

Planning Board Meeting Minutes – November 19, 2018

A meeting of the Planning Board, Town of Yorktown, was held on **Monday, November 19 at 7:00 p.m.** in the Yorktown Town Hall Board Room 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
- John Kincart
- Bill LaScala
- Rob Garrigan

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 Reports:

- The Board reviewed all correspondence. One of the items received will be addressed in the work session.
- There were no liaison reports.

Meeting Minutes

Upon a motion by Bill LaScala and seconded by Rob Garrigan and with all those present voting aye, the Board approved the meeting minutes of November 5, 2018 with a few minor corrections.

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. ADA-compliant assistive listening devices were available to the audience.

REGULAR SESSION

Stahmer Minor Subdivision

SBL: 59.10-1-10, 12, & 14

Location: 600 Birdsall Drive

Contact: Insite Engineering

Description: A 3-lot subdivision approved by Planning Board Resolution #18-01 on February 26, 2018.

Discussion: Request for Second 90 Day Time Extension

Comments:

Rich Williams, P.E. was present. Mr. Williams is requesting a second 90 day time extension. He stated that the application was originally approved in February of 2018 for a minor 3-lot subdivision. Since the approval, all Health Department comments have been addressed. The NYC DEP has deemed the application complete. They have received the technical comments letter and have provided their response. Chairman Fon addressed the audience and Board members for any comments of which there were none.

Upon a motion by John Kincart and seconded by Bill LaScala and with all those present voting aye, the Board approved the second 90 day time extension.

Hilltop Associates

SBL: 37.6-1-25

Location: 450 Hilltop Road

Contact: Mr. Michael Blank

Description: A 3 lot subdivision approved by Planning Board Resolution #08-02 on January 14, 2008.

Discussion: Request for Reapproval

Comments:

Michael Blank was present. Mr. Blank is requesting a time extension for the request for re-approval. Discussion followed regarding the history of the application. Chairman Fon noted that the project is over 10 years old. Mr. Tegeder responded that the plan has been approved within this time span, however it is older. Mr. Tegeder stated that the question for the Board is at what point do we consider a new review of this application. There have been issues with the sewer, DEP, etc.

Mr. Blank stated that he is awaiting the results of the town's review and resident survey for potential interest in sewer extensions within this area as this will affect his application. He would prefer to keep this application on hold because if the sewer can be extended, he could have more lots.

Mr. Kincart asked if the original plan is for a two lot subdivision with septic and a third non-buildable lot of which Mr. Blank confirmed it was. The Board asked if the applicant would consider letting this application expire and return with a new plan. Mr. Blank responded that it took a long time to find suitable areas for septic based on perk tests, steep slopes and ultimate approval by the DEP and is not inclined to go through this lengthy process again. The Board advised the applicant that the sewer extensions could take at least two years.

Mr. Garrigan questioned the water situation. Mr. Blank responded that the Water Department has requested to loop the water line coming down Hilltop thru their property and bring it out to Yorkhill Court and have asked for 2 or 3 spurs (*individual spurs*).

Chairman Fon addressed the audience for any comments. Public comments as follows:

- Susan Seigel, resident – Ms. Seigel stated that she wanted to provide the Board with information. She has been closely following the sewer situation and stated that there has been virtually no progress thus far. The residents have not been surveyed and Hilltop is not considered a priority area. If and when the town finally figures out which of 450 homes of potentially 650, it will be some time. After that you have a long time to get the state comptrollers' approval, so when you say two years - you are on target. She stated that this is informal information and is not coming from the town engineer, but she is following this and in terms of deciding who is going to get sewers and surveying the residents - it hasn't happened yet. There are 6 neighborhoods of which 3 have priority (450 homes) and Hilltop is in the second group for the next 200. The Town board still has not figured out if they are going to survey 450 or survey 650 because of the 450 some are not going to want sewers. So it's an absolute moving target at this point. They don't have cost figures yet so that is the delay with sending information out to homeowners. You just add all kinds of complications on to this so what she is saying is that this ain't gonna happen.
- Supervisor Ilan Gilbert – Supervisor Gilbert stated that to say that virtually nothing has happened is very inaccurate. They have been working on this very diligently. Next week he has an appointment with George Latimer to discuss the issues of the money that the county is holding. Again, it seems with the new administration down county it seems to be a little bit of a moving target regarding the 10 million dollars. He wants to make sure that the target is steadied and solidified and should be no issue. He is working with Mike Kaplowitz on this issue. Mike was there in 1997 when the money was originally allocated and he has all the background information. He intends to bring Mike with him to the meeting or have him advocate on behalf of Yorktown for those funds. Because of this, obviously you cannot come up with a number on what to actually survey. Yes it will take a long time or a while but they are working on it daily. He takes issue with

the idea that nothing has really advanced as they have been working on this diligently but it could take quite some time.

- Tony Grasso, resident – Mr. Grasso believes that it is going to take more than two years to get to this point. When you look at the town financials, looking at the 10 million dollars, looking at where the money is allocated, etc. it is going to take at least three years to get to this project. In his opinion, if the gentleman wants to build two houses, he thinks he should take it. You are looking at an increase in taxes at the county level, they haven't finished the town budget as yet, although it looks good, and is in favor of much of what is there. There is money there that some of these projects can be started, and imagines that somewhere along the 15 or 18 million dollar figure they can get the project started but you gotta have chutzpa in order to do it. In his opinion the Town Board does not have it and they doesn't interpret money the way they should.
- Joseph Riina, P.E. – Mr. Riina stated that he does not see the harm in reapproving what the applicant currently has as it will give him more opportunity to see the sewer process through. He can connect to the sewer now if he can gain an easement or make an argument for an existing easement for connection. The whole plan for future sewer does not impact him in a way because he can connect now if he can get the easement and make the connection. He knows what it's like to go through this process as it was difficult and would hate to see him lose his current status after all the work he went through for the DEP approval. In sincerity he just wants to try and connect to the sewer.
- Susan Seigel, resident – Ms. Seigel stated that she has been to many meetings, and thought the easement issue was already investigated. There were two options, Sultana and another one and she was under the impression that there were private properties involved that were not willing to give the easement. This is the first time she is hearing that it is a town drainage easement and suggests they review the record to see what is involved with the easement issue.

Chairman Fon stated that the Board needs to review all information regarding the existing easement, etc. Mr. Riina replied that there is an easement that connects into Sultana but that easement needs clarification. There has been no response from the town on whether or not they could bring the sewer through the town utility drainage easement. However, this would not be the most ideal way to bring in the sewer and that is why Mr. Blank is choosing to wait for the final outcome of the sewer survey results. If Mr. Blank were to pursue the easement option, the original application and plan would change and DEP would not be involved other than the stormwater.

The Board agreed to a three month time extension and requested that the applicant do further investigation and report back to them at the end of the extension period to move forward.

Upon a motion by John Kincart and seconded by Rob Garrigan and with all those present voting aye, the Board approved a 90 day time extension.

Adrian Auto Body

SBL: 26.18-1-24

Location: 3330 Old Crompond Road

Contact: Ciarcia Engineering, P.C.

Description: Proposed 900 sf building addition to the existing body shop. The prior approval did not receive a building permit.

Discussion: Decision Statement – Amended Site Plan

Comments:

Daniel Ciarcia, P.E. was present. Mr. Ciarcia stated that he received the final DEP approval. He reviewed the draft resolution and had one comment with respect to page 2 and the plan references. The plan references October 9 and there is actually a subsequent plan of November 5th which will be the one that the Planning Department will receive as part of the approved SWPPP that the DEP signed off on. Mr. Tegeder asked Mr.

Ciarcia if the DEP will provide an approved stamped plan set to the Planning Department. Mr. Ciarcia stated that he received his set already and that the Planning Department should be receiving their approved stamped plan set and stormwater pollution prevention plan shortly as he was told it was mailed. He stated that he emailed the November 14th DEP approval letter to the Planning Department of which this was confirmed.

Mr. Tegeder stated that the original date of October 9th is to be used for site plan 1, items 1 and 2 last revised instead of November 14th. He also suggested that an additional condition be inserted into the resolution under "Additional requirements, adding a #4 stating approved and stamped NYC DEP plan set and stormwater pollution prevention plan are to be submitted to the Planning Department and reviewed to ensure that they comport with one another prior to the commencement of any site work, etc.

Chairman Fon addressed the audience for any comments of which there were none.

Upon a motion by Rob Garrigan and seconded by John Savoca 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 for an amended site plan as noted.

Northern Westchester Restorative Care

SBL: 15.15-1-23

Location: 3550 Lexington Avenue

Contact: David A. Barbuti Architect, P.C.

Description: Proposed to reconfigure the on-site parking lot and trash enclosure.

Discussion: Decision Statement – Amended Site Plan

Comments:

No representative was in attendance. Chairman Fon stated that the applicant could not attend due to a prior commitment. The Planning Department has been in touch with the applicant to review the resolution. Mr. D'Agostino stated that he spoke with the applicant and confirmed that there were no issues. The Board reviewed all documents. Mr. Tegeder informed the Board members that they will be approving the SWPPP. Chairman Fon addressed the audience for comments of which there were none.

Upon a motion by John Kincart and seconded by Rob Garrigan and with all those present voting aye, the Board approved the amended site plan.

Colangelo Major Subdivision

SBL: 35.16-1-4

Location: 1805 Jacob Road

Contact: Site Design Consultants

Description: Proposed to subdivide the subject property into 5-lots utilizing the "Flexibility" provision in the Town Code. The remainder of the 47 acre parcel is to provide for a single-family residence, open space and lands to be used for agricultural use.

Discussion: Decision Statement – Preliminary Subdivision

Comments:

Joseph Riina, P.E., Maria Costanzo and John Colangelo were present. Mr. Riina stated that an alternate plan was submitted for the parking which is basically the same set up as Fox Tail Lane with the parking in the shoulder, grass paver parking and the donation of the 4 spaces. They are requesting that all this information be placed within the permanent access easement which will also encompass the road entry and as a result replace the

previously discussed license agreement. Mr. Tegeder suggested moving into the Work Session as plans were shown to the Board.

Upon a motion by Bill LaScala and seconded by John Kincart the Board closed the Regular Session and moved into the Work Session.

WORK SESSION

The plans and resolution were reviewed with the Board. Discussion followed regarding the permanent easement, trail access, donation of 4 parking spaces, overflow, signage and gates. Additional comments as follows:

- Conservation Easement – Mr. Tegeder questioned what would happen if the 5 acre conservation easement with the Westchester Land Trust falls through (*page 4 of 7*). The wording states “*in perpetuity by the Westchester Land Trust and Town of Yorktown*” of which the Board suggested to change the wording to say “*and/or the Town of Yorktown*” as part of the requirement. The applicants stated that it cannot be a requirement of the subdivision as that would affect their tax position.
Mr. Tegeder asked the applicants if they will execute the agreement with the Westchester land trust prior to final approval of subdivision? Response was yes if they have preliminary approval of the subdivision.
- Easements - Conservation easement and easements should be submitted to the Board for acceptance and final approval by the town attorney as noted and is to be in the approving resolution.
- Maintenance Agreement – Mr. Tegeder stated that the maintenance agreement should be reviewed by the Planning Board before it goes to the Town Attorney for review.
- Gates – Mr. Tegeder asked if a gate will be installed at the parking lot. Response was not at this time but this may change in the future if necessary.
- Mr. Colangelo stated the final approval will flesh out all the details (*parking easement, construction of parking spaces, etc.*)

Upon a motion by Bill LaScala and seconded by John Kincart the Board opened a Special Session.

Upon a motion by Bill LaScala and seconded by Rob Garrigan and with all those present voting aye, the Board adopted the Negative Declaration.

Upon a motion by John Savoca and seconded by Rob Garrigan and with all those present voting aye, the Board approved the resolution approving preliminary subdivision layout titled Colangelo subdivision with comments as noted.

Upon a motion by Bill LaScala and seconded by John Kincart the Board closed the Special Session.

Spirelli Subdivision

SBL: 16.10-4-10

Location: 3435 Buckhorn Street

Contact: Site Design Consultants

Description: Proposed 2-lot subdivision on 1.64 acres in the R1-20 zone.

Discussion: Minor Subdivision

Comments:

Joseph Riina, P.E. and Pat Spirelli were present. Mr. Riina stated that as discussed at the previous meeting the driveway encroachment has been addressed with the neighbor and will be adjusted, the garbage will be relocated and the sheds will be removed. Mr. Riina stated that the Planning Department recently advised them of a 1985 ZBA decision and stipulations agreement with respect to this property (*3-family dwelling*) that needs to be

discussed. Mr. Spirelli noted that when he purchased this property, he was unaware of the ZBA decision and its affect on a future subdivision.

Mr. Spirelli stated that he is the owner of Spirelli Electric and is a resident of 40 years. His business services 65% of the people. He has worked on other projects and his work speaks for itself. He has already spent quite a bit of money cleaning up this property as well as connecting into the sewer system and has plans on upgrading the exterior of the existing house. He stated that the 3-family residence is occupied by tenants all of whom have been vetted. Mr. Spirelli feels that the existing 3-family dwelling does not and will not have an impact on the property. He also stated that his son and grandchildren live directly across the street from this property.

Discussion followed regarding various options for the subdivision. The Board suggested the possibility of converting the 3-family dwelling into a 2-family dwelling by combining 2 of the 3 units to make one larger unit. The studio unit has its own entrance from the back. Mr. Spirelli stated that this may be difficult due to the unit layout. In addition, this would become an unexpected renovation expense as well as having to evict one of the tenants resulting in a loss of income. He would have to look into it further, however, he would prefer not to go this route. Mr. Spirelli stated that he is seeking favorable feedback from the Planning Board in order to move forward. If not, he will not move this project forward to the Zoning Board.

The Board stated that additional support information will be necessary for their review and comments. Mr. Tegeder stated that the ZBA looked at it and determined that the property contains ample land for 3 dwelling units but not for 4 or more. The restriction is based on similar allowable densities in the Yorktown Zoning code. Mr. Riina stated that he will provide the Board with more information.

Breslin Realty Subdivision (Lowe's Subdivision)

SBL: 26.18-1-17, 18, 19, 26.19-1-1, and a portion of 26.18-1-28
Location: 3200 Crompond Road
Contact: Provident Design Engineering
Description: Proposed 5-lot subdivision for the Lowe's Home Center Plaza site.
Discussion: Subdivision
Comments:

Bob Rosenberg of Breslin Realty, Michael Grace, Esq. and Ann Kutter, resident were present. Mr. Grace stated that since they were before the Board a few meetings prior, they have resolved the sewer extension issues with the adjacent residential property owners. He stated that all that is left is the final execution of the agreement. They will sewer the properties and take care of the abandonment of the septic systems, however, the rock removal will be borne by the homeowners. Ms. Kutter stated that she has not signed anything and will review the draft agreement. She has concerns regarding two of the properties and rock removal.

The applicant is seeking to move forward with a public hearing now that the sewer extension issues have been resolved. Additional items discussed:

- 5 Lots – Mr. Rosenberg stated that a lot line adjustment will be necessary.
- Maintenance Agreement – Mr. Rosenberg stated that the maintenance agreement has not yet been signed with the Town. The draft will be sent to the Town Supervisor and Planning Department as soon as possible. Mr. Tegeder stated that the agreement is part of the subdivision plan and should be reviewed by the Planning Board.
- Plat – Mr. Tegeder stated that the plat should show all easements.

The Planning Board will draft a resolution for review. A public hearing will be scheduled for December 3rd.

Crystal Court Subdivision

SBL: 27.11-2-43

Location: Crystal Court

Contact: John Karrell, P.E.

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

Discussion: Minor Subdivision

Comments:

Louis Panny was present. Mr. Panny stated that he is proposing a 3 lot subdivision on 5.07 acres off of Crystal Court near Evergreen Street. Discussion followed regarding the sewer, easement, drainage access and trees.

The Board stated that they have seen many configurations for this lot over the years and had the following comments:

- Tree Violation – The Board questioned the removal of the trees. Mr. Panny stated that 16 trees were cut in error by the contractor. All 16 trees will be replaced when appropriate.
- Backyard – The Board noted that the location of one or more of the houses does not leave enough room for backyards due to the wetland buffer.

The Board advised the applicant that the initial plan looks good in order to start the process and requested that all paperwork regarding the tree situation be sent to the Planning Department.

Tesla Charging Station (Staples Plaza)

SBL: 36.06-2-76

Location: 3333 Crompond Road

Contact: GPD Engineering and Architecture Professional Corporation

Description: Proposed car charging stations next to the Dunkin Donuts Building in the Staples Plaza.

Discussion: Amended Site Plan

Comments:

William Watts was present. As a follow up from the previous Board meeting, the plan, photos and resolution were reviewed with the Board. Mr. Watts stated that there will be additional landscaping in front of the equipment and around the transformers and switch gear posts. All equipment will be white with the exception of the transformer which will be green as this is not under their control since it is owned by Con Edison. The curb stops will be extended by a foot. The sign has been adjusted to state that it is for general parking. The lighting on the signal units will have smaller LED lights. The rear facing lights can be unplugged if needed should they affect the neighbors in the back. There will be no lighting at the rear charging equipment. The ATS switch is located on the side of the property. There will be no handicapped parking spot as New York does not require it. The impervious area has been addressed by placing the equipment on a raised steel platform.

The resolution was reviewed with the applicant and there were no comments. The Board requested that the final landscaping plan including signage be submitted to them for review and final approval.

Upon a motion by John Kincart and seconded by John Savoca the Board opened a Special Session.

Upon a motion by Bill LaScala and seconded by Rob Garrigan and with all those present voting aye, the Board approved the resolution approving a site plan for a Tesla charging stations at Staples Plaza with comments as noted.

Upon a motion by Rob Garrigan and seconded by John Savoca the Board closed the Special Session.

Town Board Referral – Hill Farm Property Request for Rezone

SBL: 16.08-1-4 & 17

Location: 571 East Main Street, Jefferson Valley

Contact: Zarin & Steinmetz

Description: Petition to rezone the 19.3 acre property from the R1-20 to the R-3 zoning district to construct 150 two-story rental units, as shown on a proposed conceptual site plan.

Comments:

David Steinmetz, Esq., Matthew Acocella, Esq. and Diego Villareale, P.E. of JMC were present. Mr. Steinmetz gave a brief overview of the application and the petition to rezone. Discussion regarding the role of the Lead Agency followed. Mr. Steinmetz stated that Supervisor Gilbert was gracious enough to convene a meeting with him and his team to discuss the zoning application and concerns. He stated that his primary goal is to achieve a level of comfort between the two Boards to ensure both are in sync with one another as the last thing he wants to see is both Boards requesting to be Lead Agencies.

Mr. Steinmetz stated that the Planning Board would be actively involved if the Town Board were to be Lead Agency. A draft resolution could be written for the Town Board (*assuming the Planning Board is comfortable*), stating that the Town Board will be the Lead Agency and identifying specific areas to be referred to the Planning Board to ensure active involvement. The draft could be shared with the Planning Board for their comments.

Chairman Fon questioned the legalities. The Board had concerns with the number of units and how it will affect the traffic as well as the density and parking situation. There were questions on whether the architecture, although beautiful, is fitting. Questions regarding the SEQRA process were discussed. The Town Board is the only entity that can approve re-zoning but they do not have to be the Lead Agency. The Planning Board is responsible for the project review. Chairman Fon stated that the review of this project cannot be broken up.

Mr. Tegeder stated that specific parameters need to be set for review of this project if the Town Board were to be Lead Agency. The building size, site location, parking, layout, connectivity, compliance with dimension requirements, grading, cut and fill, parking, traffic and density are all part of a balanced site plan.

The Planning Department will draft a memo with their comments to the Town Board.

Town Board Referral – Quinlan Telecommunications Tower

SBL: 27.05-1-16

Location: 3101 Quinlan Street

Contact: Saratoga Associates Landscape Architects, Architects, Engineers, and Planners, P.C.

Description: Proposed lease for a wireless telecommunications facility. The facility is designed to replace two existing guyed towers at the property and support the collocation of the Town emergency services facilities and wireless carriers.

Comments:

Klaus Wimmer was present. Mr. Wimmer stated that as requested at the last meeting, additional reports were provided to the Planning Board for their review and comments. The Board reviewed the reports and photos with Mr. Wimmer. Comments are as follows:

- Landscaping – The Board is requesting screening around the proposed tower and existing water tanks. In addition, location 7 and 10 of the view shed analysis will also need to be addressed as these are the most highly affected. Mr. Wimmer added that the trees mentioned for removal at the previous meeting will be saved.
- Buildouts – The Board questioned future buildout of the site (*water infrastructure*) and requested that they be shown in the future.

- Power – Mr. Wimmer stated that to his knowledge the power will be generated by diesel generators but is not sure. The generators will be located on site.
- Fall or collapse zone – The Board questioned the fall/collapse zone and the nearest residence. Mr. Wimmer responded that it was 150 feet to the closest residence. He stated that the tower could be moved by another 10 feet if necessary.
- Coverage was discussed.
- Double poles – will need to be addressed.

Mr. Wimmer stated that a Town Board public hearing will be held on Tuesday, November 20th and is requesting that the Board send their comments to the Town Board. The Planning Department will draft a memo from the Planning Board with their comments.

Town Board Referral – The Roma Building

SBL: 37.14-2-33

Location: 2040 Crompond Road

Contact: Site Design Consultants

Description: Petition to rezone the 1.34 acre property from the C-3 Zone to the Transition Zone to construct a mixed use building to include 9,300 sf of first floor commercial space and 42 residential units.

Comments:

Joseph Riina, P.E., Matthew Acoccella, Esq, David Cooper, Esq., Philip Grealy of Maser Consulting, Vivian Lee and Michael Piccirillo, Architect were present. Mr. Acoccella stated that they are here on behalf of Concrete Ventures, LLC for the petition to the Town Board for the rezone of the property from the C-3 zone to a transitional zone. The proposal to rezone to the transitional zone is to create a buffer between the two types of uses, residential and commercial, as the current zoning does not allow flexibility. This project has been in the works for a while. They were before the Town Board a few weeks ago and all were in agreement that the current building is not visually pleasing. Mr. Acoccella stated that they are seeking a recommendation from the Planning Board to the Town Board regarding the transitional zone and area bulk requirements

Mr. Riina, P.E. reviewed the plans with the Board. The site size is 1.34 acres and is located at the intersection of Crompond and Route 118. They are proposing to demolish the existing building and construct a mixed use building to include 9,300 sf of commercial space and 42 residential rental units. There will be a total of 98 parking spaces – street level and underground parking. A total of 5 driveway entrances will be eliminated. The streetscape perspective was shown to the Board. The elevated plaza area was discussed and it was noted that the corner will be geared for restaurant use with outdoor seating. Discussion regarding improvements to the travel lanes and property dedication followed. Mr. Riina stated that the Roma Building will be linked with the Weyant project to create connectivity. Mr. Riina stated that the sewer is existing and the capacity is there.

Mr. Piccirillo reviewed the architectural renderings with the Board. The design is a mix of Victorian and Tudor styles. The corner will be most improved and visible from all entry points into the Town and will be an enhancement to the Town. The structure will be a combination of modular and stick built. The boring was done and they did not hit ledge. The excavation has been priced out with a contingency plan.

Mr. Grealy stated that a meeting was held with the DOT a few weeks ago and updated the Board with respect to the traffic situation. The number of curb cuts will be reduced which will eliminate cut through traffic. As part of the mini master plan, Saw Mill River Road will be widened. The DOT will provide the transfer switches for the signals in town. Points of access, left turn lanes, connectivity, future addition of a turning lane, land dedication and right-of-ways were discussed.

Ms. Lee stated that the commercial portion of the building will financially carry the weight of the project. Residential rentals are expected to start around \$2,200 for 2 bedroom units. The rentals will be geared towards

millenials and young professionals who do not wish to become home owners. The bus stops are past Hamblyn Street to the north and near the CVS Plaza to the south. The current restaurant is expected to return. With respect to the parking, she has reached out to the adjacent owners (*medical building*) for possible valet parking in the evening for the restaurant's use. In addition, parking may also be available at the Triangle Center and Albert A. Capellini Community & Cultural Center. Controlled crossing will be put into place. The number of residential units have been reduced from what was originally planned and they do not want to reduce the units again as they are comfortable with the current plan. She feels that the building will be a prominent structure for the downtown area.

The Board had the following comments:

- Building size, number of stories and residential units. Is this feasible? In comparison to The Weyant project, the Roma building is much larger.
- Excavation – how will this be accomplished?
- Parking, traffic and density – Need to be discussed further.
- The removal of the multiple curb cuts is a positive as it will eliminate cut throughs.
- Financial incentives for incoming businesses could be explored by the applicant.
- The downtown area may be boosted by this development and incline businesses to stay open later.

The Planning Department will draft a memo from the Planning Board to the Town Board with their comments.

Motion to Close Meeting

Upon a motion by Rob Garrigan and seconded by Bill LaScala and with all those present voting aye, the Board voted to **close the meeting at 10:45 p.m.**