

August 5, 2019

A regular meeting of the **Planning Board** of the Village of Old Westbury was held at the Village Hall on the above date at 7:10 p.m.

Present:	Andrew Weinberg	-	Chairman
	Edward Kalikow	-	Member
	Eric Kaltman	-	Member
	Michelle Cervoni	-	Member
	Ruth Cooper	-	Member
	Michael Sahn	-	Village Attorney
	Brian S. Ridgway	-	Village Administrator
	Michael Malatino	-	Superintendent of Buildings
	Gina Furci	-	Assistant to the Building Department
Absent:	Paige Charles	-	Alternate Member
Also Present:	Paul Steven	-	Village Engineer
	Joshua D. Brookstein	-	Attorney, Sahn Ward Coschignano, PPLC

The meeting was called to order by Chairman Weinberg.

On motion by Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved the minutes of the regular meeting held July 1, 2019.

The following matters came before the Board:

1. Application of the Kokura Residence ó request to construct a new two-story, single family, wood-frame house with an attached two-car garage and swimming pool. Property located at 4 The Pines. Tom Coronato, Principal, CXO Architecture, PLLC, Jimmy Curtis, Architect, Kevin Natale, Landscape Architect and Michael Rant, Project Engineer were present to represent the applicant. The proposed plan was reviewed and the proposed building materials to be used were shown. Resident from 2 The Pines asked several questions regarding the driveway location ó it was explained that the driveway was not scheduled to be relocated from its current location. It was agreed that the tree plantings on both the east and west side from the house line to the road would be the size of 10 feet and would be installed in the Fall. On motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved the application and directed Counsel to draft the approval Resolution.
2. Application of Liberty Miracles Limited ó request to construct an open gazebo, children's playground and a guest parking area. Property located at 60 Wheatley Road. Michael Rant, Project Engineer and Ray Rolfe, Landscape Architect were present on behalf of the applicant. The Board was updated that the changes to the parking lot area were being removed from the application and additional trees were being added to the landscape plan. The Chairman requested that the proposed 10 foot trees be increased to 12 foot trees and the proposed shade trees be increased to 14

- feet. The attorney for the adjourning property owners (M/M Silverberg) Mr. Frey addressed the Board requesting that the application be continued so the updated landscape plan could be reviewed. Conversation between the Board, Michael Sahn and Mr. Frey continued. At the end of the agenda this application was again reviewed. On motion of Member Kalikow, seconded by member Kaltman and carried unanimously, the Board approved the application for the Gazbo and playground and directed Counsel to draft the approval Resolution.
3. Application of Hastings Reality Group, LLC - request for review of a proposed four (4) lot subdivision of a 19.9 acre property known as Section 19, Block C, Lots 2A, 2B, 3A and 3B, also known as 10 Hastings Road. Bruce W. Migatz, Esq. Albanese & Albanese. LLP, Kevin McAndrew, Cameron Engineering were present to represent the applicant. It was noted that this application was approved by the Board of Zonign Appeals at their meeting held on June 10, 2019. The proposed plan was reviewed. Paul Stevens commented that the drainage plan was in proper order and the road (Hasting Road) should be increase to t a width of 20 feet. Michael Sahn requested that the submitted site plan be updated showing the need to increase the road width ó Mr. Migatz and Mr. McAndrews agreed that would be done. On the motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved a Negative Declaration under SEQA and approval for Preliminary Sub-Division approval and directed Counsel to draft the two Resolutions.
  4. Application of Faith Ministries, Inc. (Rock Community Church) ó application related to the construction of a drainage system at 174 Post Road. The Chairman noted that there was no one present for the application that had been requested at the Planning Board meeting held on July 1<sup>st</sup>. The Board directed Counsel to inform the applicant that they must appear at the September Planning Board meeting or action will be taken to use the \$300,000.00 in escrow to complete the project. On the motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board will continue the application.
  5. Application of the Cestaro Residence ó request to construct a new two-story, single family dwelling with an attached porte-cochere, pool and spa and two sets of entry piers and gate. Property is currently a vacant two-acre lot. Property located at 7 Guys Lane. Brian Glasser, Architect, Michael Rant, Project Engineer and Richard Ignatow, Landscape Architect were present to represent the applicant. The site plan and planting plans were reviewed. The *easement area* that is on the site plan was also reviewed and it was noted that no new plantings will be made in that area. The Chairman suggested that the proposed location of the homes central A/C unit be reviewed again to see if they can be located closer to the home. On the motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved the application subject that the easement declaration be provided to and reviewed by Counsel. Counsel was directed to draft the approval Resolution.
  6. Application of the Hidden Pond Subdivision ó request to conduct a land transfer within the subdivision, which will transfer 3.974 acres of land from Lot 1 to Lot 16 and .353 acres of land from Lot 1 to the HOA private R.O.W. Walter Seiber, Cameron Engineering & Associates and Stewart Senter, Builder were present. The Board was updated on the application and advised that Mr. Senter was a co-applicant to the application and that this would be reflected on the submitted plan. On the motion of Member Kalikow, seconded by Member Kaltman and carried unanimously,

the Board approved the application and directed Counsel to draft the approval Resolution,

7. Application of the Kermalli Residence, 183 Old Westbury Road ó request to construct a new two-story frame house, attached three-car garage, swimming pool, entry piers and gate. Property is currently a vacant three-acre lot. Property located at 183 Old Westbury Road. Robert G. Madey, Architect, Michael Rant, Project Engineer and Ray Rolfe, Landscape Architect were present to represent the applicant and provided the Board will an overview of the application. Paul Stevens advised the Board that he had no issues with the site plan and noted that the minor drainage questions would be addressed. The Chairman requested that the entry gates be moving toward the home another 5 feet to allow a safe distance from the roadway ó this was agreed to. On motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved the application and directed Counsel to draft the approval Resolution.
  
8. Application of ROLU, LLC ó request for final subdivision approval to subdivide a parcel of property containing approximately 108 acres of land into 12 new lots, consisting of 8 lots proposed for residential development, 3 lots for conservation, and 1 lot for dedication to the Incorporated Village of Old Westbury as a Well Site, with proposed roads and associated improvements, located on the northeast corner of the Westbound Service Road of the LIE, also known as Store Hill Road. Judy Simoncic, Esq. Forchelli, Deegan & Terrana, LLP, and Walter Seiber, Cameron Engineering & Associates were present to represent the application. Paul Stevens commented that the application is in good order for approval and recommended a Performance Bond in the amount of \$1,940,000.00 be submitted to ensure final project completion. Michael Sahn also advised the Board the Village Planner John Ellsworth finds the plan also in good order for approval. Walter Seiber, advised the Board that the sites water main will be increased to 20ø on the site plan. Michael Sahn added that on behalf of the Village D&B, Engineers stated that all the related water connects on the sub-division map were correct. Conversation also took place related to the overhead electrical lines and that new construction electrical lines would be placed underground. On motion of Member Kalikow, seconded by Member Kaltman and carried unanimously, the Board approved Final Sub-Division and directed Counsel to draft the approval Resolution.

#### **RESOLUTIONS:**

1. Application of Mr. & Mrs. Louis Branchinelli ó request to construct a new all-weather tennis court with a ten-foot high black chain link fence enclosure. Property located at 9 Hidden Pond Drive. On the motion of Member Kaltman, seconded by Member Kalikow and carried unanimously, the Board approved the Resolution.

On motion by Member Kalikow, seconded by Member Kaltman and carried unanimously, the meeting was closed at 10:00PM.

For a complete record of the Regular Meeting, see the minutes of the stenographer.

Brian S. Ridgway  
Village Administrator