

**Town of Pound Ridge
Planning Board Meeting Minutes
Thursday, February 25, 2021 at 7pm**

Attendees:

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

Advisors: Carla Brand, Town Board Liaison
Joe Eriole, Counsel
Ellen Grogan, Conservation Board Liaison
Kelly Morehead, Town Engineer Assistant
Jim Perry, Building Inspector
Jason Pitingaro, Town Engineer

Staff: Christeen Dür, Administrator

Called to Order:

Ms. Rudolph called the meeting to order at 7pm, noted that the meeting is being recorded and asked Mrs. Dür to confirm that a public notice had been published. Mrs. Dür confirmed that the notice was posted on the Town's website and published in The Record Review. Mrs. Dür also confirmed that the Subdivision applicant sent the notice out to those listed on its abutters list.

Adoption of Minutes from the Meeting of January 28, 2021:

Ms. Jankus made a motion to adopt the Minutes, Mr. Kushner seconded. All members voted in favor.

Public Hearing:

Abby Simpson, Simpson Subdivision, 115 Barnegat Road, Block 9457, Lot 5

Public hearing for Preliminary and Final subdivision approval splitting 6.739 acres into 2 lots; lot 1 consisting of 3.23 acres and existing 1 story frame residence and lot 2 consisting of 3.509 acres. The applicant plans to apply to the Water Control Commission at the March 10, 2021 meeting.

Zoning District: R-3A, Acres 6.739

New Application

Ms. Rudolph clarified that the application was actually not ready for a public hearing since this was their first appearance before the Planning Board. The application should be considered as an initial meeting for a preliminary review of a sketch plan today and the next meeting with more information will be a public hearing. Ms. Rudolph explained the applicant will present and respond to the Board's questions and it is a courtesy by the Board to have neighbors comment or ask questions during the meeting.

Mr. Dave Sessions, Kellard Sessions Consulting, shared his screen and reviewed the submitted plans and acknowledged that this is an initial meeting for a preliminary review of a sketch plan. He reviewed the lot with the existing 1 story house and the complete site survey including topography, a tree survey and the grading, and the utility and erosion plan. He described the proposed lot line at the stone walls for Lot 1 being 3.23 acres and Lot 2 being 3.509 acres. He explained how the division avoids slopes, wetlands and it is all on contiguous dry land. Mr. Sessions clarified that the development shown on Lot 2 is a realistic theoretical scenario and not being proposed. It was submitted to demonstrate that the lot can support a realistic house, septic and driveway. He reviewed the driveway profile, storm drainage areas and erosion controls as listed under the construction details

The Board and Mr. Eriole discussed how this application is only to approve dividing 1 lot into 2 lots. Mr. Sessions added that the applicant's goal is to sell Lot 2, not to develop it. The Board discussed the theoretical plans submitted for the proposed Lot 2 and acknowledged that it is not being proposed in this application. The Board and Mr. Sessions discussed the history of the Dann Farm Road subdivision in 1996. Mr. Sessions provided the Minutes from 1996 that showed access from Dann Farm Road would be allowed. All present agreed that anything proposed to be built by any future owner will need approval by the Town. This application is also being considered by the Westchester County Health Dept and the Town's Water Control Commission.

Mr. Perry noted that the front yard on Lot 2 should be Dann Farm Road not Barnegat Road therefore the setbacks noted on the plans need to be corrected for the next meeting. The Board asked Mr. Sessions to come back with an updated Environmental Assessment Form, address the concerns in the Town Engineer's memo, and correct the front yard notation and update the theoretical future plans for Lot 2. Mr. Sessions noted Mr. Perry's correction and confirmed receipt and understanding the notes made in the Town Engineer's memo. Mr. Sessions confirmed he will address the engineer's notes, concerns made by the Board and submit updated plans in order to get on the agenda for the next meeting as a Public Hearing.

The Board discussed the location of any future driveway even though it is not being proposed in this application. Mr. Sessions explained that any future driveway on Lot 2 would have to come from Dann Farm Road due to the topography, the stone wall and any future septic location. Ms. Rudolph added that access on Barnegat Road would not be possible due to its environmental impact. Mr. Eriole reminded the Board that the driveway is not part of this application.

The Board discussed the process for this application considering their simultaneous application to the Water Control Commission. Mr. Perry explained that the Water Control Commission's comments will become part of the Planning Board's review. In this case, the Water Control Commission is an advisory board to the Planning Board on a subdivision. Mr. Eriole suggested that the Board make a motion to declare the Planning Board lead agency in this SEQR review, an assessment on whether or not the proposed project will have a significant adverse impact on the environment.

Mr. Sessions reiterated his next steps. He will address the Town Engineer's memo, any concerns expressed by the Planning Board's, get the EAF into better shape and modify the theoretical future development site plan on lot 2 including a revised tree plan. Ms. Rudolph agreed on next steps and also looked forward to hearing the comments made by the Water Control Commission.

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: 01/28/21

Ms. Rudolph discussed the site walk conducted by members of the Board. Ms. Carol Cioppa, architect, reviewed the updated site plan and the Town Engineer's memo. On the Town Engineer's memo under site plan review it noted that she can ask for relief from particular items. She is asking the Board for relief for items C through J under Site Plan Review. Ms. Cioppa said there will be no outdoor lighting. Ms. Rudolph explained that on the site walk they could see that the pavilion can be seen by neighbors. She further explained that any lighting inside an open pavilion is considered external lighting and needs to be submitted in keeping with the Planning Board practice. Ms. Cioppa has updated the plans to lessen coverage and completed a new coverage worksheet. Ms. Rudolph reiterated that it was a good site walk and that Ms. Cioppa needs to submit lighting plans since it is an open pavilion therefore considered external lighting.

Ms. Rudolph requested a resolution of approval be prepared for the next meeting.

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 meetings: 12/17/20, 01/28/21

Site Walk: 01/09/21

Ms. Wing recused herself from this application and signed off of the Zoom meeting. Mr. Kushner will abstain from voting on this application.

Ms. Rudolph discussed the site walk and revisions to the proposed plans. She added that verbal and written comments from neighbors were heard and received. Mr. Pitingaro confirmed that additional information had been received and reviewed for the preparation of the resolution. Ms. Rudolph asked if the applicant had read the resolution. Mr. Thomsen, Bedford Poolscares, confirmed reading the resolution and will follow the terms of the resolution. Mr. Pitingaro added that a bond will be required to protect the shared driveway at the request of the neighbors. Mr. Pitingaro will work with Mr. Perry to determine an amount for the bond.

Ms. Wing did not vote as she recused herself as noted earlier. Mr. Kushner did not vote per his abstaining noted earlier. Ms. Jankus made a motion to approve the resolution, Mr. Bria seconded. All members voted in favor.

85 Westchester Avenue, NorthStar Restaurant, David Schlack, Block 7454, Lot 6

Application to extend the front porch roof to the edge of the existing patio without an increase to the impervious surface percentage and without side yard roof extension.

Zoning District: PB-A, Business District

New Application

Ms. Rudolph introduced the application by NorthStar Restaurant. Mr. Tom O'Brien, architect, reviewed the simple plan to extend the roof of the existing patio with no increase to the impervious surface percentage and no extension to the side roof. Mr. O'Brien answered questions from the

Board regarding ground disturbance, parking and temporary dining setup. Mr. O'Brien noted that this will not have any ground disturbance or impact parking. He also noted that it will not increase the seating, nothing will be displaced and existing columns will remain. Mr. Perry noted that the Planning Board should work like the State and Town Board to support local restaurants.

Ms. Rudolph asked Mr. O'Brien to update the plans per the Town Engineer's memo and submit a letter describing any changes. Ms. Rudolph requested a resolution of approval be prepared for the next meeting. Mr. Pitingaro suggested a resolution with standard conditions that also specifies no additional seating and no increase to the building footprint.

Mr. Kushner made a motion to approve the application with the conditions noted and a resolution to be signed by Ms. Rudolph as the Board Chair, Ms. Jankus seconded. All members voted in favor.

Meeting adjourned at 9:09pm.

Respectfully submitted,

Christeen CB Dür