to provide access into the Taxter Ridge Park. They are providing walking access; we are not proposing any parking. Mr. Kearns asked what will prevent people from parking on that roadway. Chairman Friedlander said it is an enforcement issue; it is a private road so it will be trespassing. Mr. Kearns said in the back of their property there is an easement that goes into your property. Mr. Staudohar said that is for the water line. Mr. Kirkpatrick said we will be sure to maintain it.

Steve Mascelli, 23 Gracemere has a question about the access road that has been blocked since the Church came to the property. Will the back access still be there? He point out the area. Mr. Kirkpatrick said that is an easement for the water line. Mr. Mascelli said so I guess that back access is finished.

Peter M. Wyler, representative for the Bagarotti Trust, the property to the east of the proposed subdivision. He said he understands that lot # 8 is going to be reconfigured and lot #7 and #8 will become lot #6, correct. Mr. Staudohar said yes that is correct. Mr. Wyler said his client's concern is that they do not want to see any of the new houses from their property. His suggestion is to move the house on lot #6 west to avoid that from happening. Mr. McGarvey said we don't have a vision code in the Village of Tarrytown. We can't prevent them from putting up a new house because someone does not want to see it. Mr. Wyler said he understands that but you do have site plan review.

Chairman Friedlander said we will consider your client's concerns; we do site visits. Mr. Staudohar said it is far away from his client's house. Mr. Wyler said the open land goes from 24 to 28 acres. Has the Town of Greenburgh given assurances that they will accept this property? Mr. Kirkpatrick said application has to be made to the Town of Greenburgh but we have no reason to believe that they will not accept it. Right now this is a proposal and there are quite a few steps that need to be done. The funds run out on December 1, so we are seeking a conditional approval at this time so that we can begin that process and the necessary steps done. Mr. Wyler asked if is this conditional approval is subject to this happening. I would like to request the board that we received notices regarding all developments and hearings. I would like to be kept informed.

Danny Gold, 21 Shore Lane, President of the East Irvington Civic Association, said the funders have approved the plan for the 28.7 acres. Copies of the contract have been given to Mr. Kirkpatrick and the Church and are seeking approvals to give copies of the content of the contract to the Tarrytown, Greenburgh and State officials. They plan to go to the Town of Greenburgh as well as to the State with parallel paths and hopefully we will be able to get this done in the timeframe specified in the contract.

Mrs. Cohen said the road has to be maintained by the owners of the property. She is very concerned about this road and doesn't feel it is going to be adequate access for all of these new houses. She said they will be left with the same road and much more traffic. She asked what we gain/benefit from it.

Chairman Friedlander said the benefits are:

- Road is going to be improved and made safer.
- Drainage conditions will improve.
- The zoning in that area is R-60 and you are only getting 7 homes where technically you could get 30.

Mrs. Cohen asked who is going to maintain the road. Chairman Friedlander said the Homeowner Association who will eventually take over and they will be responsible for the private road and the open space in the southwest portion of the property and the pond.

Steve Mascelli asked if there will be street lights on the new road. He asked what is in the blue area; is it buildable space. Counsel Shumejda said there will not be street lights. Chairman Friedlander said the blue area is open space and it can never be built on.

Mary Bushman Kelly asked how many families are in the two stone buildings. Mr. Kirkpatrick said there are three families in one and seven in the other. Ms. Kelly pointed out the portion of the road from Browning to Gracemere which is a sharp turn. In order to make that turn, you cannot speed. She asked if they are going to change that configuration. Mr. Kirkpatrick said they plan to make it a sharper turn so that they will have to slow down even more in order to make the turn. Mr. Staudohar said they are talking about enhancing the curb line. Ms. Kelly said Gracemere Road has become a shortcut from Route 119 and she is concerned about more traffic coming in, especially during the construction phase. Mr. Staudohar said construction traffic will come through Meadow to Brown to Route 119 and we will put temporary signs stating "no construction equipment". Chairman Friedlander said I assume that you do not want them to make that turn easier but more difficult. Ms. Kelly said yes that is correct.

Mrs. Rachlin said a lot of people do come up that private road and they speed; it has become very dangerous. Mr. Staudohar said there will be new signage.

Mr. Tedesco said Mr. Kirkpatrick provided them with a copy of the proposed Jardim East Homeowner Association document. He asked if that will be affected in any way if it goes down to nine lots. Mr. Kirkpatrick said he believes there is a minor change but the overall concept will be the same. Mr. Tedesco said it will be made available for review.

Chairman Friedlander said the board wants them to move forward but they are hesitant to approve tonight because some things have not been examined fully. He asked Counsel Shumejda if there is a way the board can vote tonight with conditions that protect them for one more review. Counsel Shumejda asked Mr. Kirkpatrick exactly what they need to move forward. Mr. Kirkpatrick said they need a conditional preliminary approval. He said to close the public hearing and give them a preliminary approval. Counsel Shumejda said you actually need a preliminary approval. Mr. Kirkpatrick said he is assuming they will have conditions they will have to fulfill and for the Health Department they only need preliminary approval. Counsel Shumejda said since the board has some concerns that have to be worked out before they approve, would it be satisfactory for the moment to have a resolution approved by the Planning Board indicating that a straw vote has been taken showing that it is their intent to approve the preliminary proposed subdivision at the next meeting. In the mean time you can do all of your prep work. Counsel Shumejda reiterated, it is the consensus of the board to preliminary approve at their next meeting the proposed 9-lot subdivision with the condition that the 28.7 acre parcel be conveyed to the Town of Greenburgh to be part of the Taxter Ridge Park. He said we will provide you with an actual resolution.

Mr. Tedesco moved, seconded by Ms. Raiselis, to close the public hearing. Four in favor with one abstention; motion carried.

Mr. Kirkpatrick and Counsel Shumejda agreed that they do not need a SEQR designation because that was already done.

A straw vote was taken as follows:

Chairman Friedlander:	In favor of approval
Mr. Tedesco:	In favor of approval
Mr. Aukland:	Abstained
Ms. Raiselis:	In favor of approval
Mr. Birgy:	In favor of approval

Chairman Friedlander said once we iron out the few issues that we have, we will vote to approve this.

Mr. Kirkpatrick asked if they were bringing BFJ in for the approval. Mr. Tedesco said no that the board will further discuss the new plan together at the next staff meeting and will do the approval themselves.

PRELIMINARY PRESENTATION - Bromberg - 93 Highland Avenue

Mr. Charney Bromberg, the applicant, stated that he is before the planning board seeking approval to subdivide his property at 93 Highland Avenue. He briefly summarized the letter that he sent to the Board (copy attached). Mr. Bromberg said this is a minor subdivision as defined in Section 263-4D(2) since there are no roads or public utilities involved in this matter. The proposed subdivision results from a request for minor changes in the lots which were part of the of the original Tappan Hill Subdivision which was filed with the Westchester County Clerk.

Mr. Aukland asked if the property was already subdivided. Mr. Bromberg said no. Mr. Shumejda said there were a number of meetings and transferring of deeds but none were filed as a subdivision. Mr. Bromberg said that was in 1953 when his father bought that portion of the property.

Mr. Aukland said we have a clear historic intent to allow this subdivision and you have the right to subdivide because of the area you are in. You are looking to formalize that in accordance with the adjustments to the lot lines which were originally suggested? Mr. Bromberg said yes, exactly. Mr. Aukland said but in the material that he has the lot lines are exactly the same as on this old plan. Mr. Bromberg said he does not believe that is so. In order to make a building lot, they did the proper surveys for sites to deal with the runoff and to deal with the slope; and as a result the line that was being suggested that would make it sufficient for a buildable lot is not the original lot line when the property was purchased.

Mr. Bromberg said they are doing this so that they can sell the property and subdividing it makes it more appealing to sellers because they then have the option of putting a house on that property. He said Mr. McGarvey asked him about variances and he explained that the house was built with 2' thick walls and the reason it was placed so far in the corner is because that was the only location they could put it without having to blast. He said that he believes they do not require a variance because they comply with Chapter 305-62A of the Village Zoning Code which he quoted, "a change to a non-conforming building that does not increase the degree of non-conformity and which otherwise conforms to the zoning regulations does not require a variance."

Mr. Aukland said that they are not opposed to the subdivision but they need clarification for the basis of it. He explained that it is not a minor subdivision because it does not meet all of the code requirements; for example the code does not allow a shared driveway. Mr. Bromberg said they have drawings showing two driveways but he thought one entrance for a shared driveway might be better than two on Highland Avenue. Mr. Aukland said they are not necessarily opposed to the shared driveway.

Mr. Aukland asked him about the curved piece of land at the top of the lot beyond his property. Mr. Bromberg said David Swope, owner of all of Tappan Hill Mansion and Abigail Kirsch owns it.

Mr. Aukland asked Mr. McGarvey why, in one of his memos regarding this application, he said it is not a corner lot. Mr. McGarvey said the applicant is making the assumption that the driveway in the rear is an extension of Gunpower Lane; but in his opinion, it is a private driveway to a private facility at the top of the hill. He said there is no corner; there is a front yard, rear yard and two side yards. Mr. Bromberg said it is a private road and his father had the address as Gunpowder Lane, no number; and they changed it to 93 Highland Avenue. He said they have full access to that road; their mail is even delivered there. Mr. Aukland said to Mr. McGarvey that what he is saying is those private roads don't count as anything. Mr. McGarvey said there is something in the code that says if a private road meets Town standards, it can be used as frontage. Mr. McGarvey said actually a corner lot would hurt him because a corner lot has two front yards, a rear yard and one side yard; but with it not being a corner lot, he has a front, rear and two side yards which gives him more room. Mr. Aukland asked Mr. McGarvey if this is a building envelope he is comfortable with. Mr. McGarvey said yes he is comfortable with that.

Mr. Aukland said the main non-compliance would be the shared driveway. He stated that he is in favor of moving forward to a public hearing but would like to see how you could produce a compliant plan.

Mr. McGarvey explained that he should show a plan with two driveways and do the zoning with a front yard, rear yard and two side yards for the building envelope to show the board.

Chairman Friedlander explained that the original driveway is conforming but a shared driveway is not. He asked Mr. Bromberg to show it both ways and if there are other issues such as safety, they could determine which is better. Mr. Aukland said if you show us the non-shared driveway that gets you the minor subdivision which is much easier.

Counsel Shumejda said this cannot be a minor subdivision as presented because it does not comply with the code.

Mr. Aukland said that is it what he has been saying; but if he brings us a compliant plan, it will be a minor subdivision. Counsel Shumejda said that is correct.

Mr. Bromberg asked if the zoning being grandfathered applies. Counsel Shumejda said that's a different issue. The house is grandfathered; but you are asking for a subdivision and a minor subdivision must be compliant. Mr. McGarvey said it non-compliant because of the driveway issue; and if they resolve that, it will be compliant for a minor subdivision. He also asked about the setback. Counsel Shumejda said yes, once you get the driveway issue resolved, the other is of a lesser concern.

The board asked that Mr. Bromberg get the new material to them before the next meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board declares their intent to be Lead Agency; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a \$2,500 escrow; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a Public Hearing for the May 27, 2014 meeting; all in favor. Motion carried.

PRELIMINARY PRESENTATION - J. Scott Toth - 33 Main Street (Setback Inn)

Sam Vieira, project architect for the project, introduced himself and Scott Toth, one of the owners of the property known as the Setback Inn. He said the owners would like to construct a two-story addition in anticipate of a New York State Liquor Licensing requirement that food must be provided in a bar. In order to comply, they need to add on a 17' wide by 28' addition in the rear of the building. The building is on Main Street in the Historical District, which is why they are required to come before the Planning Board. Mr. Vieira explained that the building is a 0 lot line building and has three stories facing Main Street. The addition will not be visible at all from Main Street. Mr. Vieira explained that because of the slope of the property at the rear there are four stories; a walk-out basement, the first floor or main level where the bar is, and two residential levels above. The addition will only be for the basement level and the main level and it will require Zoning Board approval because the building is existing non-conforming for coverage and they will be increasing that coverage. He said the structure will be fire rated which is an improvement. He said presently there is a small storage area in the back which was an earlier addition which is overflowing with boxes, etc. That will be taken down for the new addition. The area will continue to be storage, and once the mandate comes in, they will obtain building permits to install a small kitchen on the main level of the addition and the basement level will continue to be used for storage. Mr. Vieira explained that the addition will not be used for patrons. The building and its use will remain that same with no additional room to be used by the public. There will be no increase in square footage that will affect the parking or the number of occupants.

Chairman Friedlander asked Mr. Vieira to compare the size of the addition in relation to the existing building. Mr. Vieira said the building is approximately 22' wide and 60+' deep; the addition will be 28' deep and 17' wide. The zoning allows for 0 lot line but they pulled it back on the west side to allow for maintenance and construction and on the east side of the building they are providing a 3 ½' setback to allow for an egress from the building. Right now there is a rickety staircase coming down into that area which they plan to rebuild and also provide an entrance in the building in that area.

Mr. Aukland asked Mr. Vieira if the yard is presently used for any purpose and if this addition will change any views. Mr. Vieira said the yard is not used for any purpose and said there are no views, except possibly to the north and that view will not be obstructed.

Mr. Aukland asked Mr. McGarvey if this is a change of use. Mr. McGarvey said no not now but in the future when it changes from a bar to a restaurant. Mr. Vieira said they are only doing this because the State is requiring food to be served; there will be no tables and chairs, it will remain a bar. Mr. McGarvey said the food will be brought out to the bar. Mr. Vieira said that is correct.

Mr. McGarvey asked when the law will come into effect. Mr. Vieira said it is in place now but they are grandfathered but they want to be prepared should they be required to comply.

Ms. Raiselis asked if they are going to do the construction after it is approved and not wait until the State says they have to comply. Mr. Vieira said yes they are going to do it now.

Mr. Birgy asked if there are any other safety issues that need to be addressed. Mr. Vieira said there are no other

safety issues besides the staircase but there will be improvements.

Ms. Raiselis asked if there are going to be any windows. Mr. Vieira said probably one in the rear. He said they are developing has they go along; there will be a door on both levels.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board declares their intent to be Lead Agency; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a \$2,500 escrow; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a Public Hearing for the May 27, 2014 meeting; all in favor. Motion carried.

PRELIMINARY PRESENTATION – Whisper Hill Condominium – 32 Windle Park

Mr. John Annunziata, Engineer for the project was accompanied by Nicholas Deutsch, President of the Board of Managements of Whisper Hill Condominium.

Mr. Annunziata explained that the original project was primarily retaining walls at either end of Building #4. From that point on everything slopes down to Franklin Street. It is very steep and their thought was to install a higher wall in order to prevent mud from running down onto the sidewalk on Franklin Street. He stated that the original wall was a railroad tie wall that rotted out. They went before the Architectural Review Board to change it to interlocking block. Once they were into the project, they were informed that the new steep slopes law applied; that nothing should be more than 25%.

Mr. Annunziata showed an as-built survey of what has been done up to now. He said the real challenge is that there is an area, which he pointed out on the survey that must be maintained for the Fire Department to gain access to the back of the building. This path/road makes it very difficult to maintain a 25% slope; so they decided to build a retaining wall not to exceed 4' right where the sidewalk begins. If they do that, they just about make a 25% grade or less in all areas except for the one compressed area.

Mr. Annunziata showed three proposals and explained as follows:

- Proposal I: 4' interlocking wall and filling in to wall in a straight line to keep it at 30%.
- Proposal II: 5' wall at Franklin Street; could work and it reduces the slope.
- Proposal III: Has an intermediate retaining wall that breaks up the slope; more costly and puts a burden on the homeowners.

Ms. Raiselis asked if this is for Section A or Section C. Mr. Annunziata said this is for Section A but Section C is the same but there is only one drawing with two notes.

Mr. Annunziata said they are asking the board to allow them to modify the grade as much as possible in that one area where they exceed 25%.

They are proposing to use plantings and ground cover to stabilize the soil much as it was before the work began; and in the fall, plant trees to replace the ones that were removed.

Mr. McGarvey said you have to show on this plan or section where the wall was and how high it was. Mr. Annunziata said the original railroad tie wall was back a few feet further and it was about 30" high. Mr. McGarvey said you have to show us a line going from the top of the wall 30", going up to the existing elevation 26; we need to see what that slope was because you are here for the disturbance of steep slope. For all three proposals, you have to show where that line was and how you are impacting steep slopes.

Mr. Birgy asked Mr. Annunziata to explain the section for the fire department access. He asked how wide it is and whether it is a walkway. Mr. Annunziata said he has never seen a plan but has been told that it is a fire department access. Mr. Annunziata said it is wider than a walk way; almost wide enough for a vehicle. Mr. McGarvey said there is a fire hydrant at the top near the building. Mr. Birgy asked what material it is made of. Mr. Annunziata said right

now it is gravel and dirt. Mr. Deutsch said that roadway is essentially how it has always been before any of the retaining wall work began; and we were told by Dominic, the Fire Chief, that it has to remain as it is.

Mr. Aukland recused himself from this application at this point in order to avoid the appearance of a conflict of interest.

Mr. Birgy asked if it is used for pedestrians or vehicles. Mr. Deutsch said he knows that it was been used to bring up supplies when they were building the complex and now it is used for non-emergency access such as for Con Edison to read the meters, etc.

Chairman Friedlander said they will have to look up the minutes of approval of Whisper Hill to see why that road is required.

Martin Hauser from Windle Park said he was told it was used for the fire engines from the fire house below to access the site if they need to get closed to the building in order to fight a fire. Mr. Birgy said that is why we need to know the reason for the road; in case something else has to be done to it to make it safer or more navigable. Mr. McGarvey said possibly grass-crete pavers; because if it's raining, the dirt and gravel is slippery. He said there is a fire hydrant at the back of this building; and they need a road in order to get to it. Ms. Raiselis said maybe the Fire Department should go and look at that site to see if it is still necessary. She said today's fire trucks are bigger and she can't imagine them being driven up there.

Mr. Hauser said he chatted with Dominic Morabito in January who said he is aware of that access road; and now that they are doing work back there, they have to make sure that access road stays there.

Mr. Annunziata asked what they need to bring back to the next meeting besides the minutes from the 1986 approval for the access road. Ms. Raiselis said they should find out from the fire department if it is still needed. Mr. McGarvey said you are going to have to show the board what the benefit is for the disturbance of steep slopes, which is why you are here. He explained that anytime you disturb the grade with a slope of 25% or greater, that is your disturbance of steep slopes. This board is trying to minimize that or you have to tell the board what is the public good for allowing that disturbance.

Mr. Deutsch explained that this work was begun under an emergency basis. The board was given an engineer's report that was done for the entire complex that said there is zero life expectancy for the railroad tie retaining walls. They had hoped to be able to keep all of the trees but wound up taking down 6 or 7 which was all but one, for which they obtained the proper permission. The trees had to be removed because of the roots popping through the existing walls and for the placement of the new walls. The steep slope issue came up after this work began. He said the benefit is that the slope is not going to slide down to Franklin Street. The trees that were removed will not fall on the adjacent utility lines; the new trees which will be planted will be more suitable for that sloped area.

Mr. McGarvey said he needs a planting plan showing the size and species of the trees and where they will be planted. Ms. Raiselis said our Landscape Architect, Lucille Munz will review the plan and make suggestions.

Counsel Shumejda said there is a section of the code which you have to address and he suggested that be done in written form. It's 305-67 (F), the steep slopes waiver provision which you have to address if you are seeking a waiver because you disturbed steep slopes. He said there are a couple of things that have to be provided before this application can move anywhere. You must provide the survey showing the 2½' prior railroad tie wall, show where the steep slopes were that you disturbed; comply with the waiver provision; find and provide the minutes explaining the reason for that access road; a fire department inspection so that they can determine what is needed there; and you have to have the Landscape Consultant's review.

Chairman Friedlander and Counsel Shumejda agreed that before they can proceed to the public hearing, they should bring those items into the next work session on May 15, 2014 at 8:45 a.m.

Mr. McGarvey said he has one questions about the plan. Does it indicate that the wall is not up against the sidewalk? Mr. Annunziata said it goes up to the property line and the sidewalk is beyond the property line.

Mr. Deutsch asked if the preferred proposal is Proposal I. Mr. Birgy asked Mr. McGarvey if that is his preference because not matter what proposal they use, they will be disturbing steep slopes. Chairman Friedlander said not necessarily because if they replaced the wall with a railroad tie wall in the same location it would be acceptable; any change from that has to be justified. Mr. McGarvey right now it is now backfilled all the way so they could take off a couple of blocks and get down to 30", back to where it was; but they higher they go with the wall and backfill, that will be the disturbance of steep slopes.

Mr. Annunziata said they may be able to play around with the fire access road which may give them less steep slopes. Mr. McGarvey said he has to see a plan.

Mr. Tedesco said he thinks it would be helpful if they could see a plan that doesn't disturb any steep slopes at all, even if it is not very desirable to the applicant. Mr. Friedlander said we would like to see a railroad tie wall exactly like the one that was there to serve as a basis starting point for us.

The board agreed to continue the preliminary presentation at the May meeting provided the information requested is provided to them for the May 15th work session.

PRELIMINARY PRESENTATION - Split Development Corp. - 56 Gracemere

Jim Annicchiarico, representative for Split Development Corp. gave the details of the proposed house as follows:

- Lot is on the south side of Gracemere.
- Single-family house.
- Approximately 6,400 s.f.
- There are no steep slope issues
- Utilities have already been bought up to the property line.
- Prepared a tree removal plans and landscape plan with the trees indicated as well as the species and size.
- Nothing has changed from the previous application.

Mr. Annicchiarico showed the side elevations of the proposed house.

Mr. Birgy asked Mr. Annicchiarico if he knew the slope of the grade. Mr. Annicchiarico said no but he is sure they are less than 25%.

Chairman Friedlander asked if this is the second lot from the aqueduct. Mr. Annicchiarico said yes. He showed the streetscape plan.

The board scheduled a site visit following the next staff meeting on May 15, 2014.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board declares their intent to be Lead Agency; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a \$2,500 escrow; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a Public Hearing for the May 27, 2014 meeting; all in favor. Motion carried.

RESCHEDULE OF MAY 26, 2014 MEETING

Due to the Memorial Day Holiday on May 26, 2014, Chairman Friedlander moved, seconded by Mr. Tedesco to reschedule the May 26th meeting to Tuesday, May 27, 2014 at 7:00 p.m. All in favor; motion carried.

ANNUAL MS4 MEETING

The annual MS4 meeting was held following the planning board meeting. Michael McGarvey, Village Engineer, conducted the information meeting and opened it to comments, questions and answers from the public. There were no comments or questions from the public.

ADJOURNMENT

Ms. Raiselis moved, seconded by Mr. Aukland, and unanimously carried, that the meeting be adjourned – 11:00 p.m.
All in favor; motion carried.

Dale Bellantoni
Planning Board Secretary