

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE PLANNING BOARD TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD SEPTEMBER 5, 2024

BUSINESS ITEMS

Request for a 180-day extension of resolution of approval for Subdivision application # SD 21-03, one lot with existing single-family residence to be subdivided into two lots for the purpose of constructing another single family dwelling. 25 Meadowbrook Road, Pleasantville, 106.12-2-32, James Earle

Motion was made by John Piazza to grant the extension, seconded by Jane Abbate, Joan Lederman was not present; all remaining members voted in favor.

Kingsview Acres Subdivision - Request for a 180-Day Extension on Final Subdivision Approval of Kingsview Acres, three applications Subdivision # 14-03, Site Plan # 14-07, Steep Slope #14-07 for the 12-Lot single-family homes Cluster Subdivision. Linda Ave. and Florence Ave, Thornwood 106.19-1-44 & 46, DCS Home Builders; LLC

Motion was made by John Piazza to grant the extensions requested, seconded by Eileen McClain, Joan Lederman abstained, all remaining members voted in favor.

Acceptance of minutes drafted from the 8-19-2024 Planning Board meeting

Motion was made by Jane Abbate to accept the minutes, seconded by Walter Hickey, all members voted in favor.

NEW PUBLIC HEARINGS

- Proposed: 12 Reeback - Special Use approval for existing accessory apartment in lower level of home to be transferred to new owner**

Application: Accessory Apartment # PAA 24-01

Location: 12 Reeback Drive, Valhalla

Section/Block/Lot: 113.5-2-32

Zone: R-40

Owner: Daniel and Allison Puccarrelli

Applicant and Attorney: Robert Forte

Motion was made by Joan Lederman to waive the reading of the public notice and open the public hearing, seconded by Eileen McClain, all members present voted in

favor.

Attorney Robert Forte along with homeowners appeared before the board to present the application to the public. The following was discussed:

- The prior owner obtained the Special Use approval for the accessory apartment. The code requires that we reapply as new owners to keep that special use.
- The floor plan has not changed from the original approval and is completely compliant with the current code.
- The building inspector passed the inspection.
- We are seeking approval this evening.

Board members comments:

Is this for a relative or a rental? Reply: rental for a local person, it is a one-bedroom unit.

No comments from the public.

Motion was made by Joan Lederman to close the public hearing, seconded by Jane Abbate, all members present voted in favor.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval, seconded by Jane Abbate, all members present voted in favor.

2. Proposed: 420 Nannyhagen Road - Proposed one lot into two lot subdivision for the purpose of developing a new single-family dwelling.

Application: Subdivision # PSD 24-1

Location: 420 Nannyhagen Road, Thornwood

Section/Block/Lot: 107.17-2-16

Zone: R-40

Owner& Applicant: Nannyhagen 420; LLC

Architect: Spearman Architectural Design, PC

Attorney: Philip Grimaldi

Attorney Philip Grimaldi, architect and partner Trevor Spearman with partner Robert Buffamonte appeared to present the application to the board and the public. The following was presented:

- This application needed one variance, lot width at front-yard setback, that was obtained by the Zoning Board.
- Davison Road is on a filed subdivision map with a town sign.

- Homeowner Ianuccio owns a portion of Davidson Drive, 5 and 6 Davison also own some, and we own the remaining of Davidson Drive.
- In the 1960s Mr. Davidson created all lots that are currently present. He kept an easement for himself that goes with the deeds and kept 200 ft of Davidson Drive for himself—it goes with the land.
- In 1992 a subdivision application was granted giving a portion of this land to New York City DEP, the house remained on the one lot.
- The lot has town water, sewer, and gas, however, the water is at capacity so a well is proposed for the new lot.
- The existing drawing for 420 Nannyhagen is final and will stay as is.
- We created a right-of-way lot on Davidson Drive to be conveyed and owned by 420 Nannyhagen Road.
- The easement came up from day one and went through a series of reviews by the Town Attorney and our attorney with nothing out of the ordinary being discovered.

Comments from the public:

Attorney Michael Sheridan of Schneider and Schneider made the following points following a letter he submitted earlier:

- The 1993 Subdivision map shows Davidson Road as a right-of-way, not a street.
- There is a discrepancy on square feet of the subdivision plans; one says 85,685 and one says 87,000, and the Zoning Board of Appeals received a map showing 90,000 square feet. This should be addressed.
- A few of the bulk chart requirements are barely compliant; if the numbers are incorrect as they are with the surveys, then they might not be compliant once corrected.
- 420 Nannyhagen Road does not have a right to Davison Drive, deeds only show lots five and six.
- Maps listed an underground utility easement to use as a driveway for egress and ingress.
- A 1992 subdivision granted access to this lot via Nannyhagen Road. There is a concern that Davison Drive is going to be overburdened.

- We request the applicant address all of these items.

Mr. Frank Calabro of 5 Davison Drive turned in documentation earlier and made the following comments:

- Davidson Drive is a very narrow street, it's only 15 to 15.5 feet wide.
- Landscapers park on that road, delivery trucks go down that road, there is a grave concern for safety on this road. What is emergency vehicles access going to be?
- Trash does not get picked up for any Davidson Drive houses, it has to be brought down to Nannyhagen Road.

Ms. Ellie Calabro of 5 Davidson Drive:

- I've lived here for 37 years and we knew Mr. Davidson. No one ever used Davidson Drive off of that property.
- When work was being done there was damage to Davidson Drive.
- There is a bridge on that road as well; if that collapses due to construction vehicles then we are stuck.
- Mr. Cleary asked the applicant what the weight capacity of that bridge is?
- Mr. Buffamonte replied it is a drainage culvert.

End of public comments

Mr. Philip Grimaldi commented:

- The town doesn't distinguish between a private street and a public street; it is closely defined by the 1992 subdivision.

Board member comments:

- There may still be an ownership issue of Davidson Drive.
- Please address the differences in the square footage of the plans. Mr. Buffamonte replied it may be the breakaway of the third lot.
- During the 1992 subdivision, was anything built? Mr. Grimaldi replied no, it conveyed land to the NYC DEP.
- We need feedback from the Town Attorney.
- Was there any objection to the Nannyhagen Road for egress? Mr. Grimaldi

replied, yes—the DEP owns it and it's not a feasible option; they do not want us using that for egress.

- The board would like the documents to go to Darius for determination on the lots and the bridge to go to the Town Engineer.

Motion was made by Joan Lederman to continue the public hearing, seconded by Eileen McClain, all members present voted in favor.

3. Proposed: Brighton Ave and Bradhurst Ave development of vacant parcels for the construction of an approximate 3,000 Sq.Ft. business office with storage barn. Additional improvements include driveway, parking area, stormwater mitigation facilities, landscaping and screened areas. Development of the residential lot is not proposed as part of this application.

Application: Site Plan# SP 23-07
Subdivision # SD 23-04
Steep Slopes # SS 23-13

Location: Vacant Parcel on Brighton and Bradhurst Ave, Hawthorne

Section/Block/Lot: 112.9-1-2&3

Zone: C-NR & R-10

Owner& Applicant: Brighton Ave. Properties, LLC

Engineer & Architect: KSCJ Consulting

Motion was made by Jane Abbate to waive the reading of the public notice and open the public hearing, seconded by Eileen McClain, all members present voted in favor.

Attorney Adam Weckstein, engineer David Sessions, and property owner Mark DiFabio, appeared to present the application to the board and the public. The following was presented:

- All in all there have been 13 submissions in total for this application addressing comments from NYS DOT, the Town Engineer, Cleary Consulting, the board and the public.
- We appeared before the Zoning Board of Appeals originally requiring two variances; we were denied one then reworked the application to relocate the office in the building.
- There are two lots as part of this application one in the R10 zoning district, which is 43,000 square feet and one in the CNR zoning district is just 24,000 square feet and fronts on the corner of Bradhurst Avenue and Brighton.
- There are several areas of steep slopes and very steep slopes
- The current plan is to have a 3,000 plus or minus square foot building with parking spaces for cars pick-up trucks and box trucks. The overall site plan has not changed

much.

- The storm water pollution prevention plan and all of the engineering items the town engineer has signed off on.
- The expectation is to have some type of a contractor come in to lease, rent the facility. It will not be Lawn Green Landscaping.
- Regarding the subdivision there's a need for turnaround capabilities and set back requirements which is why this lot is too narrow and we proposed the subdivision to increase the CNR portion of the parcel.
- A screening plan is proposed for the four adjacent Neighbors on the western portion of the property including 8ft evergreens, 39 shrubs and 225 perennials at the entrance
- Once this facility is in operation the public will realize it is a new structure and approach more cautiously it is an uphill approach the DOT recommended signs on Brighton
- No retaining wall is proposed on the back line adjacent to the neighbors it will be Earth and Evergreens on that side.
- The building's highest point is proposed at 27 ft.
- For this zoning district there are about 37 types of use that are permitted this use will create the least amount of impact. Eventually somebody will go here.
- Traffic generation is six to eight cars per peak hour.
- The owner is committed to no dump trucks, trailers, no outside storage, we will actually put that in the deed as a restriction as well.
- This new plan has removed more trees to increase the site distance from 100 ft to 235 ft line of site.

Comments from Board Members

- Without Lawn Green as a tenant there would be no winter plowing at any hours.
- Can you speak further about the no-dump trucks policy you will put into effect? The applicant clarified no dump truck as an operation of an occupying business will be permitted. A dump truck is a pickup truck with a tilting bed. There can be a delivery sheetrock to any house in any residential district by a dump truck.
- This has come a long way from where we started. You have listened to the public, thank you.

Comments from the Public:

Scott Corr, 338 Jackson Ave: Scott put up pictures for the board to review and made the following comments on the record:

- A petition in opposition of this application has been submitted and signed by over 100 people, we think this site is very dangerous, you will have trucks come out of this parcel with already fast moving vehicles traveling from both directions on a blind curve and a hill.
- We are opposed to the lot changes to increase the commercial use.

- There's not enough parking proposed on the site, there is staff parking and staging for removal of the vehicles and we feel the staff will be parking in the neighborhood.
- We have submitted a zoning board application in appeal for the determination of this use which is scheduled to be heard next week. We would appreciate you keeping the public hearing open until after that meeting.
- Chairman Collins asked Mr. Corr if he was aware that there was an empty lot that bordered his property when he bought the parcel. Mr. Corr replied yes, the kids walk through there to get to the gas station. John Piazza commented that hopefully the new signs will slow people down in that area. You can always call the Town if you see them in violation of this agreement.

Greg Lacowsky, 336 Jackson Ave:

- Vehicles coming up from 9A are accelerating because it is uphill from that point on, there should be a traffic light there now with the current traffic conditions. And now you are adding this to that situation.
- People who work at Amazon come here for snacks and gas and are already parking on the road.
- This is an over development of Hawthorne, the sewage plant stinks, there's Amazon traffic, Holy Rosary parishioners can't get in and out of church and now have been approved for a daycare. It's not just the amount of traffic, but also the speed of the traffic, people do not pay attention to any of the signs that are already up

John Anastacio, 320 Kelly Street:

- The application is not only for a subdivision, but it should also be for a zoning district line change.
- Taking the Lawn Green sign off doesn't answer the request of the neighbors, they essentially put a for rent sign on the building and we don't know who will move in. There could be a plow contractor delivery trucks could be a flatbed tractor as well.
- ASHTO standard shows that the site distance is not met, to mitigate that DOT recommended signs. DOT actually suggested access further north on Bradhurst and the applicant said the expense to move that and cut into the grade is a lot and it's more feasible to the applicant to leave the application as is.
- The overall character of this area is residential; this does not fit in.
- An actual traffic study was not done a 9th Edition report was used which is not

the most current. An actual traffic study is warranted.

- The mezzanine office space should be calculated for a park and requirements.
- The parking report shouldn't include shuffling on site for the queuing of cars.

David Sessions commented for the queuing of the cars we have three pages of scenarios to satisfy the town engineer's comment.

- Request at the public hearing remain open.

Patsy Pestaglio -

- I am a heavy equipment driver, I would suggest that there is a no left-hand turn onto Taylor.
- A traffic light is merited, there's enough traffic already to merit it now.
- Buses slide on the ice, it is dangerous.

Joe Durante, Jackson Ave -

- This is a State road, there are ambulances running there constantly to get to the hospital, there are a caravan of people walking through this area from the train station to get to Amazon. It's not a truck issue going in and out of the site, it's a pedestrian, car issue for anyone to get in and out of this area.

Hector Rivera, 344 Jackson -

- I have the same safety concerns as everybody else.
- The proposal of 8-ft trees is not going to be able to screen enough, I can see the gas station now and this proposed project is higher than that.
- We are a tight-knit community, we all see an unusual car and we are all aware of it.
- Chairman Collins asked Mr. Rivera if he was aware there was a commercial lot behind his parcel, he replied yes, since 2009.

Keith Levine, 16 year resident:

- I am for the applicant. Everything seems to be about traffic, but not the use.
- This area looks terrible and the proposed plans would enhance this area.
- Were any of these traffic concerns brought up to Amazon or the church?

- Is the R10 lot the only lot that will have a house built on it?

Beth Agermon, 343 Mearid Drive:

- This is not an enhancement, this is for personal benefit.
- There are already highway signs stating no left turns and people do it anyway. The signs are ineffective, I appreciate the request, but I've lived next to this area for 32 years and I see this every day.

Gino Rizzo - The Defabios are good, trustworthy people who want to work with the public and make the best possible plan here, they are good hard-working people.

End of Public Comments:

John Piazza made a comment to Patrick Cleary is it possible to generate a memo from the planning board stating that 90% of the concerns are traffic related. Can we send a memo to DOT for a traffic light? Patrick Cleary replied the Town Board has a right to ask, it needs to be warranted.

Motion was made by John Piazza to ask the town board to ask New York State DOT to study the need for a light at this location.

Joan Lederman asked for clarification if a commercial Zone can have residential use as well Pat clearly replied yes, all residential uses are available in the C-NR District.

Adam Weckstein, attorney for the applicant made the following comments:

- He would like to clarify that the request to the Town board reaching out to the DOT is not tied to this application.
- The character of the neighborhood if you look around the other side is all gas stations and commercial
- We are not moving the Zoning District line, only the lot line.
- Can you confirm this is a Type 2 action for SEQR?
- Ask that the board consider closing the public hearing tonight.

The board commented that the application before the ZBA for the appeal of the use of the

parcel does not change the subdivision or steep slope application currently before us.

Motion was made by JD Summa to close the public hearing and keep a written comment period open until September 16th and to determine at that point where this application will go, seconded by Jane Abbate, all members present voted in favor

[MIN_SIGNATURES]

