

**Town of Pound Ridge
Planning Board Meeting Minutes
Thursday, May 26, 2022 at 7pm**

Attendees:

Board Members: Michele Rudolph, AIA, Chairperson
John Bria
David Dow
Gail Jankus
Rob Knorr
Jonathan Stein
Rebecca Wing

Advisors: Joe Eriole, Counsel
Jason Pitingaro, Town Engineer
Jim Perry, Building Inspector

Staff: Christeen CB Dür, Administrator

Called to Order: Ms. Rudolph called the meeting to order at 7:04pm and noted that it is being recorded. Ms. Rudolph introduced new Planning Board member, Jonathan Stein.

Old Business:

**Michael Wolff, 193 Salem Road (resolution)
Block 12063, Lot 5**

Application to build a new pool house, 560sf and remove existing pool shed, 168sf.
Zoning District: R-2A, Acres: 4.38 Previous Meeting: 03/24/22 Site Walk: 04/01/22

Ms. Rudolph reviewed the resolution and noted that the applicant has one outstanding item as part of their approval regarding the conservation easement. Mr. Eriole confirmed the amended conservation easement that is allowing this development needs to be submitted. Mr. Eriole noted that approving the resolution will be conditional on receiving the amended conservation easement/deed instrument to be reviewed by him and Mr. Perry. Mr. Wolff confirmed that the Westchester Land Trust did approve this development and will submit necessary documents to the Planning Board before a Building Permit can be issued.

Ms. Jankus made a motion to approve the resolution on the condition that the amended Conservation Easement is submitted and reviewed by Mr. Eriole and Mr. Perry, Mr. Knorr seconded the motion. All members voted in favor. The application is approved.

**Pound Ridge Library, 271 Westchester Avenue (resolution)
Block 9820, Lot 36**

Revised application from November 2021 to propose additional site lighting for existing parking, roadway and pedestrian paths. No longer proposing to expand existing parking lot.
Zoning District: R-2A, Acres: 2.818 Previous Meeting: 11/18/21 Site Walk: 11/27/21

Ms. Rudolph reviewed the resolution and noted that specifics on the lighting are needed as part of their approval. The applicant agreed to submit specific lighting cut sheets to Mr. Perry for review as part of this approval.

Mr. Bria made a motion to approve the resolution conditional on specific lighting cut sheets to be reviewed by Mr. Perry, Mr. Dow seconded the motion. All members voted in favor. The application is approved.

Aris Samad-Yahaya, 205 Honey Hollow Road (resolution)

Block 10526, Lot 9

Application to build a new house at same location as existing nonconforming house.

Zoning District: R-3A, Acres: 2.697 Site Walk: April 2022

Other Applications: Landmarks, Zoning Board

Ms. Rudolph reviewed the resolution noting that this existing non-conforming home was landmarked but structurally could not accept additional work therefore a new home is being built on the same footprint.

Ms. Wing made a motion to approve the resolution, Ms. Jankus seconded the motion. All members voted in favor. This application is approved.

Stephen Langelotti, 27 Great Hill Farms Road

Block 9317, Lot 49.10

Application to make modifications to an existing driveway & residence, construction of a pool, pool house & surrounding patio & terrace space, install pool equipment & a generator, & installation of a stormwater treatment system for the new impervious service. A fence is proposed for around the side and rear of the property & lighting along the common driveway & property.

Zoning District: R-3A, Acres: 3.2 Previous Meetings: 08/26/21, 03/24/22 Site Walk: September 2021

Ms. Gerri Tortorella, attorney, explained her client has heard the Planning Board's concerns so they moved the pool North closer to the house within the center of the property which increases the distance to the property line. As a result of the pool location change, they are no longer asking for a waiver for the 75' supplemental setback, have reduced the scale of the project by reducing the pool house size by 210sf and added a small terrace. They have added compliant lighting to the pool house and enhanced the landscaping plan. Ms. Tortorella acknowledged they have not made a substantial change in coverage but the concentration of development and elevation change has allowed them to achieve being considerate, mitigation and the client's objectives. Her client revisited the entire site plan and this alternative is a compromise that complies with standards, with no environmental constraints, no wetlands, no slopes, no rocks and a nice buffer for this isolated site. Ms. Tortorella reminded the Board that all of the abutting neighbors have stated this development does not have an impact on them and they believe it does not have a negative impact on the character of the street or the Town.

Ms. Rudolph acknowledged that moving the pool inward is a step in the right direction but noted that the 75' setback came with the property. She appreciated the neighbors' letters but explained the Board's concern is with the very high coverage for a 3.2-acre site that puts the Board in a very awkward position. Ms. Wing said she feels the same way, she appreciates the applicant's effort but is very uncomfortable with the coverage numbers. Mr. Eriole noted that the Planning Board is different than the Zoning Board. Ms. Rudolph said the coverage numbers have not changed. Mr. Dow said he is sympathetic to the applicant's objectives but agrees the coverage is too high. Mr. Bria said he does like this revised plan but agrees the coverage is too much. Mr. Stein reviewed the Code Conformance Worksheet. Mr. Eriole explained there is no magic number on the Code Conformance Worksheet rather if it exceeds the threshold it brings the application to the Planning Board. He went on to explain not specifying an exact acceptable coverage number gives the applicant more freedom. Ms. Wing explained that each site plan is reviewed on a case by case basis determine by the site. Ms. Rudolph acknowledged this revised site plan is very nice but there was no change in coverage. Ms. Tortorella explained her client has compromised by relocating the pool but wonders where has the Planning Board compromised? Mr. Eriole said allowing 186% coverage would deprive the Planning Board discretion on any future application and would move all applications to the Zoning Board.

The Board continued to discuss how coverage and setbacks are determined. Mr. Perry noted that if you remove the kitchen it does not have to be designated an accessory dwelling unit. Mr. Eriole noted that terraces do need to be included in coverage and acknowledged the applicant does not agree with how coverage is calculated by the Planning Board and the Town Code. Ms. Tortorella discussed the Town Code and how they do not need any variances for this application. Ms. Rudolph thanked Ms. Tortorella for reviewing the Town Code and said the Planning Board is sympathetic to the revisions however this application still puts the Planning Board in a very difficult position. She reminded the applicant that the 75' setback was not part of the Planning Board's review but rather was part of the subdivision approval. Ms. Rudolph noted that this is not an oversize lot and coverage has not moved into a comfortable range since submission in August.

Ms. Tortorella asked for more guidance since her client has compromised and is struggling to understand what is acceptable for the Planning Board since this application achieves the subdivision determined setbacks. Ms. Rudolph said the coverage is very high and they are looking for a mutually beneficial application. Mr. Bria noted that the Planning Board works in best interest of the Town. Ms. Jankus explained that coverage issues have an environmental impact on water, septic and activity by future owners and future applications. Mr. Stein said he appreciated the compelling letters from neighbors but expressed concern that if the Planning Board allowed this application to be approved then everyone in Town with 3.2 acres will want this same amount of coverage. Ms. Wing agreed and said this established a grey area for all sites and not everyone has the same buffer on their site. Ms. Tortorella said she believes "precedent" is an overused concept and that every site is unique so as long as you can distinguish why each site is different than you cannot use precedent. Mr. Eriole acknowledged what Ms. Tortorella said but said the Planning Board wouldn't and shouldn't have to have that fight 7 times a year in court with future applicants.

Ms. Tortorella said she will re-evaluate the application with her client. Ms. Rudolph appreciated Ms. Tortorella and her client taking more time to review the overall application including the exterior lighting plans. Mr. Perry noted that the Town does have lighting regulations and light cannot go beyond the property line. Mr. Joe Petrone, landscape architect, reviewed the exterior lighting plans and confirmed they are dark sky compliant. Mr. Steve Langelotti, owner, said he believed they have come as far as he can without sacrificing their plans in response to the Board's concerns as they have spent 2 ½ years working on these plans and have done everything for a reason but he will revisit it.

**Benjamin Clymer, 223 Westchester Avenue
Block 9820, Lot 15.3**

Application to build a new single-family residence with an expanded garage. The location of the access driveway will be reconfigured to work with the proposed addition. An individual well and separate sewage disposal system will be installed to serve the new 3-bedroom house. A stormwater infiltration system is proposed to mitigate increase in stormier runoff as a result of the proposed project.

Zoning District: R-2A, Acres: 2.5434 Previous Meeting: 03/24/22 Site Walk: 04/01/22

Mr. Peter Gregory, engineer, said they have received the Town Engineer's memo and will address all items. Mr. Darren Mercer, landscape architect, reviewed the existing maple trees and explained they might have to relocate the stone wall since roots are pushing the wall forward at the driveway entrance. Ms. Rudolph said they should review the driveway entrance especially since they expect an increase in use with this as a new house. Mr. Mercer said framing will remain. Mr. Perry explained that anything with a new foundation is a new building and, in this case, a new residence. Ms. Rudolph said even if they are repurposing materials it is a new home. Ms. Wing said legally it is a new building. Mr. Gregory said they are awaiting Department of Health approval. Ms. Rudolph said she appreciates the amount of coverage in this application and that the plans are in keeping with history of the site. Mr. Mercer reviewed the lighting plans. Mr. Gregory confirmed there is no change to the curb cut. Ms. Rudolph asked them to return with more information about the lighting and driveway and asked for a draft resolution to be prepared for the next meeting.

**Marc Vandenhoeck & Michele Rudolph, 75 Old Mill River Road
Block 9824, Lot 36.4**

Application to build a new pool house/accessory dwelling unit structure.
Zoning District: R-3A, Acres: 6.748

John Bria, Board Chair for this Application

Ms. Rudolph recused herself and Mr. John Bria acted as Board Chair for this application. Mr. Bria reviewed the application and explained that the Zoning Board issued a use variance that allows the applicant to get a setback variance for an Accessory Dwelling Unit and they also received the setback variance. He reviewed the coverage for the over 6.7-acre site and noted a common driveway performance restoration bond will be required. Ms. Jankus noted that she believes the Accessory Dwelling Unit is well placed and has no concerns. Ms. Wing noted no neighbor concerns have been received. Mr. Knorr asked if any restrictions were included in the deed and Mr. Vandenhoeck noted there are no restrictions on this lot. Mr. Pitingaro reviewed items from his memo provided to the Board and the applicant in advance of the meeting. Mr. Bria asked for a draft resolution to be prepared for the next meeting.

New Business:

**Richard Bellis, 10 Miller Road
Block 9318, Lot 1.35**

Application to build an open-air pool pavilion.
Zoning District: R-3A, Acres: 3.815

Mr. James Best, architect, reviewed the plan for the pool pavilion that includes a pizza oven and BBQ area. Mr. Pitingaro noted that a stormwater plan and clarification of the wetlands line is needed for this application. Mr. Best reviewed the wetlands line and noted the application will be before the Water Control Commission in June. Ms. Rudolph noted this is a modest application for a 3.8-acre site and asked for the area of proposed work to be staked for the site walk.

**Nast Construction Three, LLC, Mike Nast, 265 Stone Hill Road
Block 9817, Lot 3.3**

Application to build a new single-family residence, pool, driveway, SSTS & well. This is lot 3 of the previous S & S development. It is noted that the common driveway, stormwater and electric have already been installed.
Zoning District: R-3A, Acres: 6.82

Please see below as the 2 lots on Stone Hill Road were presented together.

**Nast Construction Four, LLC, Mike Nast, 263 Stone Hill Road
Block 9817, Lot 3.2**

Application to build a new single-family residence, pool, driveway, SSTS & well. This is lot 2 of the previous S & S development. It is noted that the common driveway, stormwater, and electric have been already installed.
Zoning District: R-3A, Acres: 4.21

Mr. Rich Williams, engineer, asked to review both 265 Stone Hill Road and 263 Stone Hill Road at the same time. Ms. Rudolph allowed him to proceed as requested. He reviewed the subdivision approval for the 2 lots with the common driveway and stormwater basins. Mr. Williams said he will address all items mentioned in the Town Engineer's memo. He reviewed the coverage for both new homes and said since the well and septic approvals have expired they have submitted a renewal application to the WCDOH. Mr. Knorr asked about elevation changes

and Mr. Williams said he will add such notes to the plans. Mr. Pitingaro noted that a GML circulation is needed since these 2 lots are on a State Road. Ms. Rudolph asked for the area of proposed work be staked on both lots for the site walk.

Brian & Maggie Troxler, Owner, Welcome Homes, Applicant, 59 on GIS / 63 on plans Park View Road Block 10047, Lot 123

Application to build a new 4-bedroom house with a new septic system, drilled well, drainage and driveway.
Zoning District: R-2A, Acres: 2.163

Mr. Ed Delaney, engineer, reviewed the subdivision for this lot from 1971. He reviewed the application for a new home to be built by Welcome Homes builders. Mr. Delaney noted that all work is being done away from wetlands. Mr. Andrew Vaccarello, engineer, from Welcome Homes introduced himself to the Board and noted that he has 3 homes on this Agenda. Ms. Rudolph acknowledged his applications and expressed concern about maintaining the character of Pound Ridge although the Planning Board is not an architectural review board. Mr. Pitingaro noted a GML circulation is needed for this application. Ms. Rudolph asked for the area of proposed work to be staked for the site walk.

Jordan Figman & Julia Horn, Welcome Homes, Applicant, 0 Dann Farm Road Block 9457, Lot 5.2

Application to build a new single-family residence on lot 5.2 of the Simpson Subdivision Plat approved May 27, 2021.
Zoning District: R-3A, Acres: 3.509

Mr. Dave Sessions, engineer, reviewed the subdivision that was approved in 2021 for this lot. He explained this application has a smaller footprint than what was theoretically proposed during the subdivision process and gravel driveway. Mr. Perry noted that by the 3rd winter the driveway will probably need to be paved due to stormwater. Mr. Sessions said he will respond to all items in the Town Engineer's memo and submitted the stormwater plan. Ms. Rudolph expressed disappointment that this is the same house that is being proposed for Park View Road. Mr. Sessions said this is the design the client has chosen and reviewed the updated driveway and tree plan. Mr. Bria asked why all 3 homes being built by Welcome Homes are the same design. Mr. Andrew Vaccarello, engineer from Welcome Homes, said they have a few models for clients to customize and it just so happens all 3 clients chose the model with the front facing garage. Ms. Julia Horn, owner, said they do have a lot of choices in the modern design and landscaping around the home. Ms. Rudolph noted there is no issue with the modern design. Mr. Stein said the concern is that the all the homes will look the same in the future. Ms. Rudolph acknowledged that each site is on private property and the owners can choose their design that it is just rare to have 3 homes on one Agenda with all the same design with front facing garages. Mr. Vaccarello said they try to build green homes with open concepts all around the tri-state area. Mr. Bria noted that the Planning Board is more familiar with local builders and feels it is a well-founded concern that the same house model will pop-up all-around Town. Ms. Wing asked about the cost effectiveness of the models. Mr. Perry noted these are not small homes but rather 4,000sf not including a basement. Mr. Vaccarello said they will offer more design models in the future. Mr. Sessions reiterated that he will address all items in the Town Engineer's memo. Ms. Rudolph asked for the area of proposed work to be staked for the site walk.

Rob Knorr, owner, Welcome Homes, applicant, 28 Upper Shad Road Block 9320, Lot 112

Application to build a new 3-bedroom house with new driveway, septic system and drilled well and relocating existing driveway for adjacent property.
Zoning District: R-2A, Acres: 2.014

Mr. Ed Delaney, engineer, reviewed the prior approvals for this lot from 2007 and 2014 and the plans for a new home. Mr. Perry noted that the Water Control Commission drove the size of the conservation easement that was accepted by the Planning Board but the former applicants moved so nothing has been developed. Ms. Rudolph noted that a garage facing Upper Shad Road is concerning and asked the applicant to review if a side facing garage is possible. Mr. Vaccarello said the models done by Welcome Homes are stick built on site and not modular. He will review the design with the client. Ms. Rudolph asked for the area of proposed work be staked for the site walk.

**Pound Ridge Golf Club, Eastwoods LLC, 18 High Ridge Road
Block 9316, Lot 18.9**

Application to amend the Integrated Turfgrass Pest Management Plan and to expand the list of chemicals that can be used on the turf. A request was made to the Town Board, which referred the matter to the PB for review and recommendation. Compliance with the ITPMP is a condition of the Site Plan Approval previously issued by the Planning Board. No construction or land disturbance is proposed as part of this request. All new chemicals are approved for use in NY by the US EPA and the NYSDEC.

Zoning District: R-3A, Acres: +/- 179

Ms. Gerri Tortorella, attorney, introduced Dr. Stuart Cohen, environmental chemist, Mr. Steve McDonald, PR Golf Club, Mr. Branko Zdravkoski, Superintendent of the PR Golf Club and Mr. Ken Wong, owner of PR Golf Club. She explained this application to amend the Integrated Turfgrass Pest Management Plan was referred to the Planning Board from the Town Board. The Town Engineer has reviewed the Plan and visited the golf course as part of his review. The Plan has not been updated since 2011. The goal is to maintain very low risk to the ground water by updating the list of effective chemicals the golf course is allowed to use. Mr. Cohen provided an overview of the risk assessment done for each chemical with methodology established by Cornell University. All chemicals in the current and amended plan are in the categories of low or very low risk. Mr. Mike Ferdinand, a neighbor, asked about the monitoring procedures. Mr. Perry explained an incident that was caused by human error in 2009 in which chemicals got into some water runoff after equipment was improperly cleaned. The golf course addressed it immediately and updated procedures and established a monitoring plan for wells off site. Ms. Tortorella confirmed they are still monitoring 3 abutting wells but have not had any subsequent incidents. Mr. Pitingaro explained his firm has two doctors who reviewed this Plan including the monitoring procedures with him.

The Board discussed various chemicals, the categories of risk and NY State and Federal ratings. Ms. Tortorella confirmed all chemicals have been approved by NY State DEC. Mr. Bria noted he always votes against chemicals being used. Mr. Stein acknowledged Mr. Bria's concerns but said this amended list should be better than the existing list since it is being updated with more effective chemicals which should lead to less use overall. Mr. Dow noted that if the application is not approved then the Town is left with the status quo. Mr. Pitingaro noted there are so many variables to be considered that this Plan gives the golf course flexibility. Ms. Tortorella explained that any detection of a chemical is the unacceptable level, there is no level of acceptable detection therefore on-site monitoring is done. Mr. Zdravkoski said when chemicals are taken off the market for our food then then are taken off the approved list for turf management.

Mr. Knorr said he is comfortable relying on the expertise of Mr. Pitingaro and his firm. Ms. Wing expressed concern sending the application back to the Town Board. Mr. Perry asked if Mr. Pitingaro need any additional information to do a complete review? Mr. Pitingaro said he has received all information he needs and is relying on the model developed by Cornell University and believes this amended plan will raise the effectiveness of the use of chemicals.

Mr. Dow made a motion to refer the application back to the Town Board with the conditions that they receive more information about the list of chemicals no longer being used and those being proposed as well as any additional information continues to be shared with the Planning Board, Mr. Knorr seconded the motion. Mr. Bria opposed. All other members voted in favor. The application has been approved to be referred back to the Town Board. The Planning Board's referral memo to the Town Board is attached.

Other Business:

Adoption of the Minutes from the Meeting of March 24, 2022.

Mr. Bria made a motion to approve the Minutes from the March 24, 2022 meeting, Mr. Knorr seconded the motion. Mr. Dow and Mr. Stein were not in attendance at the March meeting. All other members voted in favor. The Minutes were approved as distributed.

Adoption of the Minutes from the Meeting of April 28, 2022.

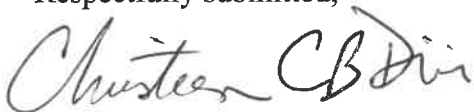
The Minutes from the April meeting will be adopted at the June meeting.

Site Walk: The site walk date will be scheduled next week.

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

Ms. Rudolph adjourned the meeting at 10:56pm.

Respectfully submitted,



Christeen CB Dür