

**November 16, 2021**  
**TUCKAHOE PLANNING BOARD**  
**Online due to Covid 19**  
**Regular Meeting – 7:30pm**

**Present:**      Chairperson              Antonio Leo  
                 Commissioner          Raymond Nerenberg  
                 Commissioner          David Barra  
                 Commissioner          Paul Wolfson  
                 Commissioner          Adrienne Michel (ad hoc)

**Absent:**      Commissioner          Susana Carpenter

**Also in Attendance:**

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector
Carolina Fonseca	Village Consultant
Mike Seminara	Assistant Building Inspector

**Chairman Leo announced the evening's agenda as follows:**

<b>Item #1</b>	<b>Approval of Minutes of the October 19, 2021 meeting</b>
<b>Item #2</b>	<b>140 Marbledale Rd.              Site Plan</b>
<b>Item #3</b>	<b>151 Marbledale Rd.              Site Plan</b>
<b>Item #4</b>	<b>22 Underhill Ave.              Adjourned</b>
<b>Item #5</b>	<b>69 Main Street              Adjourned</b>

**Item #1 Approval of Minutes      October 19, 2021**

Chairman Leo motioned to approve the minutes from the October 19, 2021 meeting, seconded by Commissioner Wolfson and carried with a vote of 5 – 0.

**Item #2 140 Marbledale Rd. Site Plan**

Stephen Veneroso attorney representing the applicant described the application was for a change of use to run a testing laboratory. This site is 9000 sq. ft., the first floor is 3200 sq. ft., which will be parking, garage, boiler room, bathroom and storage areas. The second floor will house offices. There will be no work done to the exterior of the building.

Calisto Bertin, applicant noted that he is a Principal of Calisto Engineering and also owns certified testing labs. The certified testing labs are third party inspectors that test construction materials such as the soil for the footings, concrete and welding inspections.

The lab will have a curing room where the concrete is cured and tested in the lab for a time period of 7 days, 28 days and 56 days. This lab will then certify that the concrete meets the specific requirements. The soil will be tested to insure that it is sustainable for multiple uses. There will be no testing for contaminants, only structural components. This facility will not generate any waste.

There is space for 5 vehicles. One truck is an x-ray welding truck. There will be three employees upstairs and a lab supervisor whom will not be on the premises too often.

The hours will be from 7:00am to 5:00pm. There should be 5 people at the site at one time, 3 administrators and 2 lab technicians.

There will be very little noise and no noise will be heard from outside the building. There is one hydraulic press. There will be no visitors to the site. The inspectors bring the materials to the site, park in the front of the garage door and drop off the samples. There should be generally one drop off per day.

The cement area will be hosed down each day and will work with the Building Dept. to settle their concerns regarding the sediment going down the sewer lines. An elbow can be installed to catch the sediment as it settles in the elbow. The lab will be swept often.

Chairman Leo voiced his concern regarding the tight space for the three parking spaces. There are three spaces on the submitted plans, the space is tight and should be two parking spaces.

Mr. Veneroso noted that he would discuss that with the applicant and correct that.

Bill Williams stated that he spoke with the Police Chief regarding putting the stop bar back and placing a meter head in the front so the third parking space will be in the front.

**Chairman Leo motioned to open the public hearing, seconded by Commissioner Nerenberg and carried with a vote of 5 – 0.**

**No Public Comments**

**Commissioner Nerenberg motioned to close the public hearing, seconded by Chairman Leo and carried with a vote of 5– 0.**

**Chairman Leo offered the following SEQRA resolution in the form of a motion:**

**PLANNING BOARD RESOLUTION/DECISION**

**APPLICANT/OWNER:** Certified Testing Laboratories

**LOCATION OF PROJECT:** 140 Marbledale Road, Tuckahoe

**SECTION:** 67 **BLOCK:** 3 **LOT:** 10C & 10D

**DESCRIPTION OF PROJECT:** Occupy an existing building for offices and a materials testing laboratory

**SEQRA RESOLUTION**

Pursuant to the regulations of SEQRA this Board finds that:

- 1. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.**
- 2. This Board is in possession of all information reasonably necessary to make the determination as to the environmental significance of the proposed site plan application.**
- 3. That the action taken herein shall not have a significant adverse impact on the environment and it is declared that a Negative Declaration is hereby adopted with regard to this action.**

**Commissioner Barra seconded the motion and upon roll call was carried with a vote of 5 – 0.**

**Chairman Leo offered the following resolution in the form of a motion:**

**THE FOLLOWING IS THE RESOLUTION/DECISION OF THE PLANNING BOARD OF THE VILLAGE OF TUCKAHOE, N.Y.**

Applicant Certified Testing Laboratories is the owner of the building located at 140 Marbledale Road, Tuckahoe. Said building was formally occupied by Besson Oil. Applicant proposes to operate a concrete testing facility. During the work session the applicant represented that there are no chemical used in the testing process and that the process uses moisture and pressure from the equipment listed on the plans. Applicant further will use the space for executive offices for the business. Applicant's plans call for 5 indoor parking spaces, however we feel that only 4 can be utilized but we find that the indoor parking is sufficient for the use.

The business will be housed in an existing building and the proposed use we find will have little to no impact on the parking or traffic in the area. We, therefore, find that the applicant has met all aspects of 7-1 of the Village of Tuckahoe's Zoning Code and application is approved.

The drawings presented to the Planning Board of the Village of Tuckahoe, NY are dated: 10-19-2021, received on 10-20-2021, revised on 11/3/2021 total of 3 (three) drawing pages: A-101.0, A-102.0 and A-201.0.

**EVERY REPRESENTATION OF THE APPLICANT MADE IN ITS APPLICATION AND PRESENTATION WILL BE A CONDITION OF THIS APPROVAL. ANY DEVIATION FROM THE REPRESENTATIONS MADE SHALL BE CAUSE FOR THE REVOCATION OF SAID APPROVAL.**

**Commissioner Nerenberg seconded the motion and upon roll call was carried with a vote of 5 – 0.**

**Item #3 151 Marbledale Rd. Site Plan**

Chris Carson representing the applicants Zef and Ralph Dejevic to open a steakhouse at 151 Marbledale Rd., which is the new restaurant recently built on the Marriott Hotel property. This building has a basement, first floor for the dining room seating, and a rooftop bar area. There will be 5 bathrooms in the main dining room with two ADA compliant. The basement will have two full bathrooms, prep kitchen, and a storage area.

The roof has two ADA compliant bathrooms and a screened mechanical area. There will be a full bar with a pergola on the tile roof.

Chairman Leo pointed out that there should not be a step down from the interior to the exterior of the rooftop bar.

Mr. Carson noted that the restaurant measures 6383sq. ft., which would require 64 parking spaces. This site offers 85 parking spaces.

There will be a prefabricated steel staircase from the rooftop bar for egress. There is an existing staircase from the basement as a form of egress. This staircase will have an awning to over cover for inclement weather.

Bill Williams noted that the upper outdoor staircase does not require an awning as the open design with metal and the tread on the open steel will allow the moisture to fall through it.

The restaurant will be open 7 days a week. The hours will be from 12:00pm to 10:00pm. May eventually close on Mondays in the future. On Fridays and Saturdays, the closing time will be 11:00pm and Sunday at 9:00pm. The rooftop bar will close at 10:00pm.

Chairman Leo noted that this is also a residential area and asked if the applicant would consider the hours as follows; Monday to Thursday 12:00 to 9:00pm, Friday and Saturday 12:00 to 10:00pm and Sunday 12:00 to 9:00pm.

Zef Dejevic noted that he does not want to bother the neighbors. He will not have any live music. The music will be soft music and will be kept on low volume and done respectfully.

Chairman Leo noted that there were a few issues with The Broken Bow Brewery and would like to be prevented issues and also be respectful to the neighbors nearby.

Chairman Leo asked the applicant to return with samples of the materials of the exterior, information on the roof design and mechanical area, the six-foot barrier, screening, color, materials and updated renderings for the next meeting. He asked for the pavers for the rooftop, the equipment plan, furniture and the load capacity of the roof.

Mike Seminara, Assistant Building Inspector asked about the venting of each bathroom.

Mr. Carson noted that the venting would be out to the side or up to the mechanical area.

Mr. Seminara added that the Fire Dept. would have their comments at the next meeting.

Chairman Leo asked about the traffic flow with regards to the valet parking.

Bill Williams stated that he would ask Noah Levine to look into this, but the high volume of traffic would be for approximately 30 to 45 minutes while cars arrive for the valet parking.

Commissioner Michel asked how it would work if a customer prefers to park their car rather than use the valet parking option.

Zev Dejevic noted that there would only be the valet parking option.

**Chairman Leo motioned to open the public hearing, seconded by Commissioner Barra and carried unanimously.**

#### **No Public Comments**

**Chairman Leo motioned to keep the public hearing open, seconded by Commissioner Nerenberg and carried unanimously.**

Chairman Leo asked for the designated space and screening for the dumpster be placed on the plan.

Mr. Dejevic stated that he plans to use a private carting company for the trash pickup. It would be scheduled for 3 times per week between the hours of 7:00am and 8:00am.

Bill Williams asked that the plans be forwarded to the DPW for review.

<b>Item #4</b>	<b>22 Underhill Ave.</b>	<b>Adjourned</b>
<b>Item #5</b>	<b>69 Main Street</b>	<b>Adjourned</b>

There being no further comments from the public or business before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.