MINUTES OF REGULAR MEETING
BRONXVILLE PLANNING BOARD
WEDNESDAY, JULY 13, 2005

APPROVED 9/14/05

Present:	Donald Henderson, Chairman
	Anna Longobardo, Vice Chairman
	Adrienne Smith, Member
	Eric Blessing, Member
	Richard Carey, Alternate Member
	Maryann Palermo, Counsel
Also Present:	Vincent Pici, P.E., Village Engineer
	Jeffrey Faville, DRC
	James Staudt, Counsel
Absent:	John Westerfield

1. **Call to Order**

   Chairman Henderson called to order the regular monthly meeting of the Planning Board at 7:40 p.m. The Chairman indicated that John Westerfield was absent from the meeting and that alternate member Richard Carey would act as a full voting member of the Board for purposes of this meeting pursuant to Section 343 B (6) of the Village Code.

2. **Minutes**

   Upon motion duly made by Mrs. Longobardo, seconded by Ms. Smith and unanimously carried, the Minutes of the June 8, 2005 Planning Board meeting were approved as revised.

3. **Site Development Applications**
   Kensington Road Development

   Chairman Henderson asked counsel James Staudt to review for those present the process undertaken thus far with respect to the Kensington Road Development.

   Mr. Staudt reviewed the process that has been completed in this matter as required by the New York State Environmental Quality Review Act ("SEQRA"). The Applicant, Spectrum Kensington LLC, has prepared a Draft Environmental Impact Statement ("DEIS").

The Planning Board has had an opportunity to review the DEIS submitted by the applicant and has offered its comments. The applicant has revised the DEIS to incorporate many of the requested revisions of the Planning Board. Mr. Staudt stated that the purpose of this evening's meeting was to determine whether the DEIS was adequate in scope and content so that a public review of the DEIS could commence. Mr. Staudt stated that if the Planning Board found the DEIS to be acceptable for the commencement of public review, then a resolution must be adopted stating the Board's acceptance of the DEIS and scheduling a public hearing so that members of the community may comment upon it.

Mr. Staudt noted that the public hearing in this matter may go on for several meetings, as is customary in projects of this scope. Upon completion of the public hearing, the applicant will consider all comments given and prepare a Final Environmental Impact Statement ("FEIS") for further review by the Planning Board and the public.

Mr. Henderson asked if the Planning Board members would be permitted to offer comments during the public hearing. Mr. Staudt responded that the Planning Board members may offer comments during the public hearings discussing the DEIS.

Ms. Smith inquired as to the necessity of raising certain issues prior to the public hearing. Specifically, Ms. Smith stated that the discussion in the DEIS of the Alternatives to the Proposed Action needed to be clarified further. Mr. Staudt assured Ms. Smith that the Planning Board members would be permitted to offer their comments during the public hearing. Those comments, as well as the comments given by the members of the public, would then be addressed in the FEIS.

Mrs. Longobardo asked if the resolution to be adopted by the Planning Board, a draft of which Mr. Staudt had distributed prior to the meeting, ought to include a discussion of the Alternatives. Mr. Staudt stated that he would add language regarding the discussion of Alternatives to the proposed resolution.

Chairman Henderson then reviewed with the members of the Board and those present the Memorandum of Frederick P. Clark Associates, Inc. dated July 11, 2005 (the "7/11 Memo"), a copy of which is attached hereto and made a part hereof. The 7/11 Memo reviews the revised sections of the DEIS submitted by Saccardi & Schiff, Inc. in response to the first round of comments offered by the Planning Board and its consultants.

With respect to item #6 in the 7/11 Memo, both Mrs. Longobardo and Ms. Smith expressed concerns with the discussion of Alternatives set forth in the DEIS. Ms. Smith suggested specific additions to the chart setting forth the various alternatives. Mr. Saccardi responded that he would amplify the chart and include the additional information requested by Ms. Smith such as the number of school-age children generated by each alternative as well as dimensions of open space resulting from each alternative.

Chairman Henderson reviewed the remaining items set forth in the 7/11 Memo noting those items which would need to be further addressed in the DEIS. Specifically, item No. 39 (size and location of planters on the proposed development's elevated sections), item No. 61 (number of school age children generated by the project), and No. 85 (the bonding by the applicant of portions of the work). The Planning Board concluded that each of these items would be more appropriately addressed in the next phase of review. Chairman Henderson then requested that Mr. Staudt review the contents of the proposed resolution accepting the DEIS as complete and scheduling the public hearing for September 14, 2005 at 7:30 p.m. A copy of the resolution is attached hereto and made a part hereof.

Upon motion duly made by Mrs. Longobardo, seconded by Ms. Smith, and unanimously carried, the Planning Board voted to adopt the attached resolution.

4. **<u>New Business</u>**

Chairman Henderson said that Steven Green, the developer of the property located at 100 Pondfield Road has filed revised plans with the Building Department.

Mr. Pici is reviewing those plans. Chairman Henderson also indicated that the proposal to develop 100 Pondfield Road would appear on the September meeting agenda at which time a public hearing would be held on the matter.

Chairman Henderson discussed with the members of the Planning Board the necessity of hiring counsel to represent the Board in this matter as well as retaining a planning firm to advise the Board with respect to the proposals submitted by the developer. Mrs. Longobardo stated her support for the retention of counsel as well as a planning consultant to advise the Board. Chairman Henderson asked that Frederick P. Clark Associates, Inc. submit a retention letter for review by the Board. In addition, the Board discussed the retention of Steven Silverberg, Esq. as counsel to the Board in this matter. The Board would also require the submission and approval by the Board of a retention letter by Mr. Silverberg prior to his representation of the Board. Both retention letters are to be considered at the September meeting.

5. **Next Meeting**

The next regular Planning Board meeting is scheduled for Wednesday, September 14, 2005 at 7:30 p.m. at the Bronxville Public Library unless otherwise notified. Since no August meeting would be held by the Board due to the fact that many members of the public were on vacation and that it would not be productive to schedule public hearings when so many members of the community were not available, the Board discussed the need for a second meeting in September. The second September meeting is tentatively scheduled for September 28, 2005. The location of the meeting will be announced at the September meeting.

6. **Adjournment**

There being no further business before the Planning Board, upon motion duly made by Ms. Smith, seconded by Mr. Blessing, and unanimously carried, the meeting was adjourned at 8.40 P.M.

Respectfully Submitted

____

Lydia Byrne, Recording Secretary
7/13/05 Planning Board Minutes