

Planning Board Meeting Minutes – September 11, 2023

A meeting of the Town of Yorktown Planning Board was held on Monday, September 11, 2023, at 7:00 p.m. in the Town Hall Boardroom.

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

- Aaron Bock
- Rob Garrigan
- Bill Lascala
- Bob Phelan

Also present were:

- John Tegeder, Director of Planning
 - Robyn Steinberg, Town Planner
 - Ian Richey, Assistant Planner
 - Nancy Calicchia, Secretary
 - Adam Rodriguez, Esq.
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Correspondence

The Board reviewed all correspondence.

Motion to Approve Meeting Minutes of August 14, 2023

Upon a motion by Aaron Bock, and seconded by Bob Phelan, and with all those present voting “aye”, the Board approved the meeting minutes of August 14, 2023.

Motion to Open Regular Session

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board opened the Regular Session.

REGULAR SESSION

Volta EV Charging Stations at Staples Plaza

Discussion: Request for First One-Year Time Extension

Location: 36.06-2-76; 3333 Crompond Road

Contact: Cuddy & Feder

Description: Approved electric vehicle charging stations in existing curbed islands adjacent to existing parking spaces.

Comments:

Allison Fausner, Esq. of Cuddy & Feder was present. Ms. Fausner stated that the applicant is requesting a first-one year time extension for the approved electric vehicle charging stations at Staples Plaza. There are no changes to the approved site plan. Volta was acquired by Shell earlier this year so all developments were on pause. They are now ready to continue their deployment efforts and have identified Yorktown as a priority site. Chairman Fon asked the Board if there were any issues and there were none.

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the first one-year time extension for the Volta EV Charging Stations at Staples Plaza.

670 East Main Street

Discussion: Decision Statement

Location: 16.08-1-34; 670 East Main Street, Jefferson Valley

Contact: Hahn Engineering

Description: Proposed to remove existing single-family house and detached garage and construct 4 two-story, three-bedroom townhouses and 12 parking spaces.

Comments:

Anthony Genovese; and Thomas Racek; property owners were present. The applicants reviewed the draft resolution and had no issues. Chairman Fon asked the Board if there were any issues and there were none.

Upon a motion by Bill Lascala, and seconded by Bob Phelan, and with all those present voting “aye”, the Board declared themselves Lead Agency.

Upon a motion by Aaron Bock, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board adopted the Negative Declaration.

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the resolution approving residential site plan for the proposed townhouses at 670 E. Main Street.

Envirogreen Associates

Discussion: Request for Second One-Year Time Extension
Location: 15.16-1-30 & 31; 1833-1875 East Main Street, Mohegan Lake
Contact: Site Design Consultants
Description: Approved by Resolution #21-22 dated September 27, 2021, redevelopment of the property removing 2 existing building and parking area to construct a new 12,400 SF retail building with associated parking, landscaping, lighting, and stormwater improvements.

Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that the applicant is requesting a second one-year time extension. They received their DEC wetland permit and are currently waiting for the Army Corp permit. Chairman Fon asked the Board if there were any issues and there were none.

Upon a motion by Aaron Bock, and seconded by Bill Lascala, and with all those present voting “aye”, the Board approved the second one-year time extension for Envirogreen Associates.

Guiding Eyes for the Blind – Training School Kennel

Discussion: Public Hearing
Location: 36.06-2-72; 3241 Crompond Road
Contact: Zarin & Steinmetz, Site Design Consultants
Description: Proposed construction of a Guide Dog training facility/kennel/veterinary hospital and office space with associates parking, stormwater management, utilities, landscaping, and lighting on 12.24 acres in the interchange zone.

Comments:

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board opened the Public Hearing. David Steinmetz, Esq.; Joseph Riina, P.E. of Site Design Consultants; Anthony Russo of Environmental Compliance Services, Inc.; Abigail Adams, Landscape Architect; Paul Gladysz, Architect of BDA Architecture; Dr. Phil Grealy, Traffic Consultant of Colliers Engineering; Tom Panek, President and CEO; and Bill Ma, Head of Technology and Operations were present. Mr. Steinmetz stated that they received correspondence today from the Tree Commission and Conservation Board. The proposal is for a new state of the art Guiding Eyes facility that would house up to 200 canines. Their traffic consultant submitted a report which shows that their traffic is below the originally proposed Temple Israel traffic that was reviewed as part of the overall Lowe’s traffic analysis.

Mr. Riina stated that the proposal is for a canine health and wellness center that is to be located on Crompond Road and Mohansic Avenue opposite the Lowe’s Shopping Center. The site is currently improved with a single-family residence and driveway that has been abandoned for quite some time. The existing residence is proposed to be demolished as part of the proposal. The proposal is for the construction of a 36,000-sf building with a center courtyard. There are 11 pods in total; each pod contains 10 kennels with yard space for the dogs. The wetlands have been delineated and surveyed as shown on the plans. The site will be accessed over the existing driveway. The existing culvert on the site will be replaced with a larger culvert. The proposed roadway coming into the site is 26-ft wide as required by the Fire Department for emergency access. Some of the wetland area is proposed to be disturbed. As you enter the site, there is a loop road that goes around to the rear of the building; two locations are gated. Visitors are required to park in the front parking area and the remainder of the spaces will be used for staff and vans. The parking spaces are proposed to be porous pavement. All the stormwater from the impervious area will be collected and conveyed to an underground infiltration system. The property will be serviced by sewer, water and gas and all the utilities will be underground. As discussed during previous meetings, there is a NYSDEC designated construction debris landfill on the site that is to be remediated as part of the application under the permit to be issued by the NYSDEC.

Chairman Fon asked the public if there were any comments:

1. Darren Vijacki, 2471 Mohansic Avenue – Mr. Vijacki was concerned with the cut line of the parcel and the natural buffer zone. He is also concerned with the southwest portion of the property as he owns some property in that area and questioned what the buffer would be should this area be developed in the future (landscaping or fencing) as it's a 30-ft setback for residential and 50-ft for commercial. He also questioned if there was an option for him to tie into the sewer connection. He asked about the sound study. He added that he did have an opportunity to tour another Guiding Eyes facility and noted that they keep a nice property and is not opposed to the facility.
2. Tim Beachak, owner of Signs Ink (adjacent property owner) – Mr. Beachak stated that the proposal will benefit the community and looks forward to having Guiding Eyes as their neighbors.

Mr. Riina reviewed the plan and showed the 50-ft setback off the property line (dash line on plan). The landscape plan proposed is providing an extensive buffer along that edge. Mr. Vijacki's house was shown along with the rear vacant portion of his property. Chairman Fon asked about a possible sewer connection. Mr. Riina stated that Guiding Eyes is considering providing an easement and possibly facilitating an installation of a future sewer connection through their site. Discussion followed.

Paul Gladysz reviewed the design of the building and sound study with the Board. He stated that his firm specializes in animal care facilities across the country. The goal is to develop a state of the art training kennel facility for Guiding Eyes and noted that this will be one of the most sophisticated facilities in the country. They have put much time and effort into controlling the noise, odor and pathogens which are all incorporated into the design of the building. The noise levels that were tested from the existing facility on Granite Springs Road has none of the features proposed in the design for the new facility. The survey indicates that if the suggested practices are installed, the noise emanating from the proposed site, worst case, will be less than the ambient noise levels of the existing site. The building will consist of a main core for general services such as a veterinary hospital, staff offices, training rooms and pods. Surrounding the main core will be five buildings, containing two pods each. Each half will contain 10 kennels. To further compartmentalize, only two dogs will be together in a run. Separating the dogs in this fashion will reduce the overall source of sound, specifically barking. Within these buildings, there will be acoustical materials making up the ceilings as well as the higher parts of the walls. The yards along the southern side of the building will contain sound absorbing fencing to prevent sound from carrying to the neighbor along the southern edge of the property. According to the sound survey, between the sound absorbing fencing, the lower number of dogs together at one time, the berm achieved by the cut to the grade, and distance separation, the sound leaving the site will be less than the current ambient sound levels. Mr. Bock asked if the sound barriers suggested by Cerami were currently included in the design. Mr. Gladysz confirmed that they were. Mr. Tegeder stated that some further clarity may be worthwhile at a later date with the acoustics expert and architectural firm. Mr. Steinmetz asked if the Planning Department will submit a comment memo. Mr. Tegeder responded that they could and would be happy to meet with the applicant to go over the details.

Chairman Fon asked about the lighting. Mr. Gladysz showed the lighting fixtures and cut sheets to the Board. The utility yard lights as well as the lighting above the doorways will be 90 degrees. Mr. Riina discussed the parking area lighting. Parking lot pole mounted lights and bollards that are both code compliant will be used.

Abigail Adams reviewed the landscape plan for the screening and the buffer. Along the south side of the property they are proposing a mix of 73 continuous evergreen trees that are to be placed on top of the cut. The install height will be 7 to 8-ft. for this material. The intent of this layout is to mask the building entirely from the southern side of the property once the trees are fully developed. Mr. Tegeder asked if they are represented as mature plantings. Ms. Adams responded that generally when she prepares the landscape plan she typically has them at 80 percent mature, so they are not quite full size. Mr. Phelan asked if the 7 to 8-ft trees at install were on top of the cut and the response was yes. Mr. Bock asked about the Tree Commission's comment memo. Mr. Russo responded that they would be fully compliant with the planting of willow trees as well as coordinating a joint purchase for the town nursery.

3. Darren Vijacki, 2471 Mohansic Avenue - Mr. Vijacki asked for clarification on the distance from the plantings to the property line as well as what would consist of that space. He questioned if it would make sense to plant up to the border and maybe install a fence as he feels it would be difficult to maintain the natural buffer. He also asked about the southeast plantings and thought it may make sense to wrap the plantings around further to the front.

Ms. Adams stated that the plantings would be above the cut and that there would be 20-25 feet between the planting area and the property line. That 20 feet would consist of existing wild trees, shrubs, and invasives. Mr. Riina stated that

Guiding Eyes is willing to keep the natural buffer area under control to prevent it from becoming overgrown. Mr. Tegeder requested that the applicant produce a plan and cross sections for review.

There were no other comments.

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board closed the Public Hearing with a 10-day written comment period.

MJM Land Development

Discussion: Public Informational Hearing

Location: 17.18-2-2; 3232 Gomer Street

Contact: Site Design Consultants

Description: Proposed flexibility alternative for 13-lot single family subdivision on 12 acres in the R1-20 zone.

Comments:

Upon a motion by Rob Garrigan, and seconded by Bob Phelan, and with all those present voting “aye”, the Board opened the Public Informational Hearing. Chairman Fon explained the planning process to the public. Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that the site is located at 3232 Gomer Street and is formerly known as the Karagozian property. The property is currently improved with several structures. The property fronts Gomer Street and has a deeded town right-of-way access on the south side of the property to London Road and is adjacent to Ponderosa Estates and to the north by Cordial Road. The property is a total of 12 acres and is zoned R1-20 which requires a minimum of 20,000-sf for each lot. The proposal is for a 13-lot single-family subdivision utilizing the flexibility standards. A conventional layout plan for the site that meets all the current zoning standards was shown. This plan shows two roadway accesses; one from Gomer Street with 7 single-family homes; and another roadway from Cordial Road that shows 6 single-family homes. The green shaded areas on the plan are wetlands (center and to the east); and the brown shaded areas are the 100-ft control area. A few months prior, they were before the Planning Board to look at the plan under the flexibility standards to allow them to reconfigure the plan in such a way to reduce the impacts by reducing lot sizes, varying setbacks, etc. The Planning Board then referred them to the Town Board for authorization of the use of the flexibility standards which was subsequently approved (*Town Board Resolution dated July 18, 2023*). The flexibility layout plan pulls the roads away from the buffer and also provides usable yards. Each lot will have its own stormwater management system. The property owners have agreed to oversize the stormwater management system beyond the existing requirements. The lots will be served by public sewer and water.

Chairman Fon informed the public that there were a few plan iterations. The Planning Board conducted a site visit and determined that using flexibility standards would be the prudent approach. The project was then approved by the Town Board for use of flexibility standards. The meeting this evening is to present a basic concept plan and is not detailed as yet.

Mr. Riina stated that there was a question about the road width for Cordial Road. They looked at the county GIS website and basically 300-ft west of the property the standard road width (24-ft) goes down in some areas about 15 or 16-ft and continues to be narrow up to Curry Street. Chairman Fon informed the public that the road width is the paved area and beyond that there is additional right-of-way in which the town could make improvements if necessary.

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

1. John Settembrino, 31 Adela Court (Ponderosa Estates) – Mr. Settembrino stated that he is on the Board of the Ponderosa Estates; and is also on the Open Space Committee. Although the development will not affect him, his neighbors are concerned. He stated that every piece of that property drains onto Adela Court. He noted that the tiny streams in the summer time become torrential in the spring time and flows into their pond to the Gomer wetlands to Sparkle Lake and then to the reservoir. His understanding is that the Gomer wetlands is a sanctuary and can't be built on. He added that Sparkle Lake is full of invasive species. He is concerned about the stormwater run-off and possible contaminants flowing under their street into their pond and subsequently into the reservoir. He is a capitalist and believes that everyone should do what they can but feels that consideration should be given to the neighbors.
2. David Liebman, 261 Cordial Road – Mr. Liebman feels that the surrounding area (Cordial Road, London Road and Gomer Street) needs to be looked at with respect to access and construction vehicles. He feels that construction vehicles will not be able to get through Cordial Road and noted that many of the Cordial Road residents park on both sides of the street unlike London Road or Gomer Street. Most of the residences on Cordial Road have 4 and 5 cars and if you add that to the width of the road it shrinks exponentially. The average dump truck measures about 10-ft and noted that a bulldozer with a 14-ft blade will not fit on Cordial Road. Logging trucks on average are about

12-ft wide and he feels that it would be difficult to drive trucks of that size down Cordial Road. He noted that it was mentioned that the property on either side of the road is owned by the town and he is hoping that this road is not proposed to be widened to serve the development, and if so when would this be done. He feels that it is not feasible to use Cordial Road in its current width to have two lane traffic of large trucks through a small town road. He questioned if Cordial Road was a standard width in town. He noted that London Road is huge and Cordial Road is not and feels that there should be some level of understanding of what joining this development to Cordial Road will do to them. He is concerned with the construction phase and how it will affect Cordial Road. He thought that wetlands could not be disturbed but recently found out it is possible to disturb a small part of wetlands. His point is that there must be a way to create the development without involving Cordial Road. The applicant is entitled to do with his land what he wishes within the law and the zoning regulations but they should have the right to some level of protection. He feels aside from the traffic, it doesn't work construction wise to connect through Cordial Road. He questioned if the development would include low income housing. He feels that there should be some consideration to installing a traffic light at London Road and Gomer Street for the increased traffic.

3. John O'Connor, 35 Adela Court (Ponderosa Estates) – Mr. O'Connor stated that water is his biggest concern. Ponderosa Estates is below Gomer farm and all the water from the farm streams down onto their properties. Their water control system is about 35 years old. The water flows into their retention pond under London Road into the wetlands. He feels that digging up the farm and removing trees will greatly disturb the current waterflow; mud, dirt and debris will enter their water control system. He questioned who will be responsible to identify these problems during construction; who will dredge their compromised retention pond from all the mud and debris; who will provide the necessary resources for any of these potential issues to be resolved? Are the roads going to be public or private roads into the development. He asks this because the town sprays and salts the roads for snow which will affect the downhill properties. He feels that if this project is approved, the developer should be required to set up an escrow account with substantial funding to address any water issues during construction and into the future to cover expenses regarding any water issues on their properties.
4. Resident, 229 Cordial Road - She is concerned about the wetlands and thought that they were not allowed to build on wetlands.
Chairman Fon responded that work can be done within a wetland but would require a permit and mitigation. It would also depend on the type of wetland involved.
5. Scott Markman, 253 Cordial Road – Mr. Markman's concerns are traffic near the new road, specifically right and left turns will be dangerous; sight distance; maneuverability of trucks onto the road; and the wetlands. He noted that many children play on the street.
6. Nirmal Gupta, 209 Cordial Road – Mr. Gupta stated that he is a resident of 45 years. He stated that the development in his neighborhood has gotten worse and feels that the creation of the Ponderosa Estates caused drainage problems and traffic. He doesn't feel that Cordial Road should be connected to this development. He feels that there will be traffic, drainage and noise problems. He also noted the topography.
7. Karen Ireton, future resident of Cordial Road – Ms. Ireton stated that her in-laws live on this road and noted that it seemed as if a traffic study was being done in the neighborhood and questioned if it was related to this project.
Chairman Fon responded that it was not related to this project. Mr. Tegeder stated that the study was a county effort and not pursuant to this project.
Ms. Ireton questioned if a traffic study would be conducted and if so thought it should be done during the school year with the extra traffic. She added that the residents park their cars on both sides of the road; and the children also play in the road. She feels that more traffic on this road would be problematic.
8. David Liebman, 261 Cordial Road – Mr. Liebman informed the Board that the State of New York is conducting a traffic study which has nothing to do with this application. There are traffic counters on Cordial Road and all over northern Westchester and southern Putnam counties.
9. Mark Lieberman, 3305 Wells Street – Mr. Lieberman stated that he believes that Mr. Lascala lives adjacent to this proposed development and feels he should recuse himself from this project.
10. John Settembrino, 31 Adela Court (Ponderosa Estates) – Mr. Settembrino stated that about two years ago he sampled the water that comes into the pond for fecal coliform bacteria and brought it to Yorktown Labs. He was informed by the lab that there was fecal coliform in the water and thinks that this should be addressed.
11. Grace Siciliano, 3090 Gomer Street – Ms. Siciliano stated that at the Town Board hearing for the flexibility standards she mentioned a possible solution which was to keep the 7 homes fronting Gomer Street and possibly use the rear parcel for a recreational area since there are concerns with the roadway, vegetation and wildlife. She feels

it would solve the issue for the children playing on the street and would also allow for a parklike environment. However, if they do decide to go forward with the proposed plan, she would then ask the Board to consider the London Road access. She noted that she is the neighborhood watch captain for a portion of Gomer street and is in contact with Highway Superintendent Paganelli and Officer Roer about the traffic situation and is working with them to install speed limit signs for 30mph and hopefully install speed sticks from Gomer Street, Route 6 and also at the corner deli. She noted that she has observed trucks and cars parked on the side of the road blocking the entrance into the deli or proceeding on Gomer Street. These individuals will now be fined \$200.00. She added that the resident opposite the entrance into the Gomer Street section of the proposed project had some safety concerns and suggested that the Board consider altering the Gomer Street entrance to not face this resident's driveway. Another resident mentioned that he had an aerial view of this parcel and stated that some of the soil was contaminated and questioned who would be responsible for this. She asked if the existing brick house could be used as a retaining wall on the Gomer Street entrance to control the water. She also asked the Board if there was a law where they can give the applicant money if it was decided not to use the 6 homes on the Cordial Road side as they can't use that parcel.

Chairman Fon responded that the town would have to buy the property or the applicant would deed it. He noted that the Recreation Commission will also be involved during the process.

12. David Liebman, 261 Cordial Road – Mr. Liebman stated that he is under the impression that the development is approved and that this is just a cleanup.

Chairman Fon responded that the project is not approved and noted that they are at the beginning phase of the review process. Mr. Bock explained the process and noted that once the plan becomes more detailed, various consultants (applicant and town) will be involved. The Planning Board will assess the impacts of the proposal as they go through their decision making process.

13. Hector Guerrelo, 217 Cordial Road – Mr. Guerrelo stated that his home is located at the bottom of the hill of Cordial Road and noted that he is forced to replace his mailbox once or twice a year when the roads are icy. He added that there are two sewers on either side of the road near his property which overflows into his rear yard. When it rains it takes a week for it clear up. They live on a residential street and he would like it to stay that way; they like their small road where their kids can go outside and play. He feels that widening the street will make it more commercial and increase traffic. The application is progress but it doesn't help them and would like to keep the small town feel with the kids playing and riding their bikes in the street.

14. John Settembrino, 31 Adela Court (Ponderosa Estates) – Mr. Settembrino asked if the developer can weazle his way out if he doesn't get approval from the Board. He heard that this property was purchased regardless of what he can get on the property.

Chairman Fon responded that the Planning Board reviews the application that is before the Board.

There were no other comments.

Upon a motion by Aaron Bock, and seconded by Bob Phelan, and with all those present voting "aye", the Board closed the Public Informational Hearing.

Motion to Close Regular Session and Open Work Session

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

WORK SESSION

Penna Subdivision

Discussion: Pre-Preliminary Application

Location: 26.07-1-3 & 10; 3032 Manor Street & 882-892 Kipling Drive

Contact: Joe Wren, PE of Indigo Land Design, LLC

Description: Proposed 10 lot subdivision on 8.7 acres in the R1-20 zone.

Comments:

Joseph Wren, P.E.; Robert and Gina Penna, property owners were present. Mr. Wren stated that the application before them this evening is a pre-preliminary application with a proposed concept plan for the Board's review and feedback. The applicant is not proposing on developing this property themselves but are more interested in seeing what the potential yield is for this property and then proceed from there. They have worked with the town staff on several iterations. The applicants own a single-family house located at 3032 Manor Street as well as wooded, undeveloped land

(Kipling Drive) that abuts town open space. The properties are located within the R1-20 single-family zone and is a total of 8.7 acres. They are proposing to extend Manor Street approximately 420-ft to access the 10-lot subdivision. All 10 lots range from a half acre to .7 acres. The proposal will also provide a full fire apparatus turnaround of which there is none currently. Manor Street is currently a public road with public utilities and has the proper width as an accepted town street. The newly created lots would be served by public water and sewer within the road. 8 out of the 10 proposed homes have direct access on Kipling Drive; the other 2 have a shared driveway and come out to the extended town road and do not access Kipling Drive. Two survey maps were shown from the original subdivision in the area. The Lee Holm map from 1941 was shown which shows Kipling Drive as Ridge Road and Taconic Woods Road as Parkway Drive. Lots 9 and 10 were the original two lots purchased by this owner and lot 8 was purchased a year later. A later survey was shown with the 3 lots, the land is contiguous. He noted that the first house on the right side off of Manor Street is existing and could either be maintained or taken down and rebuilt. The topography of the property runs to the north and north west. The adjoining property on the west side belongs to the Town of Yorktown as open space. The majority of the topography of the land goes from the center of the lot where the existing house is to the northwest. To the northwest and west is Yorktown open space. On the southeast behind the lots furthest to the east is additional Yorktown open space. The large open space area behind the lots to the west is about 2.5 acres. There are no wetlands delineated as yet. The total cul-de-sac is proposed to be about 1,200-ft. The ownership of Kipling Drive and Taconic Woods Road is a gray area and is why they chose Manor Street as the access.

Chairman Fon asked about the existing woods road shown on the site plan. Mr. Wren described the road as a path or trail that extends to Taconic Woods Road as a rough path. Mr. Penna informed the Board that the path has been there for decades and originally belonged to the Lee family before it was subdivided. This area was used for many different activities throughout the years but was never established as a legitimate road.

Mr. Bock asked if there was an issue in terms of the subdivision being on a shared driveway and if there was also an issue with two of the homes having no road frontage. Mr. Tegeder responded that it could be done although it is less desirable; a variance would be required to have no frontage. He noted that if they were accessed from Kipling Road a variance would not be required. Mr. Wren suggested that the two lots parallel to Kipling could be manipulated to be flag lots so that they would have frontage on the proposed road.

Mr. Bock stated that he was concerned about the length of the cul-de-sac and also asked about the emergency access on Kipling. Mr. Tegeder stated that the road does exceed the length requirement of 750-ft. Mr. Phelan asked if the emergency access road could be connected to Kipling Road. Mr. Wren stated that an attorney was hired to look into this because he is not sure if they have vehicular access rights to the road. Mr. Penna stated that the original deed to the lots stated that Kipling Road was the initial access point. At some point a family member of his purchased an adjacent lot so that they could gain access through Manor Street. Mr. Phelan asked who owns the land where the emergency access road is proposed. Mr. Tegeder stated that the lot owners own to the center line of the right-of-way, however, the right-of-way is there for the town to take as a road as an irrevocable offer of dedication. Mr. Phelan then asked if the emergency extension off of Kipling Road could be used as the main road and extended into the cul-de-sac so that the frontage could be established on a road controlled by the town. Mr. Wren displayed an approved plat from 1941 that showed lots 8, 9, and 10 maintaining frontage on what was once named Ridge Road and is now known as Kipling Road. Mr. Phelan confirmed that lots 9 and 10 shown on the 1941 map would be split into three lots in the proposed subdivision. Discussion followed. The Board requested to schedule a site visit during leaf off conditions. Mr. Tegeder suggested that the applicant present all previous iterations of the subdivision to the Board for review.

Motion to Close Meeting

Upon a motion by Bill Lascala, and seconded by Aaron Bock, and with all those present voting “aye”, the Board closed the meeting at 9:30PM.