

MINUTES OF THE NOVEMBER 10, 2016 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR RICHARD LYMAN; COUNCIL MEMBERS: DANIEL PASCHKES, BONNIE SCHWARTZ, JODY SULLIVAN AND DAVID DOW

ALSO PRESENT: TOWN CLERK, JOANNE PACE  
DEPUTY SUPERVISOR JONATHAN POWERS

ABSENT: TOWN ATTORNEY, WILLIAM P. HARRINGTON, ESQ.

**CALL TO ORDER:** Supervisor Lyman called the meeting to order at 8:00 p.m.

**CALL FOR EXECUTIVE SESSION:** None

**ANNOUNCEMENTS:**

- Supervisor Lyman mentioned that there have been numerous complaints regarding the re-pavement of Route 124. He has spoken with the engineer on the project and we have been told to sit tight until the project is finished and that should be within two weeks. Residents on Route 124 have complained about the ingress and egress from their driveways and that will be addressed.
- Supervisor Lyman also mentioned that the Pound Ridge Garden Club has received an award from the Westchester County Soil and Water Conservation District for their work and presentation of the Moat Family Green Rain Garden.

**MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held on November 3, 2016.**

**Board Action:** Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye to accept the Town Board minutes of November 3, 2016.

**PUBLIC HEARINGS: Call for Public Hearings on the following:**

- **2017 Budget & Resolution to override the Tax Cap-December 1, 2016**
- **Board Hearing Notifications Ordinance- December 8, 2016**
- **Solar Ordinance – December 8, 2016**
- **Landmarks Ordinance amendment – December 8, 2016**

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**RESOLUTION #: 147 -16**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for a Public Hearing on the 2017 Budget for December 1, 2016 at 8:00 p.m., AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for a Public Hearing for revisions to the Code of the Town of Pound Ridge regarding notification requirements for the Planning Board, Zoning Board and Water Control Commission, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for a Public Hearing for a proposed Solar Ordinance AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for a Public Hearing to amend the Landmarks Ordinance regarding stone walls and roof material.

**OLD BUSINESS:**

- **Inn at Pound Ridge – continue discussion on Special Use Permit**

The Inn at Pound Ridge is asking for an amendment to their Special Use Permit to KKPR, LLC and Jean-Georges of Pound Ridge, LLC in regards to their parking arrangements. The following is the wordage for the amendment to the Special Use Permit:

Amended Special Use Permit

258 Westchester Avenue  
Pound Ridge, New York 10576

This permit is issued pursuant to Chapter 113-28 of the Zoning Code of the Town of Pound Ridge.

On August 7, 2014, the Town Board of the Town of Pound Ridge approved the issuance of a Second Amended Special Use Permit to KKPR, LLC (fee owner) and Jean-Georges of Pound Ridge, LLC (the operator), collectively referred to herein as the “Applicant”, to operate a commercial restaurant/catering facility at 258 Westchester Avenue, Pound Ridge, NY subject to the following terms and conditions:

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1. All vehicle parking for the patrons and other invitees of the Applicant as well as its employees shall occur in accordance with the Amended Site Plan drawing set prepared by John Meyer Consulting, PC, last revised June 19, 2014 (attached in small scale as Exhibit A) as well as the Revised On and Off Premises Parking Management Plan prepared by the Applicants, dated August 7, 2014 (attached as Exhibit B), collectively detailing the on-site parking at the Premises and the off-site parking at the Bedford Central School District (see redacted Agreement attached as Exhibit D).
2. Notwithstanding the fact that the on-site parking complies with zoning, the Applicant is required to notify the Town Board within 7 days of their notice of any change to the off-site **parking arrangements at the adjacent Bedford Central School District property reducing the total off-site parking below 20 spaces**. Should the total of off-site parking fall below **20 spaces** or should a new property be introduced, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board.
3. The Applicant also will operate on the Premises in accordance with Chapter 100 (Vehicles and Traffic) and its penalties for offenses set forth in Sections 100-13, 100-15 and 100-27.
4. The Applicant will offer dinner and lunch seven days per week at the Premises.
5. Kitchen service at the Premises will be available until no later than 11:30 PM each day.
6. All dining services will be indoors, and all music or other forms of entertainment will be conducted indoors.

**RESOLUTION #: 148-16**

\*It should be noted that the changes to the Special Use Permit involve paragraphs one and two only, and the rest of the original document remains in full force and effect.

**Board Action:** Motion by Councilwoman Schwartz, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the amended Special Use Permit for KKPR, LLC and Jean-Georges of Pound Ridge, LLC allowing the allocation of on-site parking in accordance with the amended site plan drawing set prepared by John Meyer Consulting, PC. They will no longer require the overflow parking at the Pound Ridge Nursery. The applicant is required to notify the Town Board within 7 days of any change to the off-site parking arrangements at the adjacent Bedford Central School District property reducing the total off-site parking below 20 spaces.

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- **Waste Water Task Force – authorizing Supervisor to sign Polling Contract**

**RESOLUTION #: 149-16**

**Board Action:** Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Supervisor Lyman to sign the Polling Contract with Beta Research Corp. allowing them to do the Community Survey and the Household Income Survey for Scotts Corner as proposed in the November 1, 2016 memo to Councilman David Dow.

The Town went with the Beta Research Corporation because they met the criteria of having a minority or woman owned business in order to abide by the grant provisions.

**NEW BUSINESS:**

- **Landmarks and Historic District Commission – accept resignation**
- **Conservation Board – accept resignation**

**RESOLUTION #: 150 -16**

**Board Action:** Motion by Councilman Dow, seconded by Councilwoman Schwartz, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the resignation of Landmarks and Historic District Commission member Michael Joy effective immediately due to moving out of state, AND BE IT

FURTHER RESOLVED, that the Town Board hereby accepts the resignation of Conservation Board member Leah Benincasa effective immediately for personal matters.

Supervisor Lyman mentioned that it will be a loss not having Michael Joy on the Landmarks and Historic District Commission and he will write a note to Leah Benincasa thanking her for her long-time dedication to the Conservation Board.

- **Town Clerk – authorization to bid electrical, plumbing and well work**

**RESOLUTION #: 151 -16**

**Board Action:** Motion by Councilwoman Schwartz, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board authorizes the Town Clerk to go out to bid for electrical, plumbing and well work services for the Town for 2017 and 2018.

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- **Special Event Permit Application-approval for the Farmers/Bakers Markets**

**RESOLUTION #: 152 -16**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the following dates for the Special Events Permit Schedule 2017 for the Farmer's and Baker's Market every Sunday from 11:00 a.m. to 4:00 p.m. April 16, 2017 through November 19, 2017.

- **Liaison Report**

The Town Board members gave a quick review of their Boards and Commissions.

**FINANCIAL MATTERS**

- **Recreation Department – authorize refund**

**RESOLUTION #: 153-16**

**Board Action:** Motion by Councilwoman Schwartz seconded by Councilwoman Sullivan, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the following refunds:

Peter Giner PO Box 88 260 Waccabuc Road Golden's Bridge, NY 10526	A2001	\$100.00	cancellation of flag football
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- **Monthly Reports**

The monthly reports have been received from the various departments and are on file with the Town Clerk's office.

- **Pay Bills**

**RESOLUTION #: 154-16**

**Board Action:** Motion by Councilwoman Schwartz, seconded by Councilman Dow, Board polled, motion passing 4-0 with Councilwoman Sullivan abstaining, to authorize payment of bills:

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WHEREAS, Councilwoman Sullivan has audited claims for payment and has reported that same could be paid, Now, Therefore, Be It

RESOLVED, that the Supervisor be and is hereby authorized to pay the following claims for payment provided there are sufficient funds in the account to which a claim may be charged:

<b>GENERAL FUND</b>	<b>G</b>		<b>\$172,904.48</b>
<b>HIGHWAY FUND</b>	<b>D</b>		<b>\$ 8,683.32</b>
<b>TRUST AND AGENCY</b>	<b>T</b>		<b>\$101,894.69</b>
<b>CAPITAL</b>	<b>H</b>		<b>\$ 0</b>

**Board Action:** Motion by Councilwoman Schwartz, seconded by Councilman Paschkes, all voting aye to adjourn the Town Board meeting and to reconvene as Parking District Commissioners.

**RECONVENE AS THE PARKING DISTRICT COMMISSION**

- **Discuss 79 Westchester Avenue**

Supervisor Lyman had a meeting with Mr. Eduard Kleiner, owner of Dynax Corp. in Scotts Corner. It is time to renew the Parking District Parking Easement Agreements and Mr. Kleiner requests two designated parking spaces behind his building. The Town Board discussed this request and felt it was better not to officially assign designated parking spaces for Dynax Corp. as it would set a precedence as the spaces behind the buildings are for commercial use. However, Mr. Kleiner also owns a Tesla and wishes to have a charging station in that area also. The Board deemed that would not be inappropriate if done at Mr. Kleiner's expense. It was also suggested that he make a gentlemen's agreement with his neighbor Albano Appliance.

**RESOLUTION #: 155-16**

**Board Action:** Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye on the following:

RESOLVED, that the Town Board hereby agrees not to specifically allow designating parking spaces for Dynax Corp. and not to agree to signage for private parking. It was suggested to have a gentlemen's agreement with Albano Appliance.

- **Pay Bills**

**RESOLUTION #: 156-16**

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**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman  
Schwartz, motion carried 4-0 with Councilwoman Sullivan abstaining on the following:

WHEREAS, Councilwoman Sullivan has audited claims for payment and has  
reported that same could be paid, Now, Therefore, Be It

RESOLVED, that the Supervisor be and is hereby authorized to pay the following  
claims for payment provided there are sufficient funds in the account to which a  
claim may be charged:

<b>PARKING DISTRICT</b>	<b>ST</b>		<b>\$ 653.80</b>
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**ADJOURNMENT:** There being no further business to come before the Board, the  
meeting was adjourned at 9:10 p.m.

Joanne Pace  
Dated at Pound Ridge, New York  
November 14, 2016