

January 17, 2023
TUCKAHOE PLANNING BOARD
Tuckahoe Village Hall Regular Meeting – 7:00pm

Present: Chairperson Antonio Leo
Commissioner Raymond Nerenberg
Commissioner Paul Wolfson

Absent: Commissioner David Barra
Commissioner Susana Carpenter
Commissioner Adrienne Michel (ad hoc)

Also in Attendance:
Gary Gjertsen Village Attorney

Chairman Leo announced the evening's agenda as follows:

Item #1 Approval of the minutes – December 20, 2022
Item #2 12 Fisher Ave. Return
Item #3 5 Fisher Ave. Site Plan

Item #1 Approval of the minutes dated December 20, 2022
■ Postponed

Item #2 12 Fisher Ave. Return

John Burke, owner of Stephen's Green Restaurant noted that he replaced the roof of the outdoor eating area with a metal roof. The existing structure received approval to replace the roof. The outdoor area is used during the Spring, Summer and Fall seasons. There is no change to the size of the outdoor area.

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

No Public Comments

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

Commissioner Wolfson offered the following resolution in the form of a motion:

APPLICANT/OWNER: Fisher Ave Foods Corp

LOCATION OF PROJECT: 12 Fisher Ave, Tuckahoe

SECTION: 42 BLOCK: 9 LOT: 9

DESCRIPTION OF PROJECT: Amend site plan to legalize an existing temporary structure that covers an outdoor seating area.

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.**

Chairman Leo seconded the motion and upon roll call was carried with a vote of 3 – 0.

Commissioner Wolfson 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 is seeking to amend its site plan to legalize a temporary enclosure of an outdoor seating area. The enclosure currently stands and is primarily used in the warmer weather. We find based on the work sessions and presentations at the public hearing that the applicant has met its burden as to 7-1 of the Village of Tuckahoe's Zoning Code and therefore the application is approved on the following conditions:

1. There is to be no further alterations to the structure without approval by this Board. We have attached hereto as Exhibit A pictures as to how the structure currently exists as a point of reference.
2. If the business is sold or ownership changes to a person or entity that is not an immediate family member of the current owner then either the structure must come down or the new owner/operator must come back to this board to obtain approval for the structures continued use.

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.

Chairman Leo seconded the motion and upon roll call was carried with a vote of 3 – 0.

Item #3 5 Fisher Ave. Site Plan

Brian Leonardo and Gregory Picchioni, applicants stated that they were requesting approval to open a grab and go coffee shop. The shop will consist of prepacked pastries from a local bakery and gourmet coffee. They will open 7 days a week, 6:00am to 6:00pm. with 4 – 5 employees. There will be no cooking done on the premises. There will be three tables with two or three chairs at each table for patrons.

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

No Public Comments

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

Commissioner Nerenberg offered the following resolution in the form of a motion:

APPLICANT/OWNER: Gregory Picchioni

LOCATION OF PROJECT: 5 Fisher Ave, Tuckahoe

SECTION: 42 BLOCK: 8 LOT: 16

DESCRIPTION OF PROJECT: Open a Coffee shop at 5 Fisher Ave. Tuckahoe

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.**

Chairman Leo seconded the motion and upon roll call was carried with a vote of 3 – 0.

Commissioner Nerenberg 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 is seeking to open a coffee shop at 5 Fisher Ave in Tuckahoe. 5 Fisher Ave is an existing building that has no on site parking. Prior to this application there existed a juice bar business in this location. We find based on the work sessions and presentations at the public hearing that the applicant has met its burden as to 7-1 of the Village of Tuckahoe's Zoning Code and therefore the application is approved on the following conditions:

1. Applicant may have prepackaged foods but there is to be no cooking of foods at the location.

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.

Chairman Leo seconded the motion and upon roll call was carried with a vote of 3 – 0.

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.