

**Town of Pound Ridge
Planning Board Meeting Minutes
Thursday, June 22, 2023 at 7pm**

Attendees:

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

Advisors: John Loveless, Counsel
Jim Perry, Building Inspector
Jason Pitingaro, Town Engineer

Staff: Christeen CB Dür, Administrator

Called to Order: Ms. Rudolph called the meeting to order at 7:08pm and noted that it was being recorded.

Old Business:

**Phuong and Darin Siders, 10 South Eastern Farm Road (draft resolution)
Block 9318, Lot 1.3-9**

Application to install a pre-built shed and foundation.
Zoning District: R-3A, Acres: 6.176

Ms. Rudolph reviewed the draft resolution and noted that this is an oversized lot. She said all information requested in the last memo from the Town Engineer has been reviewed. Mr. Pitingaro confirmed a site plan with dimensions was also received this week.

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

**Bedford Poolscales on behalf of Garrett & Miriam Wheeler, Owners (draft resolution)
460 Long Ridge Road
Block 9031, Lot 170.1-1**

Application to install a 20' x 40' pool and rain garden as a pool drawdown/stormwater mitigation system.
Zoning District: R-3A, Acres: 29.05

Ms. Rudolph said additional information still needs to be submitted so the vote on the resolution will be postponed until next month.

**Andrew & Christa Chepurny, 29 Joshua Hobby Lane (lighting plan resolution)
Block 9317, Lot 21.9-1**

Application to build a new 5 – bedroom house, pool, septic and well.
Zoning District: R-3A, Acres: 4.48

Ms. Rudolph reviewed the draft resolution for the lighting plan. She said she expected to see a reduction in lighting based on the discussions at the prior meetings. Ms. Jankus said she is disappointed that more lights weren't removed from the site plan. Ms. Rudolph acknowledged a letter has been received from a neighbor about the volume and intensity of the lights. She noted that the Planning Board is aligned with the Comprehensive Plan

in preserving the semi-rural character of our Town. The Planning Board discussed various types and brightness levels with the applicant. Ms. Wing noted that she would like the neighbor's comments to be taken into consideration. Ms. Jankus noted that you do not need the proposed level of light to feel safe in our Town. Mr. Kory Salome, counsel, said lighting has already been reduced 45% and there is no defined standard in the Town Code. Ms. Rudolph reviewed the past concerns expressed by the Planning Board including the number and brightness of the fixtures. She noted that the Planning Board does not allow flood lights and said one level listed is what they use in operating rooms. Ms. Rudolph asked the applicant to reconsider the brightness levels and number of lights. Mr. John Fry, lighting professional, asked for more specific guidance. Mr. Chepurny, owner, reiterated that would like the lights as extra security due to his experience thus far with a hostile neighbor. Mr. Loveless, counsel, said the Planning Board has expressed their concerns and asked the applicant to return.

63 Lyndel Road Property Mgmt. LLC, 63 Lyndel Road (draft resolution)

Block 10047, Lot 43.9

Application to build a floating dock connected to an on-shore deck on Gilmore Pond.

Zoning District; R-3A, Acres: 12

Other Boards: Water Control Commission Approved

Ms. Rudolph reviewed the draft resolution and noted that letters of support have been received by all neighbors who live around the pond.

Mr. Knorr made a motion to approve the resolution, Mr. Bria seconded the motion. All board members voted in favor. The application is approved.

Swan Lake Trust, 128 Old Stone Hill Road (draft resolution)

Block 10047, Lot 28

Application to build a chicken coop within the garden adjacent to the south of the existing barn.

Zoning District: R-3A, Acres: 6.211

Other Boards: Water Control Commission Approved

Ms. Rudolph reviewed the resolution and noted a letter has been received from a neighbor regarding pesticides but she explained that is not under the Planning Board's purview. Mr. Andrew Kuzmich, engineer, said any pesticides used are regulated and approved by the DEC. Mr. Matt Polinsky, 110 Old Stone Hill Road, expressed concern about the frequency of the spraying of the pesticides. Mr. Dan Datino, Westchester Organics, explained he follows all DEC rules and manages the integrated pest management plan. He said spraying is done approximately every 21 days on different parts of the property. Mr. Datino said he started this business in order to provide the safest products and treats Pound Ridge as his own Town. He distributed information about his company, how the staff are trained and the pesticides used. Ms. Rudolph thanked Mr. Datino for the information and reiterated that pesticides are not under the Planning Board's purview but the site plan is and it includes a stormwater plan that considers well water quality. Mr. Polinsky said the volume and frequency of the spraying has impacted his property and the quality of his well water so he asked the owner to reconsider the level of spraying that is done. Mr. Datino said he will discuss with the owner and reach out to discuss further with Mr. Polinsky. Mr. Kuzmich, engineer, said he will address the latest memo from the Town Engineer. Ms. Rudolph said the chicken coop is a minor application for this oversized lot.

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

Hobby Barn, LLC, 270 Stone Hill Road

Block 9816, Lot 76

Application to build a pool cabana and install a new septic system.

Zoning District: R-3A, Acres: 7.054

Other Boards: Zoning Board Approved, Water Control Commission

Ms. Carol Kurth, architect, said they will address the remaining items in the Town Engineer's memo and go to the Water Control Commission and Zoning Board of Appeals. She reviewed the lighting plan and said the lighting will be facing the pool, not the road. Mr. Jeremy Rainato, Rain Concepts, said he needs to submit to WCDOH for approval. Mr. Perry said he needs to submit 2 hard copies to the Building Department for him to review, stamp and sign for a referral to the WCDOH.

**Welcome Homes NY Building Company LLC, Applicant,
on behalf of Miles & Zabrina Thorson, Owners, 2 Colonel Sheldon Lane
Block 9816, Lot 36**

Application to demolish an existing home and build a new home.

Zoning District: R-2A, Acres: 3.24

Other Boards: Water Control Commission

Mr. Kory Salomone, counsel, said they have received approval from the Water Control Commission subject to the Planning Board and WCDOH approvals. He said this is not a historic house and has an unregulated wetland. Ms. Rudolph said during the site walk they saw the vernal pond. Mr. Vagelas Sophias, engineer, reviewed the updated site plan that shifted the house outside of the vernal pond, added a retaining wall, realigned the septic and added a stormwater management plan. Mr. Perry noted that the Water Control Commission was not embracing the retaining wall but just felt the wall was not under their purview and would rely on the Planning Board for that part of the review. Ms. Rudolph said the wall is not the solution. Mr. Sophias said he has spoken with the Town Engineer about drainage and a planting plan. Ms. Rudolph said although clients can easily choose a fixed model from the Welcome Homes website, the house still needs to consider topography when laying out and designing a house for a specific lot. She added that this plan is a lot of coverage for the size of the lot. Mr. Bria said the design could definitely fit on the property better. He added that the Hudsonia Report done for the Town of Pound Ridge suggested we do more to protect vernal ponds. Mr. Sophias said they will discuss with their client about eliminating the wall and changing the grade.

Ms. Rudolph said the property is not flexible but the house can be adjusted. Mr. Andrew Vaccarella, Welcome Homes, said the owner chose the house but they did adjust for the Planning Board. Ms. Rudolph asked the applicant to reconsider the plan since this is over coverage for this lot. She added that applicants are usually open to embracing the property and the qualities of the property. Ms. Rudolph said they need to counsel the owner on what fits best on their encumbered lot. Mr. Salomone said they have already shifted the house toward the road away from the vernal pond. Ms. Wing noted that the wall is not a good solution and the application still does not meet increased minimum setbacks. Ms. Rudolph said the lack of flexibility on the model of homes offered is challenging and asked the applicant to consider the Planning Board's concerns and reconsider the size of the footprint of the house. Mr. Bria agreed and said the design of the house does not fit on this property. Mr. Vaccarella said he will speak with the owner and try to accommodate the Planning Board's concerns.

**Ivanhoe Robin Hood, LLC, 34 & 34A Robin Hood Road
Block 9031, Lot 61**

Application to rebuild an existing main house, and remove guest house, accessory structure and associated hardscape.

Zoning District: R-2A, Acres: 5.4

Mr. Tim Allen, engineer, reviewed the updated site plan that reduced the back patio, removed the lower patio and reduced part of the house at all levels. Mr. Noah Walker, architect, said he shifted the house 15' but the orientation was chosen for the sunset. He said they are mindful of the existing rock and the goal is to create a tree house that

sits on the existing rock. Mr. Allen said they have retained an experienced construction engineer. He said they will submit the results of the soil borings to Jason Pitingaro and Jim Perry and come back with more information. Mr. Perry said site plan review can continue because the soil borings will be reviewed as part of the Building Permit application process. Ms. Rudolph said she appreciates their responsiveness to the Planning Board's concerns. Mr. Walker said a lot of engineers will not do the soil tests until Planning Board approval is received. Mr. Pitingaro said they need to address concerns about the 2nd floor being cantilevered and accommodate the neighbor's concerns and properties as well. Ms. Wing said they want to make sure the construction process does not impact the neighbors. Mr. Pitingaro said the drilling and blasting for the borings could degrade the site and impact the neighbors. Ms. Wing noted that the Planning Board typically does not require construction drawings but, in this case, more information is needed. Mr. Allen said he will address the Town Engineer's memo and pull the house back from the steep slope. Ms. Rudolph noted there are a lot of lights over the pool and wondered if they will impact the Mianus Gorge. Mr. Walker said he will review the lighting plan. Mr. Perry noted that the next house is 3,000 feet away across the Gorge. Mr. Walker confirmed he will proceed with the soil borings, address the Town Engineer's memo and the Planning Board's concerns.

New Business:

Rosanna Bressler, 27 Nancy's Lane

Block 9827, Lot 13

Application to build a one-story addition.

Zoning District: R-3A, Acres: 2.195

Other Boards: Water Control Commission

Ms. Rudolph noted that the Planning Board was reviewing the information submitted for the last meeting since the applicant did not attend the last meeting. Mr. Ken Okamoto, architect, reviewed the 1st floor plan and other proposed work based on the owner's needs. He said they will add bathroom and expand the family room with no changes to the second floor. Mr. Okamoto said they need to return to the Water Control Commission with more information. Mr. Stein asked about the coverage and driveway. Mr. Okamoto said they will see on the site walk why the driveway accounts for the coverage. Ms. Wendy Mliner, 26 Nancy's Lane, expressed concerns about materials storage during construction and the runoff onto their driveway and the road. Mr. Perry noted there are 2 catch basins at the end of the driveways for 26 and 27 Nancy's Lane. Mr. Jeremy Rainato, Rain Concepts, said drainage will be reduced by new gutters and there will be no increase as a result of this project. Ms. Wing said the drainage concern pre-exists this project. Mr. Pitingaro said it is possible the 2 existing catch basins are not functioning properly. Ms. Rudolph said the site walk will be helpful and asked Ms. Mliner to follow up with the Town's Highway Department in regards to her concern.

Christopher Milone, 44 Lower Trinity Pass Road

Block 9455, Lot 7

Application to build a detached 2 car garage and one-story addition with crawl space.

Zoning District: R-1A, Acres: 1.96

Other Boards: Water Control Commission

Ms. Rudolph noted that she knows Chris Milone the applicant and asked if they wanted her to recuse herself. Mr. Keith Betensky, counsel, said they have no objection to her being the Board Chair for their application. Mr. Christopher Milone, owner, said the application is for a 449sf addition and to build a garage with no change to the bedroom count. He said they will address the Town Engineer's memo and provide a stormwater management plan. Mr. Milone noted they will not be removing any trees and will add a rain garden. Mr. Betensky said they are 2' into one of the increased minimum setbacks. Mr. Perry noted the application will go before the Water Control Commission because the entire property is in the FEMA flood plan. Mr. Pitingaro said more information is needed and a GML referral will be distributed. Ms. Rudolph asked for the area of proposed work to be staked for the site walk.

**Michael & Natalie Dabney, 124 Eastwoods Road
Block 9824, Lot 18**

Application to build an addition to an existing barn.
Zoning District: R-3A, Acres: 5

Ms. Rudolph noted that she and John Bria know Natalie Dabney from the Pound Ridge Tennis Club. Mr. Sal Triano, engineer, said they have no objection to Ms. Rudolph and Mr. Bria reviewing the application. He reviewed the site plan and said he will address the Town Engineer's memo. Mr. Triano noted they are not changing the septic system. Mr. Perry said Mr. Triano had him review the plan for the proposed work and confirmed it is not an accessory dwelling unit. Mr. Triano said the main house was built in the 1800s but the barn was built in the 2000s. He added that the barn will be used to store 8 antique cars. It will have heat and lifts. Ms. Wing noted that the barn is in the increased minimum setbacks. Mr. Stein noted that it is visible from the road. Mr. Triano acknowledged this is a large addition but they might remove the basketball court, no trees will be removed, they do not have a landscaping plan and there is no need to go to WCDOH. Ms. Rudolph thanked the applicant for reviewing their proposed work with Mr. Perry and asked for the area of proposed work to be staked for the site walk.

Informal Review: NO TOWN ENGINEER REVIEW

**Herbert Chou, 95 Conant Valley Road
Block 9827, Lot 32**

Application to build a 18' x 41' pool, fence and spa with stone terrace, expand parking court, new front entry steps, new level lawn, expand wooden deck, create a landing and staircase from parking court to pool terrace, create a storage/pool equipment room below pool terrace, install driveway gates, pave portions of the driveway, relocate septic, site drainage modifications and plantings.
Zoning District: R-3A, Acres: 8.9

Mr. Dave Sessions, engineer, reviewed the various parts of the extensive site plan with Ms. Tara Vincenta, landscape architect. He said they will be applying to the WCDOH to modify the septic and they will provide more information on the topography including all the stone in the back of the property. Ms. Vincenta said they want to create a better access way from the parking area to the front door and create a lawn area in the front with a native planting plan. They also want to create a rear entrance with a patio, pool and spa. There is an existing deck with a permanent ping pong table. Mr. Stein asked about the steep slopes and wetlands setback line. Ms. Vincenta said it is a challenging property with a limited area for the proposed work but they will address the steep slopes and develop a stormwater management plan. Mr. Sessions said they have not done all their field calculations but they wanted to get the Planning Board's feedback. He said they will have more topography information but they do want the rock in the back of the property to frame the pool area. Mr. Perry noted the Water Control Commission will have concerns about the driveway, drainage and material storage location. Ms. Rudolph said they do not have enough information yet for a site walk. She said they should submit a full application with a Code Conformance Worksheet, setbacks, lighting and materials for a full review including the Town Engineer. Ms. Dür explained there is no informal review with the Water Control Commission so they should just submit their application when they have all the information required. Mr. Sessions said they will go to the Water Control Commission and then come back to the Planning Board with more information.

Mr. Ed Rodenbach, 75 Conant Valley Road, said he has a direct view of this property and there is a walkway from his property to this property. He said he knows this lot has a small building envelope and has concerns about the impact on the animals in the area, the lighting and pool's impact on the wetlands. He said he will be meeting with Mr. Sessions. Mr. Sessions said he will be meeting with the owner about the Planning Board and Mr. Rodenbach's concerns. Ms. Rudolph said having more information will be helpful and they will do the site walk after a complete application is submitted. She thanked them for coming in for an informal review.

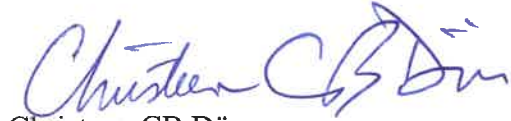
Minutes Approval:

Adoption of the Minutes from the May 25, 2023 Meeting

Adoption of the Minutes was postponed.

Ms. Rudolph adjourned the meeting at 10:16pm.

Respectfully submitted,



Christeen CB Dür