

# Planning Board Meeting Minutes – December 16, 2019

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A meeting of the Planning Board, Town of Yorktown, was held on **Monday, December 16, 2019 at 7:00 p.m.** at the Yorktown Town Hall Boardroom located at 363 Underhill Avenue, Yorktown Heights, NY 10598.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

- John Savoca, Vice Chairman
- John Kincart, Secretary
- Bill LaScala
- Aaron Bock
- Rob Garrigan, Alternate

Also present were:

- John Tegeder, Director of Planning
  - Robyn Steinberg, Town Planner
  - Tom D'Agostino, Assistant Planner
  - Nancy Calicchia, Secretary
  - John Buckley, Esq. – Oxman Law Group, PLLC
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## **Correspondence / Liaison Report**

- There were no liaison reports.
- The Board reviewed all correspondence.

## **Motion to Approve Meeting Minutes**

- Upon a motion by Bill LaScala and seconded by John Savoca and with all those present voting aye, the Board approved the meeting minutes of November 18, 2019 with corrections as noted.
- There were no meeting minutes for December 2, 2019 as the meeting was canceled due to the weather.

## **Motion to Open Regular Session**

Chairman Fon motioned to open the Regular Session, and with all those present voting aye, the Board opened the Regular Session.

## **REGULAR SESSION**

### **Furci's Restaurant**

SBL: 37.18-2-75

Discussion: Restaurant Expansion

Location: 334 Underhill Avenue

Contact: ResReal Designs

Description: Proposed conversion of the 798 sf second floor former office space to additional restaurant space in the C-2R zone.

Comments:

Carmine Furci, restaurant owner, was present. The Board stated that the plans have been submitted and reviewed for the parking calculations and all seems to be in order. The resolution was reviewed with Mr. Furci and there were no concerns.

Chairman Fon asked the public if there were any comments and there were none. Chairman Fon asked the Board, Planning Board Counsel, and the Planning Department if there were any comments. Mr. Tegeder reminded the applicant that the special use permit for the outdoor dining area will need to be renewed before Spring.

**Upon a motion by John Kincart and seconded by John Savoca, and with all those present voting aye, the Board approved the resolution approving an amended site plan for Furci's Restaurant at 334 Underhill Avenue.**

**Hilltop Hanover Subdivision - Lot #9**

SBL: 48.19-1-26  
Discussion: Finish Floor Elevation and Stormwater Amendments  
Location: 1178 White Horse Lane  
Contact: Michael Lewis Architects  
Description: Amendments to Finished Floor Elevations of lot #9 of the Hilltop Hanover Major Subdivision Plat, approved by Planning Board Resolution #03-03, dated February 10, 2003.

Comments:

Mike Martorelli was present. The Board had no issue with the amendment to the finished floor elevation. The Board reviewed the resolutions with Mr. Martorelli and there were no concerns. Chairman Fon asked the public if there were any comments and there were none.

Chairman Fon asked the Board, Planning Board Counsel, and the Planning Department if there were any comments and there were none.

**Upon a motion by Bill LaScala, and seconded by John Kincart, and with all those present voting aye, the Board approved the finished floor elevation for Lot #9 of the Hilltop Hanover Farm Major Subdivision, section 48.19, Block 1, Lot 26.**

**Upon a motion by John Savoca, and seconded by Bill LaScala, and with all those present voting aye, the Board approved the resolution approving the Stormwater Management and Tree Permit for Hilltop Hanover Farm Major Subdivision Lot 9, Section 48.19, Block 1, Lot 26.**

**387 Granite Springs – *This agenda item was moved to the Work Session.***

SBL: 27.14-1-74  
Discussion: Lot legalization  
Location: 387 Granite Springs Road  
Contact: American Custom Builders  
Description: Proposed single family house on a parcel considered to be a non-buildable lot.

**CVS-Crompond Road**

SBL: 26.18-1-25  
Discussion: Public Hearing  
Location: 3320 Crompond Road  
Contact: Cuddy and Feder, LLP  
Description: Proposed construction of a 14,700 sf CVS/pharmacy with a drive-thru on 1.96 acres in the C-3 zone.

Comments:

**Upon a motion by John Kincart and seconded by John Savoca, and with all those present voting aye, the Board opened the Public Hearing.** Dan Patrick, Esq. of Cuddy & Feder LLP; Dan Peveraro, P.E. of The Lauro Group and Dr. Philip J. Grealy, Traffic Consultant of Maser Consulting were present. Mr. Patrick stated that they are seeking site plan approval to construct a 14,698 sf CVS/pharmacy with a drive-thru and associated parking. The site is located at 3320 Crompond Road. They appeared before the Planning Board at the November 18<sup>th</sup> Work Session to review the application and address all comments by the Planning Department. Since that meeting, they have submitted updated site plans incorporating some of the changes requested including showing the lot lines for the three separate lots. The applicant has flattened the soil stock piles at the site to provide better visibility to neighboring businesses. They have submitted updated architectural renderings showing the proposed development. They met with ABACA on November 26<sup>th</sup> and have received their comments recommending some changes and are seeking the advice of the Planning Board with respect to those comments.

Mr. Peveraro stated that they are proposing about a 14,700 sf CVS at the corner of Route 202 and Stony Street which is the triangle between Route 202, Stony Street and Old Crompond Road. The proposed CVS will have a

drive-thru located at the northeast corner of the building with a queue lane going towards the south. There will be 68 parking stalls over to the west of the building. There is a green landscaped area along Stony Street that they have worked on with the Board throughout this project to beautify that corridor and is still a work in progress. The trash area is located in the back of the building. The site is lit with dark sky compliant LED lighting to reduce spill and glare. Most of the changes were more technical in nature besides the landscaping.

Chairman Fon noted that there was a concern from ABACA with respect to the landscaping and asked if this was addressed. Mr. Peveraro responded that he has been working with their landscape architect to come up with a different landscape plan that is not finalized as yet but the trees and plantings are similar. They will address their concerns.

Chairman Fon asked about the traffic situation. Mr. Peveraro responded that they had a traffic consultant, Phil Grealy from Maser Consulting, produce a report for this project. He noted that the consultant had previously looked at the entire corridor in the triangle from Stony Street to where Old Crompond Road meets Route 202 towards the west. Part of that plan was the work they are proposing in the right-of-way which includes the widening of Stony Street, allowance of a turning lane on Old Crompond Road and pedestrian access.

Dr. Phil Grealy, traffic consultant, stated that the big improvement is the widening along Stony Street approaching Route 202 to get the additional lane. As part of this project, they had to make signal modifications. The sidewalk system will continue around onto Old Crompond Road. The site will have the right in, right out access to Route 202 directly. They just started the detailed design plans with the DOT but still have to go through the permit process. This all ties into the master plan for this area as other development occurs. They have included all traffic from every other proposed project in the corridor.

Chairman Fon asked if they looked at the entire area with potential future development to try and solve the problem. Dr. Grealy responded that this is an overall plan to deal with potential improvements to this corridor. This is the first phase of the next set of improvements to this corridor. Chairman Fon asked about the deliveries. Dr. Grealy responded that they provided all the truck turning diagrams and there is no issue.

Chairman Fon asked about the possible connection between this development and the potential future development to the east. Dr. Grealy responded that there is a plan for a cross access connection as shown on the drawings. He said that DOT made it clear that they wanted this access to serve that property in the future so there would not be another point of access directly to Route 202. Any other access would be out to Old Crompond Road but at least this cross connection would be in place.

Chairman Fon asked about the grade of the parking lot. Mr. Peveraro responded that there is a good amount of grading on this site by virtue of the hill on 202. They chose to grade out the steepest areas where they would expect the fewest pedestrians. Cross sections and elevations were shown to the Board.

Chairman Fon asked about the screening of the rooftop mechanical equipment. Mr. Peveraro stated that they would be screened by parapets and showed viewsheds to the Board.

Chairman Fon stated that there were concerns from the businesses (*Hudson Valley Steakhouse*) behind the proposed CVS with regard to visibility. Mr. Peveraro stated that he is requesting the Board's input as to landscaping at the site as there were conflicting thought processes on how to best landscape the site and not obscure the view of the Steakhouse. They have added street trees and landscaping which doesn't help the view of the steakhouse but is visually appealing so it is up to the Board to determine the outcome as they are on the latest plans. Mr. Kincart stated that the balance of the two islands were mostly shrubs. Mr. Peveraro stated that the street trees around the perimeter were at the request of ABACA and the Planning staff. Mr. Kincart noted that they are trying to create a hamlet area concept and suggested that the street trees be kept to a minimum so as not to obstruct the view of the businesses behind. Mr. Peveraro stated that the street trees are in the town right-of-way along Route 202 as they cannot be on the site since there is a storm drain that runs along the property line. He stated that those trees are at the discretion of the DOT. Mr. Tegeder asked if the trees were the same species and spacing as to what is existing across the street at the BJ's site. If they are, they will not block visibility provided that the same spacing and species

is used. Mr. Tegeder advised Mr. Peveraro to provide renderings with the proposed species of trees at intervals to show the spacing along the street and the interior of the site. Mr. Peveraro responded that they will work with the landscape architect to address comments from ABACA and the Planning Board. He noted that the renderings showing the perspectives have not been done as yet until the landscaping is complete. Mr. Tegeder responded that they will look at the landscaping plan subsequent to the next meeting. Mr. Tegeder asked about a possible connection, such as pavers, out to the sidewalk. Mr. Peveraro responded that they did look at creating a connection but the grading is difficult to work with to create a pedestrian access.

Chairman Fon asked the public if there were any comments. Public comments as follows:

**Jay Kopstein, resident** – Mr. Kopstein stated that he agrees with the hamlet feel mentioned by Mr. Kincart. He feels that something has to be done with the pedestrian crossing. His observation is that there are more people using buses and riding bikes. He thinks that the light timing needs to be adjusted. In addition, with the right turn on red, he feels that eventually they are going to have a problem. He suggested raising the crosswalk for better visibility as an option. In order to have the hamlet feel, something needs to be done about the crosswalk. He suggested that the Board or Dr. Grealy possibly write a letter to DOT with this concern about the crosswalk.

Dr. Grealy responded that he agrees with the comment with respect to the pedestrian timing. He stated that part of the improvements will provide for push buttons on all corners. The restriping will be high visibility epoxy striping. In terms of raising the crosswalk in this location, the DOT would not be in favor of this because of the speeds. An extended green time for the pedestrians would be necessary as the bus is utilized by employees across the street. He stated that adding the additional lane as part of the improvements will actually give them more green time because they will have more lanes to handle traffic, which will allow the pedestrian phase to be extended. He noted that part of their permit is that they are going to give the DOT their recommended timings. Dr. Grealy added that they have identified on a Saturday that traffic turning into BJ's is still not right and will also be part of the improvement.

**Klevis Tana, Co-owner of the Hudson Valley Steakhouse** – Mr. Tana stated that he wanted to address the construction phase for this project. He reviewed the plans and noted that they had trailers on Route 202. He stated that there were trailers along 202 for two years during the pipeline project which hurt his business. He is asking the applicant to move their trailers to allow visibility to his business. Mr. Tana submitted an email dated 12-16-19 with his concerns to the Board.

Chairman Fon read Mr. Tana's email to all. Chairman Fon stated that they will work with the applicant regarding his concerns. Mr. Tana thanked the Board and the applicant for hearing his concerns.

Mr. Peveraro responded that they will work with the Hudson Valley Steakhouse and neighboring businesses. He noted that what was at the site previously will be very different during their construction process and this process will be less intensive. As far as the height of the fence, he thinks OSHA requires a 6 ft fence but they will look into it. With respect to the trailer location, they will need to look into it. Mr. Tegeder asked if the fence could be chain link as opposed to a solid fence.

**Marie, Resident** – She asked if this will be a 24 hour CVS? Mr. Peveraro did not have the answer to this question. Chairman Fon noted that there was no discussion about a 24 hour CVS during any of the meetings.

Chairman Fon asked if there were any other public comments and there were none. Chairman Fon stated that there are a few open ended issues that need to be addressed regarding this application. The Board agreed to adjourn public hearing. Mr. Tegeder stated that they will work with the applicant during the Work Sessions and then re-open the public hearing. Chairman Fon advised the applicant to work with the Planning Department, ABACA and the neighboring properties.

**Upon a motion by John Kincart and seconded by John Savoca, and with all those present voting aye, the Board adjourned the Public Hearing.**

### **Crystal Court Subdivision**

SBL: 27.11-2-43

Discussion: Public Hearing

Location: Crystal Court

Contact: PANBAR Realty

Description: Proposed 3-lot subdivision on 5.07 acres in the R1-20 zone.

Comments:

**Chairman Fon motioned to open the Public Hearing, and with all those present voting aye, the Board opened the Public Hearing.** Louis Panny of PANBAR Realty was present. Mr. Panny provided the public notices to the Board. Mr. Panny stated that they have completed all that was required at the request of the Planning Board. The current proposal is for a 3-lot subdivision. He noted that at one point it was a 4-lot subdivision in order to give the town the 4<sup>th</sup> lot with access to the lake. However, the town was not interested in acquiring this lot and it has since reverted back to a 3-lot subdivision with a conservation easement. Mr. Panny stated that they have addressed the Water Department and Engineering Department comments. He said that the Water Department wanted to close the loop for the water main which was done. They addressed the neighbors' concerns with respect to the drainage. They moved the drainage further down in order to have less impact on their properties as requested by the Board. The sewer is an extension off of Crystal Court and will pick up the 3 lots and has all been done per the town's requirements. The stormwater discharge will be at the bottom of the property into Crystal Lake.

Chairman Fon noted that there were some questions early on with respect to the residents. Mr. Panny responded that they addressed all the issues that they could. Mr. Kincart thanked the applicant for addressing the neighbors' concerns with respect to the drainage.

Chairman Fon asked the public if there were any comments. Public comments as follows:

**Carol Haims, 2785 Evergreen Street** – Ms. Haims thanked the Board and the applicant for addressing her concerns on the drainage as it affects her property. She asked if there will be any more tree clearing.

Mr. Panny responded that the only clearing that has to be done will be on the upper lot, the lower two lots have been cleared from the original application.

Mr. Tegeder reminded the Board that the applicant has received a violation for the previous removal of trees. The mitigation plan needs to be addressed with respect to what they are removing currently to effect the subdivision and what has been done in the past. Mr. Panny responded that there is already a mitigation plan in place for the previous tree removal which they are working on and has no bearing on this subdivision.

Chairman Fon noted that the Board received an email from Jeanne Pollock of 41 Granite Springs Road dated 12/13/19 with her concerns.

Chairman Fon asked the public if there were any other comments and there were none. Chairman Fon asked the Board and the Planning Department if there were any comments. Mr. Tegeder stated that the applicant will need to return to a Work Session for further discussion and the Board agreed.

**Upon a motion by John Kincart and seconded by Aaron Bock, and with all those present voting aye, the Board closed the Public Hearing.**

### **Motion to close the Regular Session and open the Work Session**

Upon a motion by Bill LaScala and seconded by Aaron Bock, and with all those present voting aye, the Board closed the Regular Session and opened the Work Session.

## WORK SESSION

### 387 Granite Springs Road

SBL: 27.14-1-74  
Discussion: Lot legalization  
Location: 387 Granite Springs Road  
Contact: American Custom Builders  
Description: Proposed single family house on a parcel considered to be a non-buildable lot.

#### Comments:

Chairman Fon stated that in terms of disclosure, he and Jon Farrell both work for the Town of Greenburgh. Jon Farrell of American Custom Builders, Anneke Leffel, property owner, and Elliot Senor were present. Mr. Farrell is proposing to build a single family house on this property which is considered to be a non-buildable lot. They are seeking to legalize this existing tax lot to a buildable lot.

Anneke Leffel stated that she purchased this property in 2016 from Mr. LaVoie who was the original owner and was given the original house plans from 1978. The lot in question was created by a deed transfer in 1978 as a buildable lot and has changed hands a few times. A sewer permit for this lot was issued by the Town in 2016.

For historical purposes, it was noted that Mr. LaVoie owned both pieces of the property and separated them on his own by creating a metes and bounds description of the property and essentially creating a lot line change without approval. The Town Assessor at that time ('78 or '79) said that he could not do this. The decision from the state was that you cannot deny the division of the land but it does not create a buildable lot. Mr. Tegeder responded that the whole piece was created by the subdivision of 18 acres in a 1 acre zone. This section is in a ½ acre zone and therefore, is not a buildable lot. The lot that remains conforms to current zoning requirements.

#### History:

- In 1978, Mr. LaVoie sells the lot to himself.
- In 1980 he sells the lot to Mr. Bernard who owns it from 1980 to 1990.
- In 1990, Mr. LaVoie takes the property back.
- In 2016, Mr. LaVoie applies for a sewer permit and gets it. He then sells the property to Ms. Leffel.

The Board requested that the Planning Department review the application and place this item on the next Work Session for further discussion. Mr. Kincart noted that the deed should be looked at to see if there are any restrictions. Chairman Fon stated that the next steps would be to file a plat and treat this as if it were a subdivision with basic stormwater requirements, environmental impacts, etc. Mr. Tegeder stated that since Ms. Leffel owns the adjacent property, the lot line can be shifted if necessary.

### Swope Trust - Griffin

SBL: 6.17-1-30  
Discussion: Preliminary Site Plan  
Location: 323 East Main Street  
Contact: Glenn Griffin  
Description: Proposed 3,000 sf building for office/retail use on approximately 2 acres in the Country Commercial zone

#### Comments:

Glenn Griffin was present. Chairman Fon stated that the Board conducted a site visit with the Conservation Board on Sunday, December 15, 2019. He said that they walked the general area and had many concerns with what they saw on some of the surrounding properties and questioned if everything out there was legal. He noted that they saw lots of commercial vehicles in the area and questioned how the Board should address this. Do they ask the Building Department to go and assess the area and inform the Town Board? Mr. Tegeder responded that to his knowledge there were some enforcement actions.

Chairman Fon noted that where the property in question is, there are development parcels up and down the block. He stated that the Planning Board and Conservation Board are more concerned holistically with the entire area and not the small application. The Planning Board has no concerns with the proposal for a small commercial building and feel there would be opportunity for wetland mitigation. Mr. Griffin asked the Board how he should proceed with the application as the property owner would like to close this month. Mr. Kincart suggested that he could quantify the sale of the property contingent upon getting site plan approval. The Board stated they would not prohibit this application, however, they would not be the only agency involved. The applicant was informed that it is a rigorous process which will include the DEC due to the fact that this property is on Lake Osceola and they are worried about the quality of the water. The proposal will have certain impacts on this site and those impacts will need to be considered by the applicant. The Board advised Mr. Griffin to meet with the Planning Department to go over the process to get an idea as to how to move forward.

**Town Board Referral - Special Use Permit for a Gas Station at 3700 Barger Street**

SBL: 16.07-1-43  
Location: 3700 Barger Street  
Description: Proposed MS4 Stormwater Management Permit, Wetland Permit and Special Use Permit for a gas station. The proposed work is for the demolition for the existing Getty Automotive Service and replace it with the construction of a new gas station with a 2,000 sf convenience store and a 2,200 sf canopy and associated appurtenances.

Comments:

Rich Williams, P.E. of Insite Engineering and Danny Porco of NY Fuel Distributors, LLC were present. Mr. Williams stated that they made a re-submission to the Town Board earlier today. The revised plans were shown to the Board. He noted that the changes made reflect some of the Planning Department's comments. They have re-oriented the pumps, provided a plan to show the turning movements for how cars come in and out of the site, and set up a "Do Not Enter" point just north of the building. They are proposing to shift the building slightly east towards the brook.

Mr. Williams stated that he received a copy of the Maser traffic report for the corridor study from the Planning Department. He noted that the study appears to have stopped short of the intersection. Discussion followed with respect to a possible signal at the intersection. The Board noted that the intersection is a big concern and should be reviewed.

Chairman Fon stated that they conducted a site visit with the Conservation Board on Sunday, December 15<sup>th</sup>. He stated that the site is a mess and questioned if the Building Department needs to be notified. Mr. Williams responded that he cannot deny nor contest what the condition of the site is currently. He said that they plan to remove all the debris off the site including the 55 gallon drums. He noted that there was contamination from the existing underground tanks which are to be removed as part of the clean-up process. All suspect items will be removed by licensed professionals. If any contamination has been incurred, all agencies will be informed. The Board stated that they are concerned about the clean-up for the wetland and brook and suggested that the Conservation Board be involved in the process.

Mr. Williams stated that they want to maintain more green space that is currently on the site, which will help with flood storage since the site is in a flood zone. They will review the stormwater impact at the site for water quality. Mr. Bock stated that a stormwater maintenance agreement between the applicant and the town should be put in place. Mr. Williams responded that he met with the Town Engineer to go over the design. The Town Engineer requested that they TV the sewer line and a stormwater maintenance agreement was discussed. Mr. Bock noted the Westchester County Planning Board letter dated 11/1/2019 with respect to green space and parking.

Mr. Tegeder noted that there is undeveloped property behind this site that has a history of development proposals. Discussion followed with respect to possibly creating access at the south end of their property. This would be a good opportunity to make the current situation better for the town to provide safe access for the future conditions. Mr. Porco stated that he does not feel he should be concerned about a future development that may never happen. This consideration will delay his development and create financial constraints. Mr. Williams responded that he felt

there was too much discussion for a development not even pending. Chairman Fon stated that the site needs to be looked at holistically as there are issues that need to be addressed. The Board is concerned about the present and future development of this area as it will impact the traffic.

Chairman Fon asked about traffic queueing from the traffic light on the western side of the site and if the applicant was looking to keep both accesses to the site. The concern is the turning movements at the intersection of Barger with East Main Street. Mr. Kincart stated that he was also concerned about the circulation for refuse and deliveries on the site. Mr. Williams responded that they need the access on East Main Street for deliveries and fuel trucks. Mr. Bock asked about the northwest entrance and the response was that it was for incoming fuel trucks and customers.

The Board suggested shifting the building north to allow for a future right-of-way. Mr. Williams responded that they did not consider moving the building up as it is a gas station and they would need access on the main road. By shifting the building to provide access would eliminate parking and create a logistical problem. Mr. Kincart stated that they could slide the building north and utilize the south portion for green space as well as addressing all the reasons stated by Mr. Tegeder for the welfare and safety of the public.

The Board requested that the Planning Department prepare a memo to the Town Board with their comments as discussed.

**Lowes Building Pad “A”**

SBL: 26.18-1-17  
Discussion: Site Plan  
Location: 3200 Crompond Road  
Contact: Site Design Consultants  
Description: Proposed 12,500 sf office/retail building on building pad ‘A’ of the approved Lowe’s Home Center Site Plan.

**Comments:**

Joseph Riina, P.E. of Site Design Consultants, Michael Grace, Esq., and Bob Rosenberg of Breslin Realty were present. Mr. Grace stated that the applicant has a tenant for building pad “A” located at Crompond Road aka Route 202 to the west. The tenant is to be a specialty store with its own parking requirements. They have worked through many plan iterations and have come up with the proposed site plan which was submitted to the Board.

Mr. Riina showed the plans to the Board. He noted that the site plan is straight forward and is tenant driven. As stated previously, they worked through many plan iterations and, in their opinion, this plan works the best. The front entrance of the new building will be facing the Lowes building. The loading area will be in the back of the building which faces Crompond Road and will include a pallet area. There will be two 10 foot high retaining walls. There will be a 20 foot elevation from the existing grade on Old Crompond Road. The biggest challenge was to get the proper turning movement for the trucks. The majority of parking faces the front of the store. The employee and patron parking was shown on the plans. There are 60 parking spaces proposed on the plan where 50 parking spaces are required by town code. They will be creating more crosswalk between pad sites A & B for the purposes of connectivity on the site.

Mr. Kincart asked about screening the retaining walls as this is a concern. Mr. Riina replied that they will screen the lower section and provide landscaping in between. Mr. Tegeder noted that the visual impact for the retaining walls from the hill will need to be looked at. Mr. Tegeder asked about the building façade. Mr. Riina stated that they will be using the same architect as they did for building pad “B”.

Mr. Tegeder stated that they will need to review what was approved for the Lowes site plan and associated building pads to evaluate the differences. Mr. Riina stated that he will do some work to show any significant difference from the approval. The Board had no issues with the project moving forward.

### **Correia Site Plan**

SBL: 6.17-2-65  
Discussion: Site Plan  
Location: 250 East Main Street  
Contact: Site Design Consultants  
Description: Proposed storage facility on 8.22 acres in the Country Commercial zone consisting of two 1 ½ story buildings with 6,000 sf each.

#### Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that per the Planning Board's comments from the November 4<sup>th</sup> Work Session, he has moved one building over. The plans were shown to the Board. The Fire Advisory Board memo dated 12-13-2019 was addressed. The Board was pleased with the new location. Mr. Riina stated that the applicant is requesting to move forward with the project.

### **Atlantic Appliance**

SBL: 37.15-1-31  
Discussion: Site Plan  
Location: 2010 Maple Hill Street  
Contact: Site Design Consultants  
Description: Proposed to construct a 2-story retail/office building on 1.57 acres in the C-2 zone.

#### Comments:

Joseph Riina, P.E. of Site Design Consultants and Joey Vako, property owner were present. Mr. Riina stated that the concept plans have changed since they were before the Board on October 21<sup>st</sup>. The change is geared towards the grading on the site and the lower level warehouse area to accommodate the size of the trailers. The building was pushed over and will not be centered as originally proposed. The proposal is for a 1 ½ story building with 6,000 sf of office space in the mezzanine level and 10,000 sf of warehouse use on the main level. The total square footage of the building is 16,000 sf. He noted that the front of the building decreased but the square footage increased. The primary entrance was shown on the plans. The entry in the lower level will be in the loading dock. An additional trash enclosure for a compactor was added to the plan. There will be a series of retaining walls. The primary parking area was shown on the plans. As previously discussed, they are proposing to bank parking spaces that they don't feel they need. Mr. Riina stated that they are scheduled for stormwater testing with the DEP and the town at the end of the week and will report back to the Board with their findings. The applicant is requesting to move forward with a Public Informational Hearing.

The Board had no issues and requested that the Planning Department schedule a Public Informational Hearing in January.

### **Nantucket Sound, LLC**

SBL: 37.18-2-86  
Discussion: Preliminary Site Plan  
Location: 385 Kear Street  
Contact: Site Design Consultants  
Description: Proposed three story building with a mix of residential and retail uses on 0.36 acres in the C-2R zone.

#### Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that the concept plans have changed from the previously submitted proposal with the building, retail tenant and drive-thru set up. The proposal is for a three level building. The lower level is proposed to be 2,550 sf of retail use with seven associated parking spaces. The two upper levels are proposed for residential use at 2,700 sf. each. Each level will consist of three residential units. The residential parking area is to be on the north side of the building facing Route 118. The trash enclosure will be moved to another location. They are proposing a common area for the tenants. As of now, the plan is conceptual and more details will be provided as the project progresses.

Mr. Tegeder noted that a sidewalk connection to Route 118 to get to Caremount should be considered. He asked Mr. Riina what parking ratio he used for the apartments. Mr. Riina replied he used 2.2 parking spaces per unit. The Board requested to show the roadway to Route 118.

**Motion to Close Meeting**

Upon a motion by Bill LaScala and seconded by John Savoca and with all those present voting aye, the Board closed the meeting at 9:35 p.m.