

POUND RIDGE PLANNING BOARD MEETING MINUTES
Thursday, January 28, 2021 at 7pm

Attendees:

Board Members: Michele Rudolph, Chairperson
John Bria
David Dow
Gail Jankus
Robert Knorr
Steve Kushner
Rebecca Wing

Advisors: Carla Brand, Town Board Liaison
Joe Eriole, Counsel, joined the meeting late due to isolated power outage
Ellen Grogan, Conservation Board Liaison
Kelly Morehead, Town Engineer Assistant
Jim Perry, Building Inspector
Jason Pitingaro, Town Engineer

Staff: Christeen Dür, Administrator

The meeting began at 7pm.

Ms. Rudolph introduced herself as the new Chairperson and welcomed new Board Members Robert Knorr and Rebecca Wing and the Town's new Administrator, Christeen Dür. Mrs. Dür noted that the meeting is being recorded.

Adoption of Minutes from the Meeting of December 17, 2020

Ms. Wing made a motion to adopt the minutes, Mr. Bria seconded. All members present voted in favor.

Christian Babcock, 9 Heerdt Farm Road, Block 9453, Lot 39-7.

Application for Residential Site Plan approval to construct a 20' x 40' concrete in-ground swimming pool and hot tub that exceeds the maximum lot coverage threshold for an R-2A zoning district.

Zoning District: R-2A, Acres: 2.378

Previous meeting: 12/17/20; Site Walk: 01/09/21

Ms. Rudolph stated a Planning Board site walk had occurred on January 9 and updated, clearer drawings had been submitted. Mr. Ken Thomsen, Bedford Poolsapes, on behalf of the applicant, reviewed the revised plans that include moving the proposed pool to fit within the 75' setback, adding trees for screening in response to neighbors' concerns, and expanded the fence to protect the trees from deer. Photos were submitted and reviewed to clarify the reasons for the location of the pool and the property line. Mr. Perry noted that the vegetated buffer regulation was approved in 2001 and this house was built in 1987. Mr. Thomsen answered additional questions from the Board.

Mr. Thomsen reiterated that expanding the fence not only adds screening to the property, but it will protect the proposed 10-12' high evergreen trees from the deer. The fence will be post and rail with wire. Mr. Pitingaro explained how the runoff needs to be controlled during and after construction is complete. Mr. Thomsen assured the Board that measures would be made to make sure runoff is controlled. Mr. Thomsen continued that hay bales will be added to the property and staked every night so there is no runoff beyond the property. Ms. Rudolph acknowledged that the new vegetation will also help control future runoff. Ms. Rudolph reminded the applicants that photometric data was needed to address another neighbor's concern over lighting. Mr. Thomsen explained that there will only be 2 lights in the pool and spa. Ms. Rudolph thanked Mr. Thomsen for being so responsive to the Board's and neighbors' concerns.

Mr. Kushner noted that he knows Mr. Thomsen and asked about the location of the pool. Mr. Thomsen explained that the supplemental setback requirement from the Board of Health due to the septic location determined the pool location, and therefore the red/orange area noted on the plans were out of play. Ms. Michele Jordan, a neighbor to the Babcock's joined the meeting. She said she and the other neighbors were not notified of this meeting. Ms. Rudolph explained how the meeting began with Mr. Thomsen reviewing the updated plans and addressing the neighbors' concerns. Ms. Jordan asked if Mr. Kushner would be recusing himself since he knows Mr. Thomsen. Mr. Kushner explained his business with Mr. Thomsen was in 2007, was entirely satisfactory to both sides, and is the last and only business relationship they had therefore he does not need to recuse himself from this application.

Ms. Jordan went on to explain her concerns about the steep slopes, the logging road and questioned who is liable for flooding on her property. Mr. Pitingaro discussed the site walk, evaluating the woods road, how the applicants addressed the neighbors' concerns and that there will be less runoff after construction due to the added vegetation. Mr. Pitingaro added that the plans must include reseeded and restoring that area after construction and agreed that the staked hay bales are a good idea during construction. Ms. Jordan added that she has spent \$20k over 4 years on her driveway due to runoff damage. Mr. Kushner recommended that the site be documented before and after construction as typically done and they will need to demonstrate how the area is stabilized to pass final inspection. Mr. Thomsen noted how they always seed the area once complete. Ms. Jordan asked who should she call if there is an issue during construction. Mr. Pitingaro and the Board all agreed she can call Mr. Perry at any time.

Ms. Rudolph explained how 2 neighbors' letters were received prior to the meeting, that a long discussion occurred during site walk had occurred, how revised plans that addressed concerns were submitted and reviewed at the beginning of the meeting. She continued that the Babcock's are complying with Town regulations, responding to the Town Engineer's report and neighbors' concerns. Ms. Jordan brought up again the steep slope and shared common area of the driveway and not being notified again of this meeting. Mrs. Dür noted that all neighbors within 500' are notified of the first meeting by the applicant and all meetings with agendas are posted on the Town's website. She explained since she is new to the position she will review the required protocol. Mr. Kushner and Mr. Perry confirmed that the requirement of notifying neighbors within 500' is only required for the first meeting. Mr. Pitingaro added that the Town of Pound Ridge is following the NY State Law by notifying neighbors within 500' of the first meeting. Ms. Wing reminded everyone that it was noted at the last meeting that the Babcock's application would be on today's agenda for review following their site walk. Mr. Perry noted that a bond will be held until a final inspection is passed. Mr. Knorr confirmed that Mr. Perry never signs off on a final inspection if there is damage or erosion.

Mr. Pitingaro stated he will work with Mr. Perry on any outstanding issues and set an amount for a bond. Ms. Rudolph noted that a resolution will be prepared for the February meeting.

Hilary and Ja Kao, 155 Eastwoods Road, Block 9822, Lot 41

Application for Residential Site Plan approval to construct an exterior stairwell to the existing house deck and the addition of a garage bay and coverage storage to the existing garage that would exceed the maximum lot coverage threshold for an R-3A zoning district.

Zoning District: R-3A, Acres: 12.075

Previous meeting: 12/17/20; Site Walk: 01/09/21

Ms. Rudolph noted that a resolution has been prepared but since a revised site plan was not submitted this application has been postponed until the February meeting.

3521 Property, LLC, 27 Tatomauk Road, Block 9816, Lot 27

Application for Residential Site Plan approval for demolition and reconstruction of a single-family residence and driveway location. This application is also being reviewed by the Water Control Commission and Zoning Board.

Zoning District: R-2A, Acres: 2.001

Previous Meeting: 12/17/20; Site Walk: 01/09/21

Mr. Barrett, engineer, on behalf of the applicants reviewed the site plans and pictures. He discussed the layout of the stone wall and runoff that was also discussed at the Water Control Commission meeting. Mr. Perry asked where the applicant stood with the Board of Health and septic approval. Mr. Barrett explained that the new well plan was still being developed. Mr. Pitingaro spoke with their storm water engineer, Alan Pilch. Mr. Perry reminded Mr. Barrett that the Board of Health approval was of the utmost importance to move forward. Mr. Perry said that revised plans were submitted to the building department and the permit was amended as they continue to apply to the Water Control Commission, Planning and Zoning Boards.

The Board asked how was the house heated in the past and if it was oil, where is the oil tank. Mr. Perry noted there is no record of a buried oil tank. Ms. Rudolph asked the applicant to find the oil tank and let Mr. Perry know where it is located.

Mr. Siguenza, architect, reviewed the plans. Ms. Wing asked if the foundation shifted and to explain if the footprint has changed. Mr. Barrett explained that the change in footprint was a construction error. Mr. Siguenza added that it was not intentional to change the footprint of the house.

Ms. Rudolph asked the applicant to submit updated plans to the Planning Board, find the oil tank, and to work with their engineer to address the driveway runoff. She reminded them that they need Board of Health approval first.

Mr. Kushner asked why do the applicants have an LLC. Ms. Morehead noted that the Board may ask for the board of directors/officers/owners/members of the LLC be identified and listed on the plans. Louis Navarro, the homeowner, noted he was the only member of the LLC and was only using it during construction.

Mr. Knorr asked if a permit is required to remove an oil tank and if a soil sampling was needed. Mr. Perry noted that needing a permit to remove an oil tank is a new law that just began on January

1, 2021. Mr. Perry asked the applicant to find out if the tank was removed and if so, when it was done.

Simon and Kim Krinsky, 66 Eastwoods Road, Block 9824, Lot 5

Application to construct an open screened pavilion on the site of an existing stone terrace. The pavilion will have a roof and fireplace. A new retaining wall and steps will replace the existing crumbling ones. The pavilion will be set on a 6" stone floor and be surrounded by a grassy sod lawn. The pavilion can not be seen from the neighboring properties.

Zoning District: R-3A, Acres: 7.589

Previous Meeting: New application

Mr. Krinsky, the homeowner, reviewed the plans for the new pavilion until Ms. Cioppa, architect, joined the meeting. The pavilion is hidden from the neighbors and will have 3 screened walls, a roof, electric power but no water. Ms. Cioppa explained how the Code Conformance Worksheet that was submitted had some errors on it. The new pavilion does not cover the entire area where the original stone patio was, therefore there is a deduction of 490sf and not an increase of 366sf, resulting in an over lot coverage of 107% not 110%.

Ms. Rudolph stated that every application requires a site walk. Ms. Cioppa agreed to stake out the location for the site walk. Mr. Perry noted that they are trading lot coverage for building coverage.

Ms. Rudolph asked that they update the application and plans and come back to the next meeting on February 25. The site walk will be on Saturday, February 6 at 9am.

Mr. Eriole noted that he joined the meeting late due to a power outage. Ms. Rudolph introduced Mr. Eriole to the new Board Members and Administrator. Mrs. Dür thanked the Board Members for their support and guidance as we review the process for this Board.

Meeting adjourned at 8:33pm.

Respectfully submitted,

Christeen CB Dür