

**Town of Pound Ridge  
Planning Board Meeting Minutes  
Thursday, August 26, 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  
Andrew Karpowich, Conservation Board Liaison  
Kelly Morehead, Town Engineer Assistant  
Jim Perry, Building Inspector  
Jason Pitingaro, Town Engineer

**Staff:** Christeen CB Dür, Administrator

**Called to Order:** Ms. Rudolph called the meeting to order at 7pm and noted that the meeting is being recorded.

**Adoption of Minutes from the Meeting of July 22, 2021:** Ms. Jankus made a motion to adopt the Minutes, Mr. Bria seconded. Mr. Dow abstained due to his absence at the last meeting. All other members voted in favor.

**Old Business:**

**Jelitza Delgado, 65 White Birch Lane (resolution prepared)**

**Block 9031, Lot 215.1**

Application for a new 4 bedroom, 3 ½ bath, 2,594sf single family home, 914sf garage and in-ground swimming pool.

**Zoning District: R-2A, Acres: 2.0**

**Previous Meetings: 06/24/21,7/22/21**

**Site Walk: 06/29/21**

Ms. Rudolph reviewed the Resolution for approval.

Mr. Kushner made a motion to approve the Resolution, Ms. Wing seconded the motion. All members voted in favor.

**Steve Monroe, 203 Upper Shad Road**

**Block 9317, Lot 19.3**

Application for new construction of a residence, driveway, pool, well and septic system.

**Zoning District: R-3A, Acres: 4.08**  
**07/22/21**

**Site Walk: 05/11/21**

**Previous Meetings: 04/22/21, 05/27/21, 06/24/21,**

**Other Boards: Water Control Commission**

Mr. Monroe explained to the Board how he and the team working on his proposed home have tried to meet all conditions throughout the application process. Ms. Rudolph explained the challenges with the application when it was first submitted and the concerns of the Planning Board with the lot due to its steep slope. Mr. Eric Baker, architect, reviewed the lighting and landscaping plans. Mr. Knorr noted that the trees proposed will not be sustainable on the steep slope. Mr. Perry noted that the Water Control Commission will address the landscaping plans on the slope.

Mr. Eriole suggested the Board vote on a conditional approval including the \$59,000 common driveway restoration bond required. Mr. Monroe and Mr. Baker agreed to work with Ms. Rudolph on a complete lighting photometric plan with dark sky friendly fixtures and work with Mr. Pitingaro on the suitable plantings for the steep slope.

Ms. Wing made a motion to approve a Resolution with the conditions noted above and is reviewed and signed by Ms. Rudolph as the Board Chair, Ms. Jankus seconded the motion. All members voted in favor.

**Sam Fertik & Julie Levitt-Fertik, Adjacent to 129 Upper Shad Road**  
**Block 9317, Lot 27.1**

Application to construct a new 2 ½ story dwelling, including new septic, well and stormwater management.

**Zoning District: R-3A, Acres: 3.509**

**Previous Meeting: 7/22/21 Site Walk: 7/27/21**

Mr. Fertik, owner and contractor, reviewed the application and noted that the Water Control Commission approved the application on the condition of Planning Board approval. Mr. Fertik said he will address all items in Mr. Pitingaro's memo. Ms. Rudolph noted that it is a straight forward application and asked for a draft resolution to be prepared.

Mr. Bria made a motion to approve the application with the conditions that all items in the Town Engineer's memo are addressed and a Resolution is reviewed and signed by Ms. Rudolph as the Board Chair, Ms. Jankus seconded. All members voted in favor.

**Anthony Kim, 37 West Lane**  
**Block 9818, Lot 9.9**

Application to build a tennis court and patio along a stone retaining wall and remove the basketball court and return the area to lawn.

**Zoning District: R-2A, Acres: 7.407**

**Previous Meeting: 7/22/21 Site Walk: 7/27/21**

Mr. James Sonak, architect, noted that there are no changes to the design of the plans. He thanked Mr. Perry for his help in understanding the Town Code and that they do not need to go to zoning for this application. Mr. Sonak reviewed the updated setbacks and vegetative buffer based on the last memo. Ms. Rudolph noted the Board does not have any issues with the oversized lot's proposed tennis court but a note should be added to the Resolution that the property cannot be subdivided and it should be a permanent Deed restriction.

Ms. Jankus made a motion to approve the application with the condition that there be a permanent Deed restriction stating the property cannot be subdivided and the Resolution to be signed by Ms.

Rudolph as the Board Chair, Mr. Knorr seconded. Mr. Dow abstained from voting. All other members voted in favor.

**Steven Michaan, 218 Honey Hollow Road  
Block 10255, Lot 13.9**

Application for a 2-bedroom cottage/accessory structure with proposed driveway access for emergency vehicles to the proposed structure. The project includes the installation of a new septic system and other ancillary residential improvements. All existing structures such as main residence, pool, farm sheds will remain.

**Zoning District: R-3A, Acres: 19.653      Previous Meeting: 06/24/21 Site Walk: 06/29/21**

Mr. Vinny Federici, architect, reviewed the application. Ms. Dür noted questions have been submitted via email by neighbor Ms. Cari Delahanty regarding the location of the structure and driveway were answered during his presentation. Mr. Pitingaro noted stormwater can be addressed but no major items of concern. Ms. Dür noted that a letter from the NYC Department of Environmental Protection has been received stating the DEP should be listed as a governmental agency requiring a permit. Ms. Dür also said a letter has been received from the owner Ms. Nevine Michaan to go on record that she does not teach or run her yoga business from home. Her current yoga studio is in Bedford Hills.

Ms. Rudolph noted that the applicant provided the site plan and context information requested by the Planning Board. The information gave the Board sufficient information for a positive review.

Ms. Rudolph asked for a draft resolution to be prepared for approval at the next meeting.

**New Business:**

**Barnegat Barns LLC, Jamie Hammel, 103 Barnegat Road  
Block 9457, Lot 2**

Application for a new garage to an existing home and the replacement of an existing swimming pool and terrace.

**Zoning District: R-3A, Acres: 2.182      Site Walk: TBD**

Mr. William Munn, architect, reviewed the new application and noted that the owner had changed his mind about the garage and pool and that is why it was not included in the other recent just approved application. Ms. Rudolph noted the lot is over coverage and calculations on the code conformance worksheet need to be corrected. Mr. Munn added that he will update the worksheet. When asked again about the segmentation of projects he said that breaking up the projects into 2 applications might have been due to his client's budget. Mr. Eriole noted that it is unlawful to break up projects if it is done with the intention to make the projects appear to be more environmentally friendly and seeking a lesser review. Mr. Perry explained that the application needs to be referred to the Zoning Board for a setback variance.

Ms. Rudolph noted that the Planning Board will walk the site again and asked for the area of proposed work to be staked.

Mr. Dow made a motion to declare the Planning Board as lead agency in this application, Ms. Wing seconded the motion. All members voted in favor. Ms. Dür will do the GML circulation and Zoning Board notification.

**Travis O'Brien, 11 Great Hill Farms Road  
Block 9317, Lot 49.14**

Application for a new swimming pool 12 x 48 and 530sq foot patio.

**Zoning District: R-3A, Acres: 3.087**                      **Site Walk: TBD**

Mr. Sean Walters, consultant working for Wagner Pools, reviewed the application for the pool, patio and landscaping plan. Mr. Kushner noted the application is over allowed coverage with no explanation. Mr. Walters explained they are trying to save a beech tree and there is a steep slope on the side yard. Mr. Pitingaro noted the application does not meet the setbacks.

Ms. Rudolph said they will review the setbacks and pool location on the site walk. She asked for the area of proposed work to be staked.

**Oliver Maltby, 80 Indian Hill Road  
Block 9820, Lot 23.5**

Application for a new single-family residence with a garage on an existing undeveloped subdivision lot. Privacy plantings will be provided near the driveway to limit visibility from neighbors.

**Zoning District: R-3A, Acres 4.497**                      **Site Walk: TBD**

Mr. Knorr recused himself from this application. Mr. Alex Witkowsky, engineer, and Mr. Julian von der Schulenberg, architect, reviewed the application for a new home. Mr. Bergstein, a neighbor at 78 Indian Hill Road, reviewed his concerns that he had submitted in a letter to the Board regarding screening, lighting and the location of the driveway and home. Mr. Maltby responded they want screening as well and there will be no outside lighting. He noted that the driveway pitches down and keeping as many trees as possible.

Ms. Rudolph said the location of the home and driveway will be reviewed at the site walk and asked for the area of proposed work to be staked.

**Kenneth & Alexandra Creed, 246 Honey Hollow Road  
Block 10527, Lot 1**

Application for a new pool house, pool, fencing, terraces and landscape to manage a change in slope to connecting main house. Behind the pool house is secondary parking proposed given the site variances. Separately at the main entrance to the property, they are proposing a new detached 2 car garage adjacent to the parking area as there is currently none on the site. No change to the size of the parking or to the main driveway entry is proposed. There is also no change or expansion proposed to the main house.

**Zoning District: R-3A, Acres: 3.914**                      **Site Walk: TBD**

Mr. Demetrios Comodromos, architect, reviewed the application for the challenging lot that includes wetlands and a steep slope. He noted that this structure is not an accessory apartment but rather a family gathering space. Mr. Comodromos said the proposed second curb cut is needed for emergency services. Mr. Perry noted that the proposed pool house itself blocks emergency access and explained the Town Code does not allow a second curb cut. Ms. Rudolph expressed concern over the size of the building. Ms. Wing noted that the Town Code does define accessory buildings clearly. Mr. Perry noted that all the items listed on the plans and part of his presentation fits the criteria for an accessory apartment. Mr. Perry explained the difference between a pool house and an accessory dwelling. An accessory dwelling has bedrooms and kitchens, pool houses do not. Mr. Reese Campbell, architect, attending via Zoom noted the owner's just want to increase their usable space.



Mr. Comodromos and Mr. Campbell agreed to speak with their clients about the application and wait to have a site walk until the plans are reviewed again with their clients. Mr. Eriole reminded them to look at the Town Code for accessory buildings.

**Stephen Langelotti, 27 Great Hill Farms Road  
Block 9317, Lot 49.10**

Application to make modifications to an existing driveway and residence, construction of a pool, pool house and surrounding patio, and installation of a stormwater treatment system for the new impervious service. A fence is proposed for around the side and rear of the property.

**Zoning District: R-3A, Acres: 3.2                      Site Walk: TBD**

Mr. Knorr recused himself from this application. Mr. Rich Williams, engineer, reviewed the application and coverage calculations. They are seeking a waiver regarding the supplemental setback and noted 4 letters of support received from neighbors. Mr. Brad DeMotte, architect, reviewed the house improvements and pool location. Ms. Rudolph noted that the Planning Board is not against accessory buildings but they do need to follow the Town Code for such buildings. Mr. Pitingaro said the size of the building needs to be reduced and explained other items covered in his memo. Ms. Rudolph asked Mr. Williams and Mr. DeMotte to revisit the plans with Mr. Stephen Langelotti, owner, who added that he has been working on these plans for 3 years.

Ms. Rudolph said the Board's concerns will be reviewed at the site walk and asked for the area of proposed work to be staked.

**Other Business:**

**Zone Text Amendment Update**

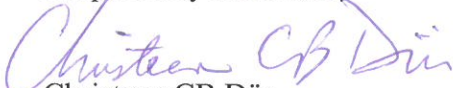
Mr. Eriole reviewed his recommendation on how to update the Town Code so it is clear to applicants. He spoke with Mr. Pitingaro and Mr. Perry and revised the language in the Town Code regarding patios, porches, terraces, enclosed terraces and coverage as it relates to yards and setbacks. Mr. Eriole noted that he agrees with Mr. Loveless, Zoning and Water Control Commission Counsel, and Mr. Harrington, Town Attorney, about how the Building Department has been interpreting the Town Code. The Code is not being changed, the language is being updated to add clarity for the Board and applicants. Mr. Eriole will put the updates in a memo for the Town Board's review.

**Site Walk:** The Board will hold its site walk on Tuesday, August 31 at 5pm. Ms. Dür will notify the applicants of the site walk.

**Next Meeting:** The next Planning Board meeting will be Thursday, September 23 at 7pm.

Ms. Rudolph adjourned the meeting at 10:14pm.

Respectfully submitted,

  
Christeen CB Dür