

**Resolution Declaring the Town of Pound Ridge Town Board's Intent to Serve as SEQRA
Lead Agency For Scotts Corners Drinking Water Improvements**

WHEREAS, the Westchester County Department of Health (WCDOH) detected contamination in Scotts Corners drinking water wells from per- and polyfluoroalkyl substances (PFAS), commonly referred to as 'forever chemicals', with levels greater than New York State standards for two common PFAS compounds, perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

WHEREAS, the Town of Pound Ridge proposes to create a water district and install drinking water infrastructure to provide safe drinking water to an area within Scotts Corners that is known to be contaminated by PFAS and other contaminants; and

WHEREAS, drinking water infrastructure generally includes a connection to the Aquarion water supply system located on High Ridge Road and extending along Upper Shad Road, and Westchester Avenue to Scotts Corners; and

WHEREAS, the proposed action is an Unlisted action pursuant to 6NYCRR 617.4, and coordinated review is required; and

WHEREAS, the Pound Ridge Town Board is fully prepared to conduct the environmental review required by the State Environmental Quality Review Act (SEQRA) and desires to serve as the SEQRA Lead Agency for this purpose; and

WHEREAS, Part 1 of an EAF has been prepared for the purposes of coordinating lead agency status.

NOW BE IT RESOLVED that pursuant to 6 NYCRR Part 617.6, the Town of Pound Ridge Town Board hereby authorizes the Laberge Group, the Town's SEQRA consultant, to distribute lead agency coordination materials seeking SEQRA Lead Agency Status to Involved and Interested Agencies.

April 29, 2024
VIA EMAIL ONLY

Alison Boak, Town Board Member
Town of Pound Ridge
7 Old Pound Road
Pound Ridge, New York 12020

Re: **Environmental Review Documents**
Scotts Corner Drinking Water Improvements
Town of Pound Ridge, New York

Dear Ms. Boak,

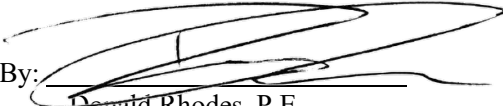
Please find attached SEQRA materials required for Scotts Corners Drinking Water Improvements. Please review these materials and work with the town attorney as needed so the board can consider the project following State Environmental Review Act (SEQRA) requirements. A general description of attachments follows:

- Draft Resolution Establishing The Town Board As The Lead Agency For Environmental Review and authorizing the Laberge Group to coordinate review on behalf of the Town.
- Long Environmental Assessment Form
- List Of Intended And Involved Agencies
- Draft Lead Agency Coordination Letter and Consent To Lead Agency Response Form

We understand that the Town may pursue a 2024 Water Infrastructure Improvement Act grant application for drinking water improvements. Please note that SEQRA should be complete prior to the June 14, 2024 application due date. As such, we recommend that the Town utilize the enclosed SEQRA resolution at your next Town Board Meeting.

As always, please feel free to call with any comments and questions.

Very truly yours,
LABERGE GROUP

By: 
Donald Rhodes, P.E.
Project Manager

DCR: mae

C: Kevin Hansan, Supervisor (via email only with enclosures)
William Harrington, Esq., Town Attorney (via email only with enclosures)
Scotts Corner Task Force Members (via email only with enclosures)

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**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Scotts Corners Drinking Water Improvements		
Project Location (describe, and attach a general location map): From Ridge Rd at the Pound Ridge Golf Course northerly to High Ridge Rd to Upper Shad Rd, then easterly to Scotts Corners along Westchester Ave		
Brief Description of Proposed Action (include purpose or need): Install a new drinking water system to service the existing mixed use district hamlet known as Scotts Corners.		
Name of Applicant/Sponsor: Kevin Hansan, Town of Pound Ridge Supervisor		Telephone: (914) 764-5511
		E-Mail: supervisor@townofpoundridge.com
Address: 179 Westchester Avenue		
City/PO: Pound Ridge	State: NY	Zip Code: 10576
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	District Formation and Bonding	June 2025
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County DOH and County Highway	January 2025
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT, NYSDOH, NYSDEC, NYSEFC	January 2025
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Remediation Sites:360047 and located within the Long Island Sound TMDL watershed	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Project will be located within the ROW in front of park (Town), water supply (Aquarion), and private recreation (Pound Ridge Golf Club) properties listed on Westchester County's open space plan (Parcels 9320-3.9, 9316-18.9, 9320-22.9, 9320-25, 9320-26, 9453-10, 9453-21, 9454-4, 9454-36, 9320-55, 9454-8, 9454-9, 9456-3.6, and 9316-18.9).	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 Planned Business District A-C (PB-A, PB-B, PB-C)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Bedford

b. What police or other public protection forces serve the project site?
 Town of Pound Ridge Police Department, Westchester County Sheriff, and NYS Police

c. Which fire protection and emergency medical services serve the project site?
 Town of Pound Ridge Fire Department.

d. What parks serve the project site?
 Multiple Town, County and State park and recreation areas serve the project site

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Provide public drinking water supply to existing parcels to allow abandonment of existing groundwater water sources.

b. a. Total acreage of the site of the proposed action? _____ 56 acres
 b. Total acreage to be physically disturbed? _____ 5 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 5 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ 12 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): The water main utility is expected to run along previously disturbed roadways but will run along wetlands D-15 and D-16, and is expected to cross or run along PWL 1702-0137.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Wetland and waterbody impacts will be avoided by installing piping with trenchless methods (directional drilling) to avoid wetland disturbance. Where possible, all disturbance will be located outside the 100-ft buffer to further protect the wetland. Where wetlands are crossed with directional drilling, the pipe will be at least 4' below the wetland surface to avoid impacting vegetation or the soil structure.

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____⁰ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- Describe types of new point sources. No additional impervious surfaces will be created. Existing surfaces that are disturbed during construction will be repaired to pre-construction surface conditions.

- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 Stormwater runoff will be unchanged by this project.

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Heavy equipment such as trucks and excavators will be used during construction.
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7AM-6PM • Saturday: _____ 7AM-6PM • Sunday: _____ 7AM-6PM • Holidays: _____ 7AM-6PM 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours per day • Saturday: _____ 24 hours per day • Sunday: _____ 24 hours per day • Holidays: _____ 24 hours per day
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>During construction heavy equipment such as trucks and excavators will be used which will create noise above ambient levels. Work is expected to continue during daylight hours. Work is expected to be from 7AM-6PM Monday through Friday but work may be required on Saturday and Sunday.</p>
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:
 Mixed uses surround the project site including single family residential, commercial residential, professional office, retail, food service and other commercial uses.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Land use and covertype will not be changed by this project	56	56	0

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): 360047
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 360047
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

NYS Environmental Site Remediation Database indicates that a public water supply was extended to affected locations but this note is in error and no public water supply exists. Reputedly, several affected properties may have been provided with point of entry treatment systems but this has not yet been verified by the NYSDEC.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ Approx 6 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Urban land-Charlton complex	_____	72 %
Urban land-Ridgebury complex	_____	17 %
Charlton fine sandy loam	_____	6 %

d. What is the average depth to the water table on the project site? Average: _____ 6.6 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 5.9 % of site
 Poorly Drained _____ 5 % of site
 89% of the site is unrated according to USDA NRCS

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 87 % of site
 10-15%: _____ 9 % of site
 15% or greater: _____ 4 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 936-23, 936-22, 936-18, 936-17 Classification AA-S
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...)
- Wetland No. (if regulated by DEC) D-16, D-15, D-14

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:

i. Name of aquifer: Principal Aquifer _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

 Typical Suburban/Urban wildlife _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Bog Turtle

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site: _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: Watershed Properties
 ii. Basis for designation: Exceptional or unique character
 iii. Designating agency and date: Agency: Westchester County, Date: 1-31-90

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

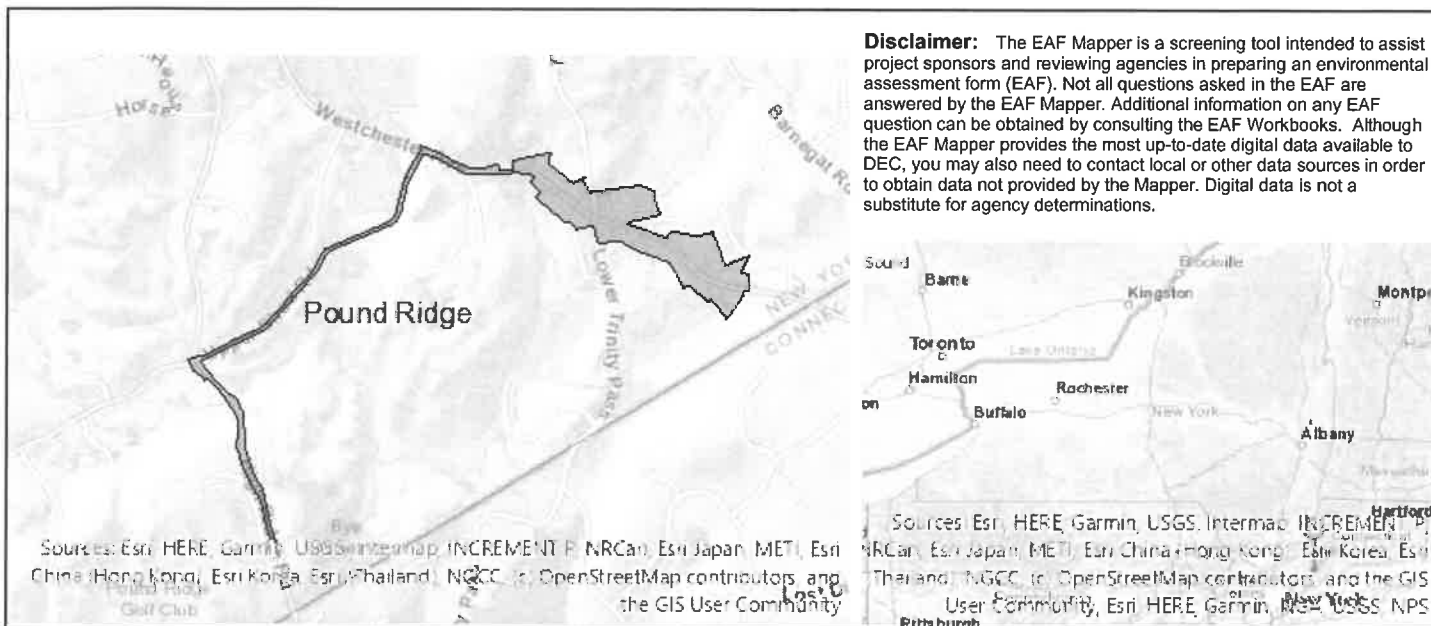
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Kevin Hansan Date _____

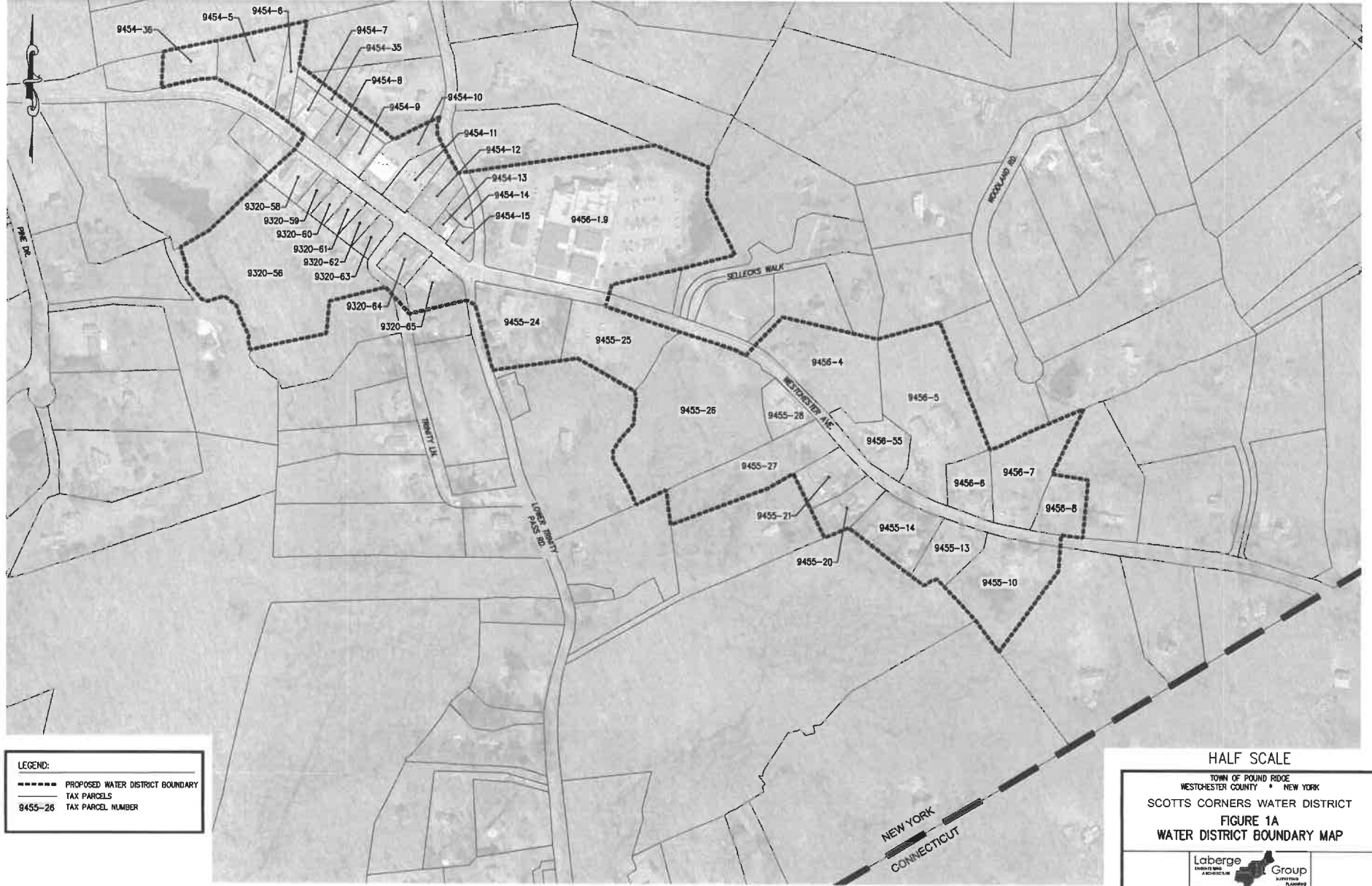
Signature _____ Title Supervisor



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:360047
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	360047
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	360047
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	936-23, 936-22, 936-18, 936-17
E.2.h.iv [Surface Water Features - Stream Classification]	AA-S
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland

E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):163.6, NYS Wetland (in acres):41.1, NYS Wetland (in acres):84.8
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	D-16, D-15, D-14
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Bog Turtle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Watershed Properties
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Westchester County, Date:1-31-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Laberge Group - A:\202505\Comp\Draw\20250512\Fig 1 - District Map.dwg [Fig 1] April 18, 2024 - 2:30pm 189



LEGEND:

- PROPOSED WATER DISTRICT BOUNDARY
- TAX PARCELS
- 9455-26 TAX PARCEL NUMBER

HALF SCALE

TOWN OF POUND RIDGE
WESTCHESTER COUNTY • NEW YORK

SCOTTS CORNERS WATER DISTRICT

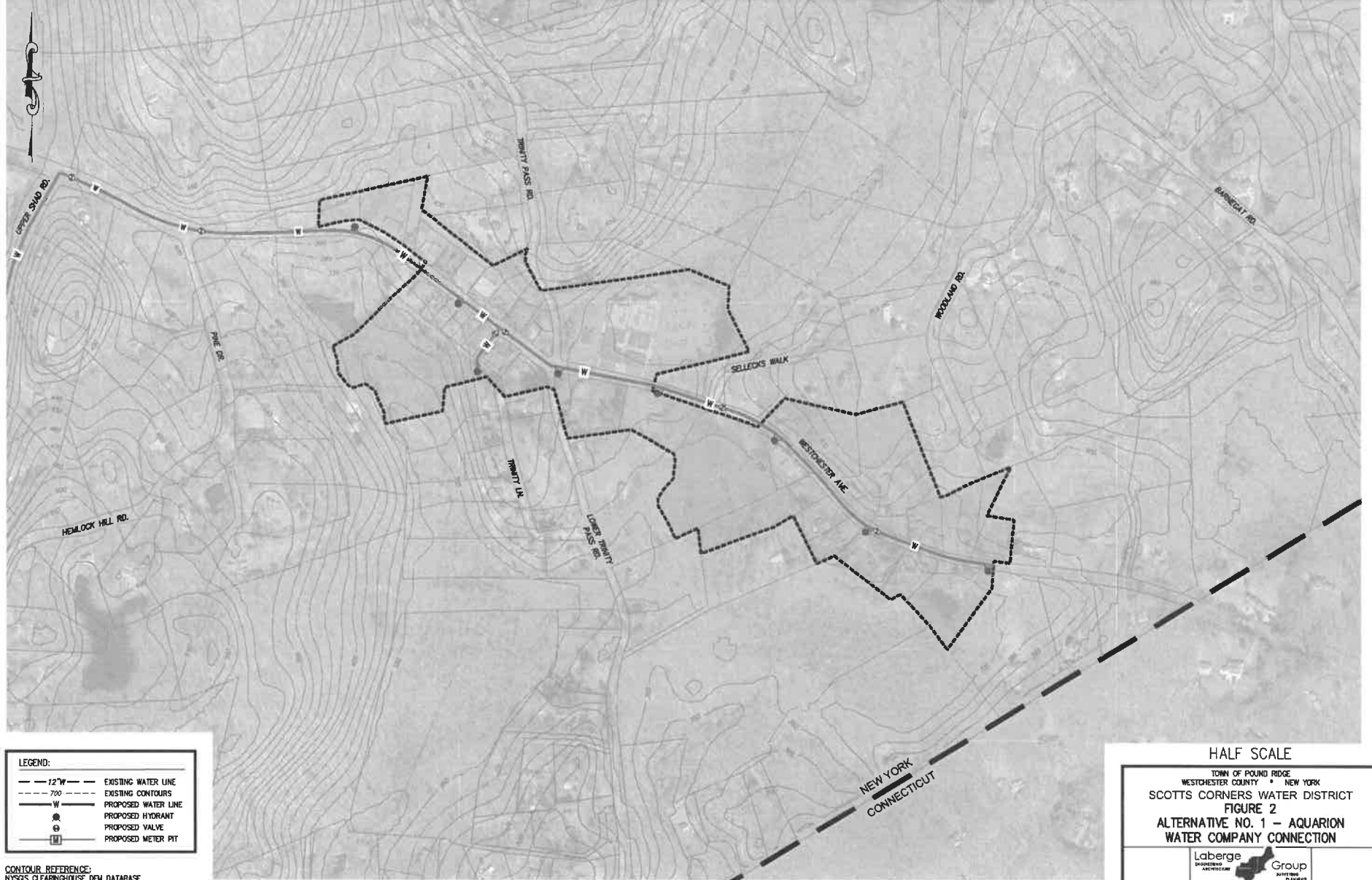
FIGURE 1A
WATER DISTRICT BOUNDARY MAP

Laberge
Group
SURVEYING
ENGINEERING

SCALE: 1"=150'

4 Computer Drive West Albany, New York 12205
608.498.7112 • www.labergegroup.com

DATE: 04/18/24



LEGEND:

— 12" W —	EXISTING WATER LINE
- - - 700 - - -	EXISTING CONTOURS
- - - W - - -	PROPOSED WATER LINE
⊙	PROPOSED HYDRANT
⊕	PROPOSED VALVE
⊞	PROPOSED METER PIT

CONTOUR REFERENCE:
 NYSGIS CLEARINGHOUSE DEM DATABASE

HALF SCALE

TOWN OF POUND RIDGE
 WESTCHESTER COUNTY • NEW YORK
 SCOTTS CORNERS WATER DISTRICT
FIGURE 2
 ALTERNATIVE NO. 1 – AQUARION
 WATER COMPANY CONNECTION



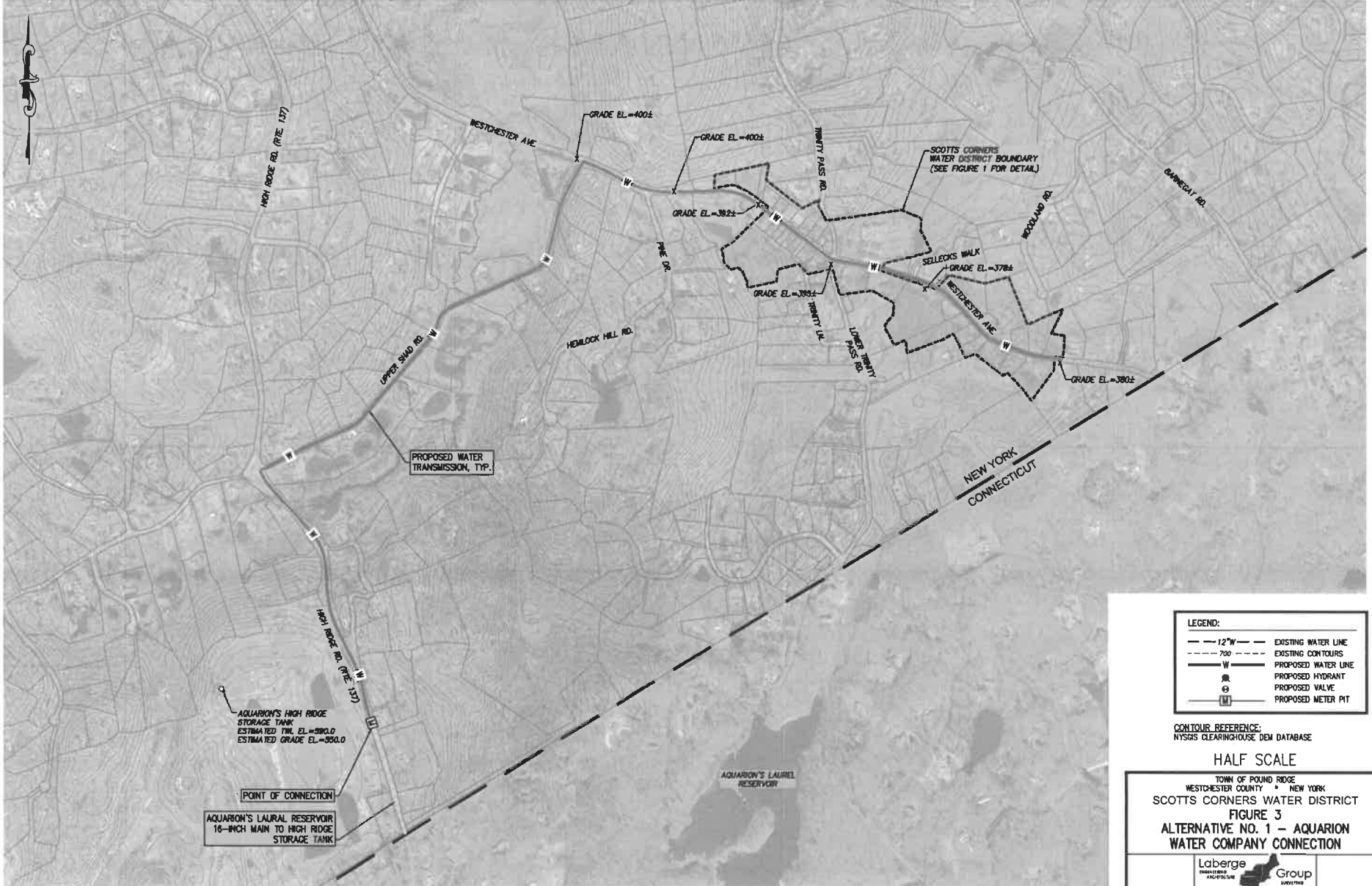
SCALE: 1"=200'

Computer aided design by: New York State
 (914) 456-7111 • www.borupgroup.com

DATE: 04/18/24

Laberge Group - A:\Projects\2024\041824\SCOTTS CORNERS WATER DISTRICT - NY - AL 1 - Aquarion.dwg [Fig 2] April 18, 2024 - 2:20pm 088

Lodge Group - 4/18/2024, Coastal, 3/20/24, 3/21, 4/18, 2024, 2, 5, 10pm, 2024



LEGEND:	
	EXISTING WATER LINE
	EXISTING CONTOURS
	PROPOSED WATER LINE
	PROPOSED HYDRANT
	PROPOSED VALVE
	PROPOSED METER PIT

CONTOUR REFERENCE:
 NYSGIS CLEARINGHOUSE DEM DATABASE

HALF SCALE

TOWN OF POUND RIDGE
 WESTCHESTER COUNTY NEW YORK
 SCOTT'S CORNERS WATER DISTRICT
FIGURE 3
ALTERNATIVE NO. 1 – AQUARION
WATER COMPANY CONNECTION



SCALE: 1"=400'
 400 Feet
 400 Feet
 400 Feet
 DATE: 04/18/24

SEQRA Address List for Pound Ridge Drinking Water Improvements

April 22, 2024

1. NYS Department of Health
Bureau of Water Supply Protection
SEQRA Coordinator
Empire State Plaza Corning Tower, Room 1168
Albany, NY 12237
bpwsp@health.state.ny.us
(518) 473-8600

2. Westchester County Department of Health
SEQRA Coordinator
145 Huguenot St.,
New Rochelle, N.Y. 10801
(914) 813-5000

3. Westchester County Department of Planning
SEQRA Coordinator
148 Martine Avenue, Room 432
White Plains, NY 10601-4704
(914) 995-4400

4. Westchester County Department of Public Works
SEQRA Coordinator
148 Martine Avenue, Room 552
White Plains, NY 10601-4704
(914) 995-4400

5. NYS Department of Transportation Region 8
SEQRA Coordinator
Eleanor Roosevelt State Office Bldg.
4 Burnett Boulevard
Poughkeepsie, New York 12603-2594
(845) 431-5750

6. NYS Environmental Facilities Corporation
SEQRA Coordinator
625 Broadway, Albany, NY 12207
(518) 402-6924

EMAIL: supervisor@townofpoundridge.com
sconti@townofpoundridge.com

Norton Rose Fulbright US LLP
1301 Avenue of the Americas
New York, New York 10019-6022
United States

May 16, 2024

Kevin Hansan
Town Supervisor
Town of Pound Ridge
Town House
179 Westchester Avenue
Pound Ridge, New York 10576

Uyen Poh
Partner
Direct line +1 212 318 3158
uyen.poh@nortonrosefulbright.com

Tel +1 212 318 3000
Fax +1 212 318 3400
nortonrosefulbright.com

Re: Town of Pound Ridge, Westchester County, New York
Scotts Corners Water District Establishment
\$11,129,000 Estimated Maximum Cost; Up To \$3,340,000 Of Bonds
Matter No. 1000234364

Dear Kevin:

In accordance with your request, I have drafted and attach an order calling the public hearing (the "Order"), which is the first step in the formation of the above mentioned improvement area. This Order must be adopted by at least a majority vote of the entire voting strength of the Town Board.

A copy of this Order must be published in the official newspaper of the Town and posted on the official Town signboard, both publication and posting to be effected not less than ten nor more than twenty days prior to the date of the public hearing.

We are enclosing herewith copies of the Notice of Adoption of the Order and a Town Clerk's Posting Certificate for these purposes.

When available please email the following documents to uyen.poh@nortonrosefulbright.com and judy.velez@nortonrosefulbright.com:

- 1) Proof of SEQRA compliance.
- 2) An originally certified copy of the enclosed Order calling the public hearing in the form actually adopted.
- 3) An original printer's affidavit of publication of the enclosed Notice of Adoption from the official newspaper.
- 4) An original Town Clerk's affidavit of posting of such Notice of Adoption, making sure that there is attached thereto a true and correct copy of the notice in the exact form in which the same was actually posted.

Please furnish us with items 1 and 2 as soon as possible, rather than waiting for the other documents to become available, so that we can have in your hands in time for the public hearing the necessary documents which will have to be adopted then.

Please do not hesitate to call me if you have any questions on this matter.

Very truly yours,

Uyen Poh
Enclosure

At a regular meeting of the Town Board of the Town of Pound Ridge, Westchester County, New York, held at the Town House, 179 Westchester Avenue, Pound Ridge, New York, on May 21, 2024, at 7:30 P.M., Eastern Time.

PRESENT:

Supervisor

Councilperson

Councilperson

Councilperson

Councilperson

-----X
 In the Matter of the Establishment of a Proposed :
 Water District in the Town of Pound Ridge, :
 Westchester County, New York, to be known as :
 Scotts Corners Water District of said Town. :
 : ORDER CALLING PUBLIC HEARING
 :
 :
 -----X

WHEREAS, the Town Board of the Town of Pound Ridge, Westchester County, New York (the "Town"), has duly caused to be prepared a map showing the boundaries of a proposed water district in said Town, to be known as Scotts Corners Water District (the "District"), a general plan to serve said District, and a report of the proposed method of operation thereof, for the purpose of analyzing the feasibility of the formation of the District; and

WHEREAS, said map, plan and report entitled: "Scotts Corners Water District Map, Plan and Report" and dated April 2024 (the "Report"), was prepared by Laberge Group, competent engineers duly licensed by the State of New York, was filed with the Town Clerk of said Town, and is available for public inspection during regular business hours; and

WHEREAS, the proposed District will contain approximately 39 parcels; and

WHEREAS, the boundaries of the proposed District shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed for said District to connect to the water supply owned and operated by the Aquarion Water Company (described as Alternative No. 1 in the Report), consist of the acquisition and construction of a water main, valves, meter pit, hydrants, a treatment building and original equipment, machinery, apparatus, appurtenances, service lateral connections from the water main to the property or easement line, and incidental improvements and expenses in connection therewith, all as more fully described in the Report; and

WHEREAS, the estimated maximum cost of said improvements is \$11,129,000; and

WHEREAS, the District plans to apply for (i) a Water Infrastructure Improvement (WIIA) grant from the New York State Environmental Facilities Corporation ("EFC") and (ii) low-interest financing from EFC through its Drinking Water State Revolving Fund (DWSRF) program; and

WHEREAS, it is the intention of the Town to make the establishment of the District contingent upon the award of a WIIA grant and financing assistance from EFC; and

WHEREAS, the proposed plan of financing (described as Scenario 3 in the Report) includes (i) a WIIA grant for approximately 70% of the estimated maximum cost and (ii) the issuance of up to \$3,340,000 of bonds and/or notes of said Town to be financed through EFC's DWSRF, assumed at an interest rate of 3% for a period of 30 years; and

WHEREAS, the costs of the proposed District will be apportioned based upon the equivalent dwelling unit (EDU) of each property in the proposed District. Each parcel will be assigned an EDU

as set forth in Appendix I of the Report. A single family home is assigned an EDU of 1. The commercial properties in the District have EDU's ranging from 1 to 50; and

WHEREAS, assuming the District receives the grants and financing from EFC as described above, the annual user cost per EDU is approximately \$856.00, which comprises of a debt service cost of \$590.00 and an operation and maintenance cost of \$266.00, assuming the property does not exceed its designated EDU usage; and

WHEREAS, assuming the District receives the grants and financing from EFC as described above, the expected average annual cost to the typical property (as such term is defined in Article 12-A of the Town Law) in the proposed District will be approximately \$2,568.00 (for a commercial property with an EDU of 3) and the annual cost to the typical one-family home in the proposed District will be approximately \$856.00 in the first year in which operation, maintenance, and other charges and expenses are to be paid by said properties, as described in Section VIII of the Report; and

WHEREAS, there is no proposed hook-up fee imposed by the District but each property owner will be responsible for the one-time cost associated with the installation of and connecting to the water lateral that will be constructed by the project and installation of the Town-supplied water meter and setter, which cost will depend on the actual length of the service line and the complexity of installation; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said District and the improvements proposed therefor, all pursuant to Section 209-d of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Pound Ridge, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Pound Ridge, Westchester County, New York, will be held at the Town House, 179 Westchester Avenue, in said Town, on June 11, 2024, at 7:30 P.M., Eastern Time, for the purpose of holding a public hearing to consider the establishment of a water district in said Town as described in the preambles hereof, to be known as

the Scotts Corners Water District, and the improvements proposed therefor, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in the official newspaper(s) of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and on the website of the Town not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

EXHIBIT A

**Scotts Corners Water District
Boundary Description**

TOWN OF POUND RIDGE
SCOTTS CORNERS WATER DISTRICT
BOUNDARY DESCRIPTION

April 18, 2024

Town of Pound Ridge

Westchester County, New York

The following is intended to describe the bounds of the proposed Scotts Corners Water District within the Town of Pound Ridge, Westchester County, New York as shown on the map entitled "Scotts Corners Water District, Figure 1A - Water District Boundary Map" prepared by Laberge Group and dated April 18, 2024. The district is comprised of a single contiguous area.

Beginning at a Point located at the intersection of the northerly bounds of Westchester Avenue and the westerly bounds of Tax Map Parcel (Parcel) 9454-36, and continuing northerly along said easterly bounds to a point located with the intersection of the southerly bounds of Parcel 9454-18;

Thence easterly, along the northerly bounds of the following Parcels: 9454-36, 9454-5, 9454-6;

Thence southerly, along the easterly bounds of Parcel 9454-6 to the intersection with the northerly bounds of Parcel 9454-35;

Thence south-easterly, along the northern bounds of Parcel 9454-35 to its intersection with the northwestern bounds of Parcel 9454-10;

Thence north-easterly, along the northwestern bounds of parcel 9454-10 to its intersection with the westerly bounds of Trinity Pass Road;

Thence south-easterly along the westerly bounds of Trinity Pass Road to a point directly west from the northwesterly corner of Parcel 9456-1.9;

Thence easterly across the bounds of Trinity Pass Road to its intersection with the northerly bounds of Parcel 9456-1.9;

Thence easterly, southerly and westerly around the bounds of Parcel 9456-1.9 to its intersection with the northerly bounds of Westchester Avenue;

Thence southerly across Westchester Avenue to the northerly bounds of Parcel 9455-25;

Figure 1B - Water District Boundary Description

Thence easterly along the northern bounds of Parcels 9455-25 and 9455-26 to a point directly south of Parcel 9456-4;

Thence across the bounds of Westchester Avenue to its intersection with the north-westerly bounds of Parcel 9456-4;

Thence northerly and easterly along the northerly bounds of Parcel 9456-4 and 9456-5 to the westerly bounds of Parcel 9456-13;

Thence southerly along said bounds to the northwest corner of Parcel 9456-7;

Thence easterly along the northern bounds of Parcel 9456-7 to its intersection with the westerly bounds of Parcel 9456-9;

Thence southerly along the easterly bounds of Parcel 9456-7 to its intersection with the northerly bounds of Parcel 9456-8;

Thence easterly along the northerly bounds of Parcel 9456-7 to the its intersection with the westerly bounds of Parcel 9456-9;

Thence southerly along the easterly bounds of Parcel 9456-7 to the northerly bounds of Westchester Avenue;

Thence south westerly across Westchester Avenue to the north-easterly corner of Parcel 9455-10;

Thence southerly to the easterly bounds of Parcel 9455-9;

Thence westerly along the southern bounds of the following Parcels:9455-10, 9455-13, 9455-14;

Thence south-westerly along the easterly bounds of Parcel 9455-20 to its intersection with the eastern corner of Parcel 9455-18.9;

Thence westerly along the southerly bounds of Parcel 9455-27 to its intersection with the easterly bounds of Parcel 9455-17;

Thence northerly along the westerly bounds of Parcel 9455-27 to its intersection with the southerly bounds of parcel 9455-26;

Thence westerly along the southerly bounds of Parcel 9455-26 to the south-easterly corner of Parcel 9455-22;

Thence northerly and westerly along the easterly and northerly bounds of Parcel 9455-22 to its intersection with the easterly bounds of Lower Trinity Pass Road;

Thence northerly along the easterly bounds of Lower Trinity Pass Road to a point easterly of the south-easterly corner of Parcel 9320-65;

Thence crossing Lower Trinity Pass Road to said corner;

Figure 1B - Water District Boundary Description

Thence westerly along the southerly bounds of Parcel 9320-65 to its intersection with the easterly bounds of Trinity Lane;

Thence north-westerly across Trinity Lane to the south-easterly corner of Parcel 9320-56;

Thence westerly, northerly and easterly along the bounds of Parcel 9320-56 to the south-westerly corner of Parcel 9320-58;

Thence north-easterly along the westerly bounds of Parcel 9320-58 to its intersection with the southerly bounds of Westchester Avenue;

Thence crossing Westchester Avenue to a point on the southerly bounds of Parcel 9454-7;

Thence from said point, westerly along the southern bounds of Parcels 9454-7, 9454-6, 9454-5 and 9454-36 to the Point and Place of Beginning.

J:\2022102\Reports\Appendices\Water District Boundary Legal Description\Scotts Corners Water District Description.docx

Figure 1B - Water District Boundary Description

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * *

STATE OF NEW YORK)
)ss.:
COUNTY OF SULLIVAN)

I, the undersigned Clerk of the Town of Pound Ridge, Westchester County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on May 21, 2024, with the original thereof
on file in my office, and that the same is a true and correct transcript therefrom and of the whole of
said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice
of the time and place of said meeting to be given to the following newspaper and/or other news media
as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on May ___, 2024.

Town Clerk

(CORPORATE
SEAL)

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF SULLIVAN)

I, the undersigned Clerk of the Town of Pound Ridge, Westchester County, New York,
DEPOSE AND SAY:

That on _____, 2024, I caused to be posted on the official signboard maintained
by me pursuant to subdivision 6 of Section 30 of the Town Law, a copy of the order duly adopted by
the Town Board on May 21, 2024.

A true and correct copy of such order is attached hereto and made a part hereof.

Town Clerk

Subscribed and sworn to before me on
_____, 2024.

Notary Public

NOTICE OF ADOPTION OF ORDER CALLING A PUBLIC HEARING
ON THE PROPOSED SCOTTS CORNERS WATER DISTRICT
IN THE TOWN OF POUND RIDGE

PLEASE TAKE NOTICE that the Town Board of the Town of Pound Ridge, Westchester County, New York, on May 21, 2024, duly adopted the Order published herewith calling a public hearing on the establishment of a proposed water district in said Town to be known as “Scotts Corners Water District” to be held at the Town House (Courtroom), 179 Westchester Avenue, in said Town, on June 11, 2024, at 7:30 P.M., Eastern Time.

You may attend in person at the Town House or virtually via Zoom videoconference. To join virtually, please use the following login/dial-in info:

Join with video: <https://us02web.zoom.us/j/88078896476>

Join by phone with audio only:

Dial-in number: 929-205-6099

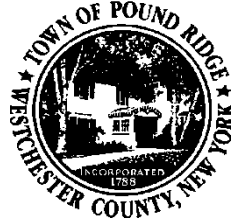
Meeting ID: 880 7889 6476

Dated: Pound Ridge, New York
May ____, 2024

Town Clerk

(attach copy of adopted Order to Notice of Adoption)

**Town of Pound Ridge
Water/Wastewater Task Force**



Request for Qualifications (RFQ) for Professional Services
Scotts Corners Water and Wastewater Scotts Corners Wastewater Treatment and
Disposal System

Proposal Issuing Date: April 19, 2024

Proposal Due: May 20, 2024

Town of Pound Ridge, New York

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SECTION 1 PROJECT DESCRIPTION

The Town of Pound Ridge, located in Westchester County in the State of New York, is requesting qualifications from professional engineers or firms licensed to practice professional engineering in the State of New York to assist with funding, engineering, and construction phase services for “The Scotts Corners Water and Wastewater Scotts Corners Wastewater Treatment and Disposal System.” Recently, prepared reports for the proposed project can be reviewed [here](#). The Town of Pound Ridge is currently working with a professional engineering consultant to develop preliminary engineering reports as required for water and sewer district formation and funding applications. The reports currently being prepared will be in general conformance with EFC and DOH engineering report requirements.

This RFQ is intended to allow the Town of Pound Ridge to engage a qualified consultant in accordance with an open solicitation process in accordance with State requirements to enable professional services needed to be eligible for repayment using grant and loan program funds. The selected consultant will be required to work collaboratively with the existing project team and must be capable of assisting the Town with securing funding, engineering, and construction phase services required for project implementation. The consultant selected by this RFQ will initially be required to assist with the preparation of State Revolving Fund financing applications and WIIA grant funding applications for submission on or before the June 2024 WIIA deadline. Once funding is secured, the selected consultant will be required to provide the professional engineering services needed to deliver a completed project.

1.2 SCOPE OF WORK

Phase I – Preliminary Engineering and Reporting

Deliver the services necessary to evaluate existing reports and reports currently being developed. Prepare supplemental documentation that may be needed to best position the Town of Pound Ridge to maximize the probability of grant funding and preferred financing terms. Since the Town of Pound Ridge intends to seek State and Federal funding to assist in the implementation of the project, work under this phase must be prepared in conformance with the requirements of all potential funding streams, including but not limited to:

- NYS Environmental Facilities Corporation (EFC) and NYS Department of Health (DOH) State Revolving Fund (SRF) Programs.
- NYS Environmental Facilities Corporation (EFC) NYS Water Infrastructure Improvement (WIIA) Program.
- NYS Office of Community Renewal Community Development Block Grant (CDBG) Program.
- USDA Rural Development Water and Environmental Programs (WEP).
- Bipartisan Infrastructure Law (BIL).

Phase II – Grant Writing

The Town of Pound Ridge intends to apply for project funding from several potential sources. The successful firm must demonstrate familiarity with typical infrastructure funding programs, including but not limited to USDA Rural Development Water and Environmental Programs (WEP), the NYS Clean Water State Revolving Loan Fund (CWSRF), NYS Drinking Water State Revolving Loan Fund (DWSRF), the NYS Water Infrastructure Improvement Act (WIIA), the Community Development Block Grant program (CDBG), the Bipartisan Infrastructure Law (BIL), and the NYSDEC Water Quality Improvement Program (WQIP).

Phase III – Additional Services

Upon securing and/or procurement of funding, additional required services will include:

- Surveying.
- Engineering design.
- Environmental studies.
- Permitting.
- Construction administration.
- Construction observation.
- Grant administration.

II. TIMEFRAME FOR PERFORMING SERVICES

The initial project phases are expected to be completed on or before the June 2024 WIIA application deadline. The timeframe for future phases will be established after funding approvals are secured and as program requirements are defined.

III. RFQ REQUIRED INFORMATION & FORMAT

Qualification Statements should include the following information:

- Firm Summary/Profile.
- Proof of license to practice professional engineering in the State of New York.
- Statement of the capability to meet schedule requirements, including the ability to work closely and efficiently with the existing project team and local project stakeholders.
- Demonstration of experience and qualifications in performing the services required in compliance with applicable standards, including:
 - Profiles of at least three (3) current or recent projects of similar size and complexity.
 - Statement that demonstrates familiarity with and the ability to comply with all funding requirements typical of drinking water and wastewater projects.
 - Resumes and qualifications for the staff to be assigned to work on the project.
 - Experience and success at securing state and federal infrastructure grants.
 - At least three (3) client references.
- Statement regarding the consultant's preferred method of compensation as described below.

In addition, Respondents will be required to meet all Terms and Conditions required by agencies that may provide funding for this project, including, but not limited to:

- NYS Environmental Facilities Corporation (EFC) and NYS Department of Health State Revolving Fund (SRF) Program.
- NYS Environmental Facilities Corporation (EFC) NYS Water Infrastructure Improvement (WIIA) Program.
- NYS Office of Community Renewal Community Development Block Grant (CDBG) Program.
- USDA Rural Development Water and Environmental Programs (WEP).
- Bipartisan Infrastructure Law (BIL).

Note: Grant-specific terms and conditions may be added to the selected respondent's contract for any services that will utilize grant funding as deemed relevant.

The selected respondent will be required to comply with all Minority and Women Business Enterprises (M/WBE), Equal Employment Opportunity (EEO), Service-Disabled Veteran-Owned Business (SDVOB), and Section 3 requirements associated with funding streams that may be utilized for this project as appropriate.

Respondents that are Certified M/WBEs or SDVOBs should provide certification with their submittal. Firms that are not M/WBE or SDVOB certified should demonstrate a track record of and ability to partner with certified firms to meet the requirements of funding streams that may be utilized for this project.

IV. METHOD OF COMPENSATION

The respondent shall describe its preferred compensation method for the scope of services. The Town of Pound Ridge prefers to negotiate a scope of service and fee for each project phase after sufficient information becomes available. The Town of Pound Ridge intends to provide the highest ranked respondent with additional project information as required to review and submit a detailed scope of services and cost proposal for Phase I and Phase II services. If an agreement cannot be reached with the highest-ranked respondent, the Town of Pound Ridge reserves the right to seek a proposal from the next highest-ranked respondent until an agreement can be reached. After funding is secured, the Town of Pound Ridge intends to negotiate and contract with the selected respondent to deliver the professional services needed for subsequent project phases through final construction.

V. EVALUATION CRITERIA

All proposals received will be evaluated and ranked by the Town of Pound Ridge according to the following criteria:

Evaluation Criteria	Points
Successful provision of engineering services on previous similar projects in the last five years that demonstrate relevant experience and ability to comply with regulations governing potential funding from sources listed herein.	40
History of securing grants and/or loans for project implementation	30
Key personnel and proposed staffing plan	20
Respondent's understanding of the project	10
Total	100

The Town of Pound Ridge will review each proposal in detail utilizing the criteria described above. The Town of Pound Ridge reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, require supplemental statements or information from any responsible party, negotiate potential contract terms with any respondent to this RFQ, have discussions with any respondent to this RFQ to correct and/or clarify responses which do not conform to the instructions contained herein and to disregard non-conforming, non-responsive, or conditional proposals.

INTERVIEWS

Respondents will be notified if an interview is desired.

VI. RFQ SUBMISSION REQUIREMENTS

Respondents should submit < seven (7) > bound paper copies and < seven (7) > electronic copies on USB of their qualification statements **no later than 4pm on May 20, 2024**. Submissions should be clearly labeled Town of Pound Ridge and delivered to:

Erin Trostle, Town Clerk
Town of Pound Ridge
179 Westchester Avenue

Pound Ridge, NY 10576

QUESTIONS AND CLARIFICATIONS

The Town of Pound Ridge reserves the right not to answer any questions regarding this solicitation that might create an unfair advantage to companies that request additional information or clarification. Because this RFQ is posted publicly without document tracking, there will be no record of firms that receive a copy, and there is no way to ensure that answers to questions are provided to all interested parties.

Responses to this RFQ are prepared and submitted at the sole cost and expense of the proposer.

***** Certified Minority and Women-Business Enterprises (M/WBE) and Section 3 businesses are encouraged to submit proposals.*****

8XX Paid Parental Leave

Policy Statement – The Town of Pound Ridge provides paid family leave to eligible employees following the birth of their child or the placement of a child for adoption or their foster care. This leave must be taken immediately following the birth or placement of their child.

Eligibility – A full-time employee is eligible for up to eight weeks of paid parental leave in accordance with this policy. A part-time, temporary or seasonal employee is not eligible for paid parental leave but may be eligible to take leave without pay following the birth or adoption of their child. A full-time employee is eligible for this benefit after six months of continuous, full-time employment.

Benefit Details – An eligible employee will be compensated at their regular rate of pay throughout their absence under this policy. The Town will continue to pay its portion of any applicable health insurance premiums while an employee is on approved parental leave. Employees have the right to return to their same or comparable job upon return from a paid parental leave absence.

Notification Requirements – If the need for paid parental leave is foreseeable, the employee should give notice, in writing, to their Department Head at least thirty calendar days prior to the commencement date of the paid leave. The employee and Department Head must submit a written request to the Town Supervisor's Office for review. The Town Supervisor will have full discretion to grant paid parental leave.

Family Medical Leave Policy – Paid parental leave must be used in conjunction with leave under the Town's Family Medical Leave Policy (Section 509). An employee must be approved for a leave under the Town's Family Medical Leave Policy, prior to being granted paid parental leave. At the conclusion of the employee's eight weeks of paid parental leave, the employee may remain out of work for an additional four weeks, however their leave will be unpaid, in accordance with the provisions of the Family Medical Leave Policy. An employee will have the option of using their paid leave benefits during this four-week period.

Employment Restrictions During Leave of Absence – While on an approved paid parental leave, an employee may not be employed by another employer, or perform work for a personal business, during the same hours that the employee was normally scheduled to work for the Town of Pound Ridge.

Accrual of Paid Leave Credits – An employee will continue to accrue paid leave credits during a paid parental leave.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Paid Parental Leave provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

Memo

To: Town Board
From: Steven Conti
Date: 5/17/2024
Re: Wi-Fi

I respectfully request approval for Apex Technology Services to configure the camp/park Wi-Fi system

This approval is for 10 hours for a total of \$2,000 to perform Phase I activities.

1. Phase 1
 - a. Take over the park Wi-Fi from the current vendor
 - b. Setup Verizon Fios as primary internet
 - c. Assess the current wifi equipment and upgrade firmware
 - d. Move 2 access points from the small field
 - i. One to go to guard station at the pool
 - ii. The other will likely go down closer to the parking lot as part of phase 2
 - e. Align the nano beam from camp shed to the nano beam near the parking lot
 - f. Checkup on the Wi-Fi setup at the Pool
 - i. Update firmware, readjust equipment as needed.

Steve Conti

From: Larry Szebeni <lszebeni@apextechservices.com>
Sent: Friday, May 3, 2024 5:16 PM
To: Andrea Russo; Steve Conti
Subject: Pound Ridge Town Park - Internet and WIFI upgrades

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Andrea and Steve,

It was a pleasure meeting with you both earlier today. I have outlined the scope of work we discussed today and broke it down into two phases. If I missed anything, please let me know. I estimate both phases to take roughly 20 hours total. We can start working on phase one with a 10 hour block for \$2,000.00.

1. Phase 1
 - a. Take over the park Wi-Fi from the current vendor
 - b. Setup Verizon Fios as primary internet
 - c. Assess the current wifi equipment and upgrade firmware
 - d. Move 2 access points from the small field
 - i. One to go to guard station at the pool
 - ii. The other will likely go down closer to the parking lot as part of phase 2
 - e. Align the nano beam from camp shed to the nano beam near the parking lot
 - f. Checkup on the Wi-Fi setup at the Pool
 - i. Update firmware, readjust equipment as needed.
2. Phase 2
 - a. Clean up networking equipment and cabling at the park shed.
 - b. Centralize all networking equipment into one location in a small network rack.
 - c. Setup access point closer to the parking lot.
 - d. Make suggestions for equipment upgrades as needed.

Please let me know if you have any questions.

Larry Lorant Szebeni

President & C.O.O.



Connecticut:
HQ
535 Connecticut Ave.
Suite 104

MEMORANDUM

To: Town Board
From: Erin Trostle, Town Clerk
Date: April 30, 2024
Re: Inn at Pound Ridge – Request to amend Special Use Permit

The Inn at Pound Ridge has submitted an application for an amendment to its Special Use Permit in order to offer its patrons outdoor dining between the hours of 12:00 noon and 9:30 pm from May through September. The existing Special Use Permit, dated November 10, 2016, expressly prohibits outdoor dining.

TOWN OF POUND RIDGE - SPECIAL USE PERMIT APPLICATION

Date of application 4/24/24

TO: TOWN BOARD - TOWN OF POUND RIDGE

APPLICATION IS HEREBY MADE to the Town Board for the issuance of a Special Use Permit pursuant to Chapter 113, Article VIII of the Zoning Code of the Town of Pound Ridge, entitled Special Permit Standards, for the following:

APPLICANT NAME: Angelo Braun
ADDRESS: 258 Westchester

BUSINESS TELEPHONE NO: (914)
Check one: Owner Lessee Agent

Town Tax Map Property Location: Section _____ Block 9816 Lot No. 50

If map, survey or a plan is required, please attach to this application, as required by VIII, Section 113-8.3

With respect to the Special Use Permit described and requested on Page 2, attached, please respond to the following:

1. If you are a lessee, has property owner been apprised of your request? If so, attach the property owner's letter of approval to this application.
2. Will use be seasonal? Yes No
If yes, what months? May - September What hours of the day? 12:00 pm - 9:30 pm
3. Will equipment or furniture or materials of any kind, not normal to present operation, be required? Yes No
4. Will the location and size of the use, nature and intensity of the operation involved, be in harmony with the district in which it is located? Yes No
(Article VIII, Section 113-8.2.1)
5. Will there be a noise or light factor that may impact neighboring properties: Yes No (Article VIII, Section 113-8.2.3)
6. If the operation is located in a Planned Business District, will existing parking be adequate? Yes No

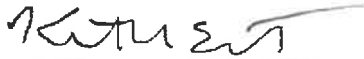
KKPR, LLC
260 West Road
New Canaan, CT 06840


To Whom It May Concern,

Please note that my tenant Jean-Georges of Pound Ridge, LLC, at 258 Westchester Avenue in Pound Ridge, New York (leased dated July 15th 2011 through January 15th, 2027) is permitted to use the outdoor dining area located on property.

Please let me know if you have any questions.

Thank you.



Kathleen Tropin
KKPR, LLC

3/13/2024

Date

Amended Special Use Permit

November 10, 2016

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 further 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:

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.
7. All refuse pick-up will occur between 7:00 a.m. and 7:00 p.m. in accordance with Chapter 90 (Solid Waste) and its penalties for offenses set forth in Section 90-4B as well as Chapter 84 (Refuse Disposal and Carters) and its penalties for offenses codified in Section 84-13. Likewise, all garbage and recycling will be placed in outdoor receptacles no later than 11 PM on any evening. Similarly, all deliveries will occur between 7:00 a.m. and 7:00 p.m.

with the Applicant placing a sign on the front and rear entrances at the end of business each night setting forth that there are no deliveries before 7 a.m. and that no commercial vehicles are to enter the property prior to 7 a.m. with timely deliveries occurring solely at the rear entrance.

8. The outdoor patio and contiguous lawn and garden area may be used on a limited basis to conduct wedding vows, photographs, and similar activities. Such outdoor spaces may also be used for limited cocktail/hors d'oeuvres services offered in connection with the wedding ceremony or similar limited activities. Such outdoor spaces may further be used for limited appropriate musical accompaniment for wedding vows and similar activities. The outdoor spaces may not be used for sit down dinner service. In all events, use of the outdoor spaces for any patron services shall terminate no later than one-half of one hour after sun down. All activities at the Premises regardless of whether they occur indoors or outdoors must comply with Chapter 75 (Noise) and its penalties for offenses set forth in Section 75-9. Notwithstanding Section 75-9 allowing for issuance of a warning citation on a first offense conviction, the Applicant waives its rights to such a reduced first offense conviction penalty and acquiesces to any first offense conviction being treated as a second offense upon conviction. Further, the Applicant will post courtesy signs in the south-eastern portion of the premises reminding patrons that the restaurant is located in a residential area.
9. All music and/or other entertainment activities shall cease at the Premises no later than 12:00 a.m., except that such activities may continue until 2:00 a.m. on New Year's Day, all in accordance with Chapter 49 (Curfew, Restaurant and Cabaret) and its penalties for offenses set forth in Section 49-2.
10. At all times, the Applicant shall possess and maintain all necessary municipal, county, and state licenses, permits, certificates and approvals required to conduct the contemplated lawful activities at the Premises. In addition, at all times, the Applicant shall, consistent with its representations, operate the permitted restaurant/catering and related activities giving due regard to the rights of its residential neighbors to peaceful and quiet enjoyment of their property. The Applicant also will post signs in the employee changing areas (consistent with the sign attached as Exhibit E) reminding employees of appropriate behavior after work in the parking lot. Further, the Applicant shall undertake quarterly review and training to ensure that the employees know and abide by the above-conditions.
11. This Special Use Permit is granted to the Applicant and does not run with the land, nor shall this Special Use Permit be assigned or transferred to any other individual or entity without the prior written approval of the Town Board of the Town of Pound Ridge.
12. Should the Applicant desire to engage in any other activities not specifically permitted hereby, the Applicant may request that the Town Board of the Town of Pound Ridge amend or modify this Special Use Permit.
13. Violation of any of the terms or conditions of the Special Use Permit or of any applicable provision(s) of the Town Code may cause the Town Board of the Town of Pound Ridge to amend, modify or revoke this Special Use Permit.

14. Notwithstanding the above, the Town reserves its police power and rights to enforce the terms of this special use permit, impose appropriate and reasonable monetary sanctions for any violations thereof, or otherwise prohibit any conduct, action, practice or event that, in the Town's discretion, threatens the safety, health or welfare of the Town, its residents or the public (a "Default Event"). The Town shall provide the Applicant with written notice of any Default Event and the opportunity to be promptly heard to address and resolve same. The Town's written notice of any Default Event shall include specifics of the Default Event, including but not limited to date, time, location and persons involved, if known, and shall specify how the Default Event threatens the safety, health or welfare of the Town, its residents or the public. Upon receipt of the Town's written notice of any Default Event, the Applicant has 30 days to respond in writing and be heard.
15. This Special Use Permit is being issued to KKPR, LLC as fee owner and Jean-Georges of Pound Ridge, LLC as the operating entity of the business and activities hereby permitted.

By order of the Town Board
Town of Pound Ridge
Joanne Pace, Town Clerk

KKPR, LLC

by Kenneth Tropin, Member

Jean-Georges of Pound Ridge, LLC

By Jean-Georges Vongerichten, Managing
Member

Pound Ridge Holdings, LLC, (formerly Inn at Pound Ridge), 258 Westchester Avenue, Pound Ridge, NY, Block 9816, Lot 50. Application for site plan review to make improvements to the property including a flower bed with a cobblestone border and dry stone wall 4 feet high x 23 feet long in the rear of the parking lot. The property consists of 2.392 acres and is located in an R-2A zoning district.

Previous meeting dates: New application

Mr. Michael Covino, owner of the building, was present at the meeting. Mr. Fowler mentioned that they had just purchased the property and were doing some improvements. He said that because of the sensitivity of the location, the historical significance and since it is a non-conforming use, the applicant was directed to appear before the Planning Board.

Mr. Covino explained that they wanted to do landscaping, repair the existing cobblestone beds and construct a retaining wall at the new access to the lower level. Mr. Fowler said what they plan to do are mostly repair issues. Mr. Perry said that the area of concern to the Planning Board was work in the buffer area.

Mr. Fowler directed the applicant to apply to the Town Board for a special use permit, indicate the plantings and hours of operation, and return to the Planning Board. The applicant will also contact the Landmarks Commission for their approval.

The meeting adjourned at 1:45 a.m.

Respectfully submitted,

Karen B. Taft, Secretary
Planning Board

Board Action: Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby refers the proposed plans for the Aquarion parking areas for the walking trails to the Planning Board and the Water Control Commission for their review, AND, BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Clerk to schedule a Public Hearing to discuss the Planning Board and Water Control Commission recommendations for the Aquarion parking areas at the October 12, 2006 Town Board meeting.

Newcomers and Neighbors Club – Special Permit for Casino Night

The Pound Ridge Newcomers and Neighbors Club is requesting permission to hold their annual Casino Night and sell beer and wine at Conant Hall on Saturday, September 16, 2006 from 8:00 p.m. to 12:00 p.m. Nikki McMann, Chair of the Committee, explained that this is their second year with this event. The Club's mission is to welcome new residents and membership has jumped 50% from last year. They are requesting permission to sell wine and beer to help offset the cost of the event.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby supports the Newcomers and Neighbors Club Casino Night to be held on Saturday, September 16, 2006 from 8:00 p.m. to 12:00 p.m. and the sale of beer and wine.

Pound Ridge Holdings (former Inn at Pound Ridge) – Special Permit application

Kenneth Rudolph, Pound Ridge Holdings, LLC, spoke about their plans moving forward. There has been some renovation and they are currently looking for a restaurateur to buy and operate the restaurant. He is before the Board with a Special Use Permit.

Murray Levy, Pinebrook Road, reminded the Town Board that the Inn is a landmark building. Mr. Rudolph said that they have not changed anything. He is currently before the Planning Board and the Landmark Commission. The Planning Board has approved their flower bed with a cobblestone border curbing and they are going before the Landmark's Commission with their proposed plan for a dry stone wall 4 foot high, 23 feet long in the rear of the parking lot on the north side of the building. Supervisor Warshauer would like to officially accept the Special Use Permit and officially refer it to the Planning Board and the Landmarks Commission. Counsel Harrington suggested accepting the generic Special Use Permit and if the restaurateur plans to use the facility in any different way than what is on the permit, they must go back to the Town Board.

Councilman Paschkes asked whether or not the stone wall complies with set back requirements. Mr. Rudolph said it is not along property lines but on the side of the building. It does not have to go before the Zoning Board of Appeals.

Councilman Falco asked if he had any intention of using the area within the stone wall construction for outdoor seating. Mr. Rudolph said they have no intention of having outdoor seating.

Counsel Harrington suggested that Mr. Rudolph write a letter to the Town Board articulating what he is asking for as far as any improvements, hours of operation, intention of operating a restaurant and to clarify ownership.

Board Action: Motion by Councilman Lyman, seconded by Councilman Paschkes with the Board polled as follows: Councilman Falco, aye, Councilman Lyman, aye, Supervisor Warshauer, aye, Councilman Powers, abstain and Councilman Paschkes, aye – motion passing 4-0 on the following:

RESOLVED, that the Town Board officially receive the Special Use Permit from Pound Ridge Holdings, LLC and officially refer it to the Planning Board and the Landmarks Commission subject to the modifications and corrections and the letter to make the application complete.

Highway Dept. – Pick up Truck purchase

Steve Conti, Director of Finance, respectfully requests a review of the request from the Highway Department for a purchase of a new pickup truck in the 2006 budget. The quote on the new pickup truck from state bid is \$24,331.30. This price is good through 9/30/06. This purchase would require a budget transfer from D5130.406 (highway machinery maintenance and repairs). The Highway Department needs to order another pickup truck and wasn't sure if they should take advantage of the quoted price until 9/30/06 or wait until 2007 budget. After some discussion, it was decided that it would be to the Town's advantage if both were purchased now to get the low price. The Board is basically making a decision for next year's budget that we would be putting into this year's budget using funds we have in 2006 budget. The Town would be saving a significant amount of money by doing this now. There is the need to replace 2 pick up trucks. One was budgeted for 2006 and the other vehicle would require a budget transfer. It means making a budget decision for next year. There isn't enough money in the vehicle line to cover the expense of both vehicles, so a budget transfer within the highway budget would be necessary. Steve Conti detailed the transfer of monies for the first vehicle as follows:

Vehicle Budget Amount	\$70,000.00
Street Sweeper	-35,143.80
Dump Truck	-22,018.12

NEW BUSINESS:

Pound Ridge Cares – Proposal for Town-wide Recycling Program

Supervisor Warshauer said that Rob Powell and Rob Everett are proposing a new Town-wide recycling program called Pound Ridge Cares. Rob Everett felt that the Town had to do more for recycling. He and Rob Powell designed uniform signs to display at the various shops in Scotts Corners and at the Town House. People need to be informed better. Each sign will list ways that people can help with recycling. Some of the signs were for Scotts Corners Market, Chubby's Hardware, the Pound Ridge Shell Station, Antiques & Tools, Hiram Halle Library and the Town House. It is a handy reminder of what to do to help Pound Ridge be a safer and better place to live. They also have a website registered as mytowncares.org.

Supervisor Warshauer feels their idea is fantastic. At the Town House and throughout the Town, we have always promoted recycling and this will absolutely help. He encourages the use of the signs and will have one displayed at the Town House.

Councilman Paschkes asked how they would handle the placement and maintenance of the recycling containers. Rob Powell said that they would have the containers down at the ball fields specifically marked for cans and bottles. There will be signs on the containers so that people will know where to place the recyclables. The collected materials will be placed in the new recycling center at the Highway Department. The co-mingled trash at Scotts Corners Market will go to their carters. The Conservation Board will be sending out a mailer explaining that resident carters, by law, must take co-mingled and newspapers. They will also be told what the Town will be taking.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to endorse the program of Pound Ridge Cares as presented by Rob Powell and Rob Everett.

Supervisor Warshauer mentioned that there is a New York State Program which Rob and Rob will try to coordinate with. Our Town Engineer, Joe Barbagallo, is a volunteer on the New York State Recycling level. He will work with Pound Ridge to coordinate the two programs.

Special Use Permit Application – The Inn at Pound Ridge

There is an application for improvements to the Inn at Pound Ridge. Councilman Jon Powers explained that if there would be a vote tonight, he would not vote, however, he would be pleased to serve as an advisor to the Town Board and the applicant in regard to any history on the Inn at Pound Ridge. Matthew Keating, Counsel for the Pound Ridge Holdings, LLC, spoke regarding the application for improvements to the Inn at Pound Ridge. It is his understanding that his client has been to the Planning Board regarding

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this matter and the site plan was unanimously approved with the revision that the height of the stone wall around the handicap access area be 3 feet instead of 4 feet. They were directed to come to the Town Board for a Special Use Permit. Counsel Sullivan and Counsel Keating spoke earlier regarding what improvements they plan on making. Supervisor Warshauer asked what they see as their goal for the property. Michael Covino, co-owner of property, spoke about his goal of the property. He would like to renovate the building and have a 4-Star restaurant. They have already cleaned up a great amount of the building including replacing a leaking oil tank. They are trying to improve on the handicap access to the building. They have a side entrance that will be used and they will put a 3 foot wall and garden area around the entrance. Their intent is to run an upscale restaurant like Emily Shaws. They do not intend to go beyond any town ordinance. The hours will be consistent with what has historically been done. They will stay within the guidelines. There are two chefs being considered to run the restaurant. They will continue to use the name Inn at Pound Ridge right now and then have their lawyers look into renaming it Emily Shaws, Inn at Pound Ridge.

Councilman Paschkes said that he heard that the original intent was to sublease it out to the restaurant. Who will be running the operation? Will there be an independent restaurateur? Mr. Covino said that there will be an independent restaurateur. Councilman Paschkes is wondering if there will be a triple net lease where he is an absentee landlord once things are set up. It is a different situation than when you are involved in day to day operations. Mr. Covino said that he will not be involved with day to day operations but the independent restaurateur will have to be reasonable and conduct themselves within the compound of the ordinance. Supervisor Warshauer stated that even if he leases the property to the restaurateur, Mr. Covino still has the responsibility as property owner to be in compliance with all the laws.

Mr. Covino agrees with all that was said. He certainly will have control over the conduct of the restaurant. He will insist on valet parking because it gives more control and less traffic.

Councilman Paschkes asked whether or not there would be any overnight rooms at the Inn. Mr. Covino said that eventually he would like to make an overnight room for either a bridal couple or someone to stay if they wished.

Counsel Sullivan said that he had been speaking with Mr. Keating regarding the legal non-conformity section of the Town Code in Chapter 113-23. He would like to speak with him again and possibly reduce some of the fundamentals. Technically, they would have to get a Special Use Permit. That part of the Zoning Code suggests that it is in the interest of the Town to bring non-conforming entities into conformity as best you can. We need to find out what their expectations are, hours of operation and days of operation, and it is then presented through this process for a Special Use Permit and authorization. Counsel Sullivan suggests having further discussion of this with the owner, Mr. Covino and his counsel.

Murray Levy, Pinebrook Road, reminded everyone that the Inn at Pound Ridge is a landmark building and any renovation to the outside must go before the Landmark Commission. Mr. Covino said that they already have gone before the Landmark Commission and have their approval. He said he would not do anything to have an adverse impact on the value of the building. He just wants to run a good restaurant candidly and without restriction. They would not be opposed to anything that is not restrictive. They want to open 7 days a week for lunch and dinner with some catering.

Supervisor Warshauer said that he would like to formalize the Special Use Permit. Mr. Covino said that he is very anxious to open immediately.

Joan Silbersher mentioned that she has the original Emily Shaws sign at her shop.

Supervisor Warshauer asked Counsel Sullivan if there is a way to approve the opening of the restaurant subject to working out the specifics to the Special Use Permit, which basically would be that the Board would issue a Special Use Permit that would solidify the current conditions under which the current restaurant is operating so that the restaurant could open.

Counsel Sullivan explained once again that the restaurant would be a non-conforming use and there has to be some fundamental understanding between the parties as to what that use would encompass. Mr. Covino explained that this has been a big financial commitment and they need to open right away. He even said that he would be willing to withdraw their application for the wall around the handicap access door if it would help expedite the situation. Counsel Sullivan said that it is important that Mr. Covino and his counsel speak with him soon on this. Supervisor Warshauer asked if a conditional approval can be given to Mr. Covino so that he can open now subject to the Board ratifying the conditions that are worked out with the Town attorney. Counsel Sullivan said that the Board could give a conditional approval. The owners of the property are in the process of getting Board of Health Department approval. They have brought the well up to code for the building and they have had the water tested. They will open without a liquor license initially and follow through on the liquor license process.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Lyman with Councilman Powers abstaining, motion passed 4-0 on the following:

RESOLVED, that the Town Board hereby grants a temporary conditional approval to Pound Ridge Holdings, LLC to open for business until December 7, 2006; not to exceed occupancy restrictions and subject to their having all necessary governmental licenses and permits in place and not to exceed hours of operation which would be between 11:00 a.m. and 12 midnight. The Special Use application will be presented at the December 7, 2006 Town Board meeting. This is also subject to working out the details with Town Counsel.

NEW BUSINESS:

Cancellation of December 14, 2006 Meeting

Board Action: Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye to cancel the December 14, 2006 because there wouldn't be a quorum and reschedule it to December 18, 2006 at 8:00 p.m.

Police Department – Acceptance of proposal for 2007 uniform dry cleaning

In accordance with our procurement process, the Town Clerk received bids for dry cleaning Pound Ridge Police Uniforms for the year 2007. Two of the vendors sent back their proposals as follows:

ValuClean: \$3.00 per uniform shirt and \$3.00 per uniform pants - and \$20.00 per Gore Tex Jackets. Free pick up and delivery is provided according to Police Schedule.

Pound Ridge Cleaners: \$3.00 per uniform shirt and \$3.00 per uniform pants - and \$11.00 per Gore Tex Jackets. No delivery is provided.

Chief Ryan respectfully asks the Town Board to accept the proposal from ValuClean because they will meet the requirement to pick up and drop off the uniforms. The difference in the amount of dry cleaning the jackets is insignificant due to the fact that there is rarely a need to have them cleaned by this special technique.

Board Action: Motion by Councilman Lyman, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the proposal from ValuClean to dry clean the uniforms of the Pound Ridge Police Department at a cost of \$3.00 per uniform shirt and \$3.00 per uniform pants and \$11.00 per Gore Tex Jackets. Free pick up and delivery is provided. This contract will be effective January 1, 2007 and will continue through December 31, 2007.

The Inn at Pound Ridge – Special Use Permit Application

At the last Town Board meeting, the Town Board gave the owners a temporary permit to expire December 7, 2006 subject to meeting certain conditions. The conditions were not met and they are still waiting for outside agency approvals and permits as well as Building Department approvals and permits. Counsel Sullivan spoke with Matthew Keating, Counsel for the Pound Ridge Holdings, LLC, about the specific conditions and

he was given a preliminary write up. The Town Board should carefully review the preliminary write up of the proposed operation of the Inn at Pound Ridge. He would suggest putting them on the agenda in January to grant the Special Use Permit.

Mr. Covino asked the Board to allow them to keep the temporary Special Use Permit because they did not open and did not abuse the previous temporary permit. They might want to have a holiday party that is catered prior to the January Town Board meeting. Counsel Paschkes explained that the prior temporary permit was granted because they had a big Thanksgiving Day party booked. The fact that there is nothing actually booked for the holidays, Councilman Paschkes' preference and probably that of the Town Board is not to grant a permit that is open ended and has not met the criteria that they need to have before making that decision.

Supervisor Warshauer said that they would put them on the December 18, 2006 agenda to go over all the details and the outline of the Special Use Permit. Counsel Keating will meet with Counsel Sullivan prior to the December 18th meeting. A Public Hearing will be scheduled for the January meeting.

Highway Department – Authorization to accept bid on stone wall repairs

The Highway Department is requesting repairs to the Eastwoods Road wall and the Cross Pond Road wall. They contacted three vendors for quotes: A C & S Excavating, Dave Anderson Landscaping and Elmir's Lawn Maintenance. Elmir's Lawn Maintenance submitted the sole quote as follows:

1. Eastwoods Road – repair stone wall on bridge, labor, material including drilling in base and installing rebar for stabilization wall - \$2,100 (no tax)
 2. Cross Pond Road – repair stone wall (same as above) including labor and material - \$4,200 (no tax)
- Total for both jobs: \$6,300

It was recommended repairing the Eastwoods Road wall this year and the Cross Pond Road wall in 2007.

Board Action: Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the bid proposal to repair the Eastwoods Road wall and the Cross Pond Road wall from Elmir's Lawn Maintenance as proposed above in the amount of \$6,300. This will come out of Highway's 2006 budget.

MINUTES OF THE DECEMBER 18, 2006 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 GARY WARSHAUER; COUNCIL MEMBERS: DANIEL PASCHKES, JONATHAN POWERS, RICHARD LYMAN, PETER FALCO

ALSO PRESENT: TOWN ATTORNEY, JAMES J. SULLIVAN, ESQ. TOWN CLERK, JOANNE PACE

CALL TO ORDER: Supervisor Warshauer called the meeting to order at 8 p.m.

CALL FOR EXECUTIVE SESSION: None

ANNOUNCEMENTS: Supervisor Warshauer thanked everyone for coming tonight and wished them a very Happy, Healthy Holiday season.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting on November 2, 2006 and November 9, 2006.

Board Action: Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby acknowledge/correct/accept minutes of the Town Board Meeting on November 2, 2006 and November 9, 2006.

NEW BUSINESS:

Inn at Pound Ridge – Special use Permit Application

Since the last meeting, the owners of the Inn at Pound Ridge were to report back to the Town Board after discussions with the Health Department and the Building Department. Matthew Keating, counsel for Pound Ridge Holdings, LLC and owners Michael Covino and Kenneth Rudolph reported that they have met with the Health Department and were given a certificate giving them permission to open and a punch list of things they need to do in order to get the final Health Department Permit. The Building Inspector did a walk-through and most is up to par. They have a punch list of things to do in order to get the Building Permit. The fire code is up to par with some electrical work to be done. The occupancy expectations were approved by the Building Department.

Supervisor Warshauer asked to schedule a Public Hearing for the Special Use Permit for the Inn at Pound Ridge. The owners are planning a 7 day operational week being open for breakfast, lunch and dinner. The Town Board will have to carefully review the application for hours of operation. The restaurateur will temporarily operate under the owners Real Estate entity. The application will be under Pound Ridge Holdings Co., LLC.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, motion passing 4-0 with Councilman Powers abstaining on the following:

RESOLVED, that the Town Board hereby calls for a Public Hearing on January 11, 2006 to review and discuss the Special Use Permit Application for the Inn at Pound Ridge.

Police Department – Accept proposal for Police vehicle maintenance for 2007

The proposal was not submitted to the Town Board as of yet, so this will be put on the agenda in January 2007.

Recreation Commission – Authorize acceptance of and payment of proposal for Architectural and Engineering services for Community Center

The Recreation Commission would like the Town Board to authorize payment of \$5,180 to Lothrop Associates for Part 1 of their attached proposal. The proposal is to assist in the planning and implementing of additions and renovations to the Town Park. Elizabeth Harrington, Builders Committee Chair, and John Ritzcovan, Recreation Commission were present. Mrs. Harrington summarized what has taken place to date regarding plans for the community center. The Builders Committee was formed/reinstated on July 22, 2006 with the following members: Amiel Peretz, Marc Vandenhoeck, Van Muller, Dan Paschkes, Dick Lyman, Mary Legrand, Rich Gill and Elizabeth Harrington (Chairman of Committee). They have done a walk-through in the Town Park to assess current and future needs. After interviewing 4 communities and researching firms that have done similar projects, the Committee narrowed the list of architectural firms to three. The Builders Committee then recommended and selected Lothrop & Associates based upon their relevant experience and final results best matching what the Town of Pound Ridge requires. There will be future walks to discuss final site options within the scope of the park. Lothrop & Associates has put together a two part proposal. Part 1 will be to determine a limited overall master plan for the park which will define the scope of the community center project. Part 2 will provide the basic architectural and engineering services to design prepare construction documents and provide construction phase services for the actual construction of the proposed community center. Supervisor Warshauer asked about civil engineering and landscaping which wasn't mentioned in the summary of the two phases. Councilman Paschkes said that at their last meeting, it was indicated that those services would be included within the scope of the 15% of the construction cost of the community center. It was described as a comprehensive, all inclusive plan. This needs to be clarified. He asked Mrs. Harrington to question Lothrop & Associates about this and make sure it is included in the proposal. It would have to be amended to read as they described it at their last meeting. Another recommendation was to put something in the proposal that makes it clear that the Town is not tied to them in the event that the Builders Committee is not happy with the ultimate proposal that he put

MINUTES OF THE ORGANIZATIONAL MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE, HELD ON JANUARY 11, 2007 AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR GARY D. WARSHAUER; COUNCIL MEMBERS: DANIEL PASCHKES, JONATHAN POWERS, RICHARD LYMAN, PETER FALCO

ALSO PRESENT: TOWN ATTORNEY JAMES J. SULLIVAN, ESQ.
TOWN CLERK, JOANNE PACE

CALL TO ORDER: Supervisor Warshauer called the meeting to order at 8 p.m.

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby calls for an executive session immediately following this Town Board meeting for a personnel matter.

Board Action: Motion by Councilman Powers, seconded by Councilman Lyman, all voting aye on the following:

RESOLVED, that the Town Board hereby calls for a work session immediately following the executive session to review the recommendations from the Planning Board regarding the Steep Slope ordinance that the Town Board will be considering at the Public Hearing next week. They will also discuss what will be published prior to the meeting.

PUBLIC HEARING: To consider and act upon the Special Use Permit Application for the Inn at Pound Ridge, in the Hamlet, Pound Ridge, New York.

Deputy Supervisor and Councilman Jonathan Powers recused himself from this discussion on the Inn at Pound Ridge.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Lyman, all voting aye except Councilman Powers who recused himself, to open the Public Hearing to consider and act upon the Special Use Permit Application for the Inn at Pound Ridge, in the Hamlet, Pound Ridge, New York.

Counsel Matthew Keating, counsel for Pound Ridge Holdings, LLC, and owners Ken Rudolph and Mike Covino addressed the Board and the audience with a synopsis of what they plan to do with the Inn at Pound Ridge. They plan to operate the Inn at Pound Ridge as an upscale, first class restaurant upstairs and an earlier, more affordable menu downstairs. They may have entertainment during dinner with piano music. The noise would be contained and fall under the Town Codes. Supervisor Warshauer asked if they have their hours of operation defined. They have not been able to commit to hours of operation. They went on to explain that they want to be able to serve dinner to late diners and not be restricted. They don't want to feel they have to close when patrons are still there. They are not looking to change the style or the ambiance of the Inn.

Councilman Lyman asked where they stand with their building permits. Mr. Rudolph said that they are close to completion of the check list that was given by the Building Department. Counsel Sullivan asked where they stand with their Health Department permit. Mr. Rudolph said that they have approval to open but don't have the permit yet. They still have the seating issues to finalize. They are also in the process of obtaining a liquor permit.

Counsel Sullivan explained that whatever the Town Board does in terms of the Special Use Permit, it should be clear that there is to be no operation conducted unless all of the open issues are corrected or addressed. He also asked again what the hours of operation are going to be. They could not answer exact hours. They hope to stop serving dinners by midnight and have patrons stay for an after dinner drink for a short time after that. Counsel Sullivan suggested that they make a specific request for hours of operation for the Town to consider. This is a non-conforming use and needs to have specific hours of operation. He explained that they could always come back to the Board with a specific request for special events that would need extended hours.

Supervisor Warshauer opened discussion to the audience. Jon Powers, Westchester Avenue, wanted to know what to expect. He is concerned about late bar nights, outdoor weddings and loud noise or music. The owners explained that they are not looking to have a loud bar business. They will do everything they can to respect the neighbors. They are also incorporating valet parking 7 days a week. They wouldn't have anything unusual without prior permission from the Town Board. Mr. Covino mentioned that he wants to operate the business with high sensitivity towards the neighbors and the Town. They want to be able to serve a crowd and not close the kitchen too early. He can say that they will probably be ready to close by midnight, but doesn't want to be restricted to do so. Counsel Keating said that they would like to be able to stay open until 2:30 a.m. That was challenged by Councilman Paschkes and a few members of the audience.

Robert Benjamin, Westchester Avenue, mentioned that 12 midnight sounds reasonable. At some point, a fine restaurant becomes a bar. He is concerned about that happening. His second concern is about the outdoor use. He asked if there would be any wedding receptions planned for outdoors. Mr. Covino said no. If they ever did get the request, they would certainly come before the Town Board for permission. They would probably do the ceremony outdoors or possibly the cocktail hour without music. Mr. Benjamin asked about outdoor dining. Mr. Covino said that there is an outdoor patio in the back and they would like to use it for small tables of two or four people. It would be low key with lighter fare and served until dusk. Mr. Benjamin asked whether or not the outside patio dinners would be part of the Special Use Permit application. Counsel Sullivan said that it would be up to the Town Board to decide that. Mr. Covino said that he would have no objection to having a provision, that in any event there was any conduct that was not acceptable, it would be addressed. They will go before the Board to discuss it and fix it.

Councilman Lyman said that the Town Board has asked Mr. Covino, Mr. Rudolph and Counsel Keating to sit down with Counsel Sullivan a number of times to discuss all of these issues so that a proper permit could be drafted. It would reflect what the specifics are that they are looking for

and that hasn't happened. It would be helpful if they did meet and discussed what they think would be reasonable and have Town Attorney Sullivan counsel the Board. Supervisor Warshauer added that what has come out of this Public Hearing is what some of the issues are and what the suggested hours are and he thinks that the goal of the meeting with Counsel Sullivan would be to draft the Special Permit conditions and then be more specific. If they do not comply with the Special Use Permit conditions regarding the issues of outdoor seating, hours of operation, noise, music, etc., then they can be called in to discuss this before the Board or have their permit pulled if they don't comply with the objectives.

Peter Avellino, Pine Drive, was curious about how many restaurants in the 5 mile radius are open past 10:30 p.m. He said that the Inn is in a residential area, it is not Scotts Corners. He doesn't want to see the excess noise or traffic or confusion of a bar crowd which will most likely happen if they remain open late. He would like them to stick to an earlier closure. Mr. Covino said that if there is no business, then they will close early.

Councilman Paschkes said that they could always come in to ask for an amendment to the Special Use Permit if they find that there is a later dinner crowd.

Counsel Sullivan said that he has enough information with what they want to operate their business and he will draw up a draft for the Board to review in the next couple of weeks. He assured the owners that the Town is on their side and they understand what their intentions are.

Santo Borsellino, Rolling Meadow Lane, mentioned one important factor and that is the issue of patrons smoking outside the building. It is something else to consider.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, all voting aye except Councilman Powers who abstained, on the following:

RESOLVED, that the Town Board hereby agrees to continue the Public Hearing to consider and act upon the Special Use Permit Application for the Inn at Pound Ridge, in the Hamlet, Pound Ridge, New York to the Town Board meeting on Thursday, February 1, 2007 at 8:00 p.m.

CALL TO ORDER: ORGANIZATIONAL MEETING

Board Action: Motion by Councilman Lyman, seconded by Councilman Powers, all voting aye to call to order the organization meeting at 9:05 p.m.

SUPERVISOR'S APPOINTMENTS:

Board Action: Motion by Councilman Falco, seconded by Councilman Lyman, all voting aye on the following:

MINUTES OF THE FEBRUARY 01, 2007 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE, AND CONTINUATION OF A PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR WARSHAUER, COUNCIL MEMBERS: JONATHAN POWERS, DANIEL PASCHKES, RICHARD LYMAN, PETER FALCO

ALSO PRESENT: TOWN ATTORNEY JAMES J. SULLIVAN, ESQ.
TOWN CLERK, JOANNE PACE

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

CALL FOR EXECUTIVE SESSION – None

ANNOUNCEMENTS:

Supervisor Warshauer announced that there will be a Town Board work session this Saturday, February 3, 2007 at 10:00 a.m. at the Town House to discuss the impending Steep Slope Ordinance. The Slope ordinance is also on our Town Board agenda next Thursday evening, February 8th, as a continuation of a Public Hearing.

Supervisor's forum will be held on Saturday, February 10, 2007 at 10:00 a.m. at the Town House and the focus will be on the Deer Management Program. They will discuss the experiences of the plan and discuss the possibilities of continuing the plan or modifying the plan for next year. The Town Board will probably put that matter on the March 1, 2007 agenda to decide what they want to do next year.

PUBLIC HEARINGS:

Continuation of January 11, 2007 Public Hearing to consider and act upon the Special Use Permit application for the Inn at Pound Ridge, in the Hamlet, Pound Ridge, N.Y.

Councilman Powers recused himself and left the Town Board table during this Public Hearing. Counsel Keating had two comments on the draft Special Use Permit on behalf of Pound Ridge Holdings, LLC. One technical change is the name of the applicant. The applicant is Pound Ridge Holdings, LLC and that should be reflected in the draft Special Use Permit. The second request is to allow entertainment on the evening of New Year's Eve to continue until 2:00 a.m. per Chapter 49-1 (A) of the Town Code. Another comment is in respect to the outdoor garden patio area. They would like to have appropriate musical accompaniment for daytime outdoor ceremonies and have food and beverage service on the garden patio concluding one hour after dusk using only the existing lighting in the garden patio area.

Supervisor Warshauer said that the correspondence that they provided alleges that these conditions have occurred there. He said that in the past there were very few times in the

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February 01, 2007

history of the Inn at Pound Ridge that the outside area was used in an active manner. Counsel Keating responded by saying that it will be limited to occasions when the weather allows for the outdoor use. They don't want to intrude on the neighbors and there would be limited beverage and food service. Councilman Falco inquired if he intended to use the existing patio out back or the new area they are putting in. Mr. Covino, owner, answered that it would only be the existing patio. The new area would only be for an extended handicapped entrance to the building.

Rayanne Kleiner, Hemlock Hill Road, asked what they meant by limited use. Counsel Keating said that the weather would have to be desirable to hold anything outside. She asked if it would interfere with the neighbors and he said no. They would not add anymore lighting and there is substantial distance from the neighbors.

Councilman Paschkes commented that there are four to five months that are very likely to have good temperatures and that dusk could be between 8:00 or 9:00 p.m. With their request to allow service until one hour after dusk may bring the use up to 10:00 p.m. Counsel Keating stated that it wouldn't be an intensive use and it would help in terms of advertising. Many people request this service and it wouldn't be good for business if they had to refuse outdoor service. Councilman Paschkes questioned the music they intended to have. Mr. Covino and Counsel Keating said it would be appropriate music like a flute, harp or electric organ. Councilman Paschkes asked if they would be willing to eliminate the electric amplified music. They said that they would like to be able to use the electric organ for the ceremonial march. They don't intend to have inappropriate use of the organ. Councilman Paschkes said that in drafting the Special Use Permit they need to set parameters; they are suggesting giving an open ended allowance for music with a verbal assurance that it will be appropriate. Counsel Keating stated that they are mindful of the Town Boards concerns and they can assure them that they will not take advantage of this. If there were a problem, they would surely go before the Board to address the matter. They are just looking to have a successful enterprise and hoping they could find some middle ground. Jon Powers, speaking from the audience, commented that there were only 2 events in the past where they had outdoor events with music. In the past 27 years, there have only been approximately 6 times when the outdoor patio was used at all. Supervisor Warshauer said that they could draft some language to include minimal amount of music and make it clear that the activities that occur outside the building have to be done in a neighborly way. If they abuse this, they will come back to the Town Board and possibly have their permit pulled.

Steve Kushner, Upper Shad Road, asked whether the matter of live entertainment at night was talked about. Mr. Covino said that this has been discussed and it will be a piano and the entertainment is regulated by Town Code with limitations. Mr. Kushner asked if they will keep the bar downstairs and have music. Mr. Covino said that the bar will remain with piano music. It is not to be a late night bar crowd with loud music.

Councilman Falco said that if the Board considers having some sort of outdoor music, it should be limited to acoustics and allowing outdoor activities until one hour after dusk is

too permissive. It should also be clear that whatever is in this permit should not expand and should be in compliance with the Town's Noise Ordinance. He suggested that Counsel Sullivan draft the modifications and perhaps make it clear that it is conditional that it would be for a time period. Mr. Covino wanted to make it clear that they would go before the Town Board whenever they requested anything out of the ordinary, example setting up an outdoor tent or any extended use. Counsel Sullivan will modify the resolution to consider the requests from the applicant regarding the use of music, food and beverage on the outdoor patio and the extended hours on New Year's Eve.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Lyman, all voting aye on the following:

RESOLVED, that the Town Board hereby closes the Public Hearing to consider and act upon the Special Use Permit application for the Inn at Pound Ridge, in the Hamlet, Pound Ridge, N.Y. and adjourn this matter to the next Town Board meeting on February 8, 2007 for adoption of final draft of the resolution of the Special Use Permit.

Councilman Powers rejoined the Town Board table to continue the other matters on the agenda.

PUBLIC HEARING

To consider and act upon the recommendations of the Planning Board and Water Control Commission for the Aquarion Walking Trails Parking Area at Trinity Pass.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to open the Public Hearing to consider and act upon the recommendations of the Planning Board and Water Control Commission for the Aquarion Walking Trails Parking Area at Trinity Pass.

The Conservation Board recommended to the Town Board that they provide a limited amount of parking as we do in many of our Conservation areas and Open Space areas for access to the trail system that runs along Trinity Reservoir. This runs from Trinity Pass to the north end that is Kitchawan Road. A couple of locations for parking were referred to the Highway Department, our Town Engineer, our Planning Board, our Water Control Commission and our Police Department for review and recommendation to the Town Board. Through that review process, the area along Kitchawan Road was determined to be not appropriate. The area that the Board is currently considering is the location on Trinity Pass that has a current gate and access to the Aquarion Water Company. This area is generally not accessible to the general public. Pound Ridge has an agreement with the Water Company to gain access. The Conservation Board has improved the trails and they are a very beautiful and scenic conservation area. The parking area being considered is a 3 or 4 car parking area that will be done in a very environmentally friendly way with no paving. It will be item 4 gravel as a base. The Planning Board and

MINUTES OF THE FEBRUARY 8, 2007 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR GARY WARSHAUER; COUNCIL MEMBERS: JONATHAN POWERS, DANIEL PASCHKES, RICHARD LYMAN, PETER FALCO

ALSO PRESENT: TOWN ATTORNEY, JAMES J. SULLIVAN, ESQ. TOWN CLERK, JOANNE PACE

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers all voting aye to hold an executive session immediately following this meeting for a personnel matter.

ANNOUNCEMENTS:

Supervisor Warshauer announced that he will be holding his Supervisor's Forum this Saturday, February 10, 2007 at 10:00 a.m. at the Town House and the focus will be on the Deer Management Plan.

OLD BUSINESS:

Special Use Permit Application – Emily Shaw's Inn at Pound Ridge, in the Hamlet, Pound Ridge, N.Y.

Councilman Powers recused himself from this discussion. Counsel Matthew Keating, representing Pound Ridge Holdings, LLC, spoke before the Town Board. There was new language drafted in one section of the Special Use Permit regarding the use of the outdoor patio since the last meeting on this matter. Supervisor Warshauer read aloud the modified section limiting the use to conduct wedding vows, photographs and similar activities. The food service would be limited to cocktail/hors d'oeuvres services in connection with the wedding ceremony or similar limited activities. There will also be limited appropriate musical accompaniment for wedding vows and similar activities. The outdoor space may not be used for sit down dinner service. All use of the outdoor spaces for any patron services shall terminate no later than ½ hour after sun down. All music must cease at 12 midnight except on New Year's Eve when it is allowed to continue until 2:00 a.m.

Counsel Keating commented that his clients expected to be able to use the outdoor patio for limited sit down dinner service. The Town Board was not under that impression and refused the use of the outdoor patio for dinner service. Another request is to have the operator name as Pound Ridge Holdings, LLC as operating corporation. That request was

to be put in the Special Use Permit. If there is a request for additional use, they could be subject to a further application.

Board Action: Motion by Councilman Lyman, seconded by Councilman Falco motion passing 4-0 with Councilman Powers abstaining on the following:

RESOLVED, that the Town Board hereby approves the Special Use Permit Application as stated in the revised draft Special Permit having the Town Attorney complete the language for the designated permit name as well as the extended hours on New Year's Eve to 2:00 a.m.

PUBLIC HEARINGS:

To consider and act upon the Special Use Permit Application for A-Home for a senior housing facility at 29 Westchester Avenue, Pound Ridge

John Marwell, Shamberg Marwell Davis & Hollis, P.C., representing A-Home spoke about what they are proposing for the 29 Westchester Avenue site that A-Home has purchased. They are proposing 2 buildings that will house 12 senior residents. The maximum capacity, if some are married, is 16. There will be on-site wells, and an on-site sewage system and an adequate off-street parking facility. The site consists of 3 acres, some slopes and attractive natural features and they don't plan to have any adverse impact as the result of this construction and occupancy. Each building will have 6 residents, two floors of 3 suites each. Each suite will have a bedroom, bathroom and sitting room for each and a shared kitchen facility on each floor. Each suite will be approximately 560 square feet. There will be 1 washer/dryer per floor and elevators in the building. A-Home does not have on-site counselors or support services. There are central support services. A-Home will have discussions with the Town with respect to a pilot agreement which involves a mutually agreeable tax arrangement to be worked out. Mr. Marwell introduced Joan Arnold, Executive Director of A-Home who explained how residents qualify. Mrs. Arnold went over A-Home admission procedures. A-Home is a non-profit organization that develops, rehabilitates and manages affordable housing in northern Westchester for low-income adults, disable adults, and single parent families. A-Home properties are located in Bedford Hills, Chappaqua, Croton Falls, Katonah, Mt. Kisco, Thornwood and Vista. They are looking forward to working with Pound Ridge and their senior group. Felice Joaquim has been working with Mrs. Arnold and neighbor to neighbor and knows that several people have expressed interest. There is a need in this community. Dr. Herbert Kaufmann is the head of the admissions committee that consists of 12 volunteers, 2 case managers and a deputy director. The procedure was explained in detail to the Town Board and audience.

The application with the Town for the site was discussed. Mrs. Arnold said that Westchester County would give the Town a grant to install a sidewalk connection from

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
July 12, 2007

FEMA – Floodplain management regulations

Supervisor Warshauer said that FEMA has taken it upon themselves to update our flood insurance rate mapping for Pound Ridge and the whole region. They are recommending that we update our Flood Damage Local Law Chapter 60 to modify it to comply with the current standards and regulations. They require adoption of the legally enforceable floodplain management measures by September 28, 2007. Supervisor Warshauer asked the Board authorization to call for a Public Hearing to consider the adoption of the updated FEMA maps and the amendments as proposed by FEMA to our local law Chapter 60 Flood Damage Prevention.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers all voting aye on the following:

RESOLVED, that the Town Board hereby calls for a Public Hearing to consider the adoption of the updated FEMA maps and the amendments as proposed by FEMA to our local law Chapter 60 Flood Damage Prevention on Thursday, August 16, 2007.

Ratification of Action taken at Work Session on June 21, 2007 (Armstrong House Project and Film Permit) and on July 3, 2007 (Advance of Audit Check and ASCAP License)

Board Action: Motion by Councilman Powers, seconded by Councilman Lyman, all voting aye on the following:

RESOLVED, that the Town Board hereby ratifies the action taken at the Work Session on June 21, 2007 (Armstrong House Project and Film Permit) and on July 3, 2007 (Advance of Audit Check and ASCAP License).

Special Use Permit – Emily Shaw's

Let it be known that Councilman Jon Powers left the bench to sit in the audience as he is a direct neighbor of Emily Shaws. The owners of the Emily Shaw's Inn at Pound Ridge are requesting outdoor seating for lunch in the rear garden. They filed a Special Use Permit Application with the Town Board. Michael Covino, owner of the Emily Shaw's property, told the Town Board that they have been opened approximately 16 weeks and have tried to be good neighbors and run an upscale restaurant. Their request to serve lunch on the small patio in the back was in their original application and they were disappointed when they were not granted it. They are asking humbly and don't feel it

would be an intrusion. The service would be limited and quiet with no music. They are requesting to serve between the hours of 11:00 a.m. and 3:00 p.m.

Councilman Lyman stated that they have been advertising that they have outdoor seating and he feels that it is somewhat premature. Mr. Covino asked to see where they found advertisement of outdoor seating. It was mentioned in Westchester Magazine. Mr. Covino said that Westchester Magazine wrote things that were not true. This is not paid advertising that Mr. Covino wrote. Supervisor Warshauer said that the Board wishes him all success, however, being a landmark building in a residential area, there are issues with noise. When they are in a non-conforming condition, they must be respectful of the neighbors. There have been a number of complaints regarding the noise.

Councilman Paschkes stated that he has mixed feelings and is trying to be open-minded and have them try it, and on the other hand, he said that when you go to the website, you immediately see "Americana Bar" and is dumb struck that it is being advertised as a "bar" more than an upscale restaurant. He is uncomfortable because they assured the Board that they would not operate or advertise the establishment as a bar. He may have considered attempting a limited outdoor lunch service if he had a feeling that representations that had been previously made to the Board had been followed in good faith. He doesn't feel they were and he feels that a Special Use Permit is something that is operated in good faith. Mr. Covino assured Councilman Paschkes that they are not running a bar. They are trying to bring in more business with outdoor seating.

Supervisor Warshauer asked Councilman Powers, neighbor to Emily Shaws, if there is any opportunity to do something about the issue of the noise. Councilman Powers said that the noise is worse than it has ever been. Whenever people leave the restaurant, they continuously stand in the parking lot and talk loud and it is a problem. Deborah Benjamin, another neighbor to Emily Shaws, spoke up and stated that she has complained numerous times to Mr. Covino about the loud noises. Mr. Covino said that he is willing to do anything that needs to be done to help block the noise and walk people out to their cars to remind them to keep it quiet. They have posted signs reminding them to respect the neighbors. Mrs. Benjamin wished them great success; however, she went on to say that one of the problems is the entrance to the restaurant. When Mr. Covino went before the Landmarks Board, they stated that the work being done in the back entrance was simply for handicap entrance. They never knew that it would be the main entrance for the restaurant. They were misleading from the beginning. She also spoke to Mr. Covino about their use of the backyard for wedding ceremonies. She was assured that it would only be dignified music. Their first outdoor wedding ceremony was anything but dignified. There was a D.J. playing "Here Comes the Bride" and it was very loud and played twice. Mr. Covino will definitely look into this issue and let them know that it is unacceptable. He said that he is willing to sit down with the surrounding neighbors to listen to their concerns and try to come to some kind of agreement. Supervisor Warshauer suggested that Mr. Covino submit a plan to the Town Board on how they are

going to handle the issue of noise. The Town Board should review a plan that may include landscaping or screening for the noise factor.

Special Use Permit – Joan Silbersher

Joan Silbersher of Antiques & Tools of Business & Kitchen has submitted a Special Use Permit Application to the Town Board requesting 1 to 4 vendors to set up a farmer's market in front of her store every Saturday 11:00 a.m. – 5:00 p.m. April through November. She explained that she is trying to bring more business into Scotts Corners not to compete with Scotts Corners Market. The Town Board felt that there wasn't enough room to place 3 or 4 vendors and would like Joan to sketch out a plan to show configuration of the space she has in front of her store. It would also be Joan's responsibility to see that the vendors have the appropriate permits needed to sell their goods.

Eastern Westchester Biotic Corridor Agreement

Supervisor Warshauer received a letter from Supervisor Lee Roberts of Bedford announcing that at Bedford's regular Town Board meeting of June 19th, their Board voted to participate in the Eastern Westchester Biotic Corridor. She enclosed the Intermunicipal agreement for review by our Town Board members and is requesting signatures at their next meeting. Bedford would be an addition to the already Eastern Westchester Biotic Corridor agreement between Pound Ridge, North Salem and Lewisboro. Supervisor Lee Roberts has been attending some biotic corridor meetings and has brought support which will be helpful.

Board Action: Motion by Councilman Lyman, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to sign the Intermunicipal agreement with the Eastern Westchester Biotic Corridor to include the towns of Pound Ridge, Bedford, North Salem and Lewisboro. Counsel Sullivan has read and approved the agreement and sees no problem with it.

FINANCIAL MATTERS:

Sale of Cemetery Plots – Section 2, Plot #398-2 (Iselin)

Board Action: Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye on the following:

Councilman Lyman made a motion to authorize the payment to Woodard & Curran and Councilman McConville seconded by the motion. Discussion followed. Councilman Paschkes is not confident that Woodard & Curran will commit to and keep to the dollar amount they agree upon with the Town Board due to past experiences with them. He has reached the limit of his confidence with them. Counsel Sullivan suggested that this discussion be continued in Executive Session. Jon Powers said that he has negotiated the settlement claim with Woodard & Curran and they do understand that this is a fixed price. Supervisor Warshauer said that in good faith, Woodard & Curran have moved forward in working with the architects in putting the packages together. He also mentioned that there will be a signed agreement with them to clearly articulate the scope of the work.

RESOLUTION #: 95-10

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, the Board polled and motion passing 4-1, Councilman Falco, aye, Councilman Lyman, aye, Councilman McConville, aye, Councilman Paschkes, nay and Supervisor Warshauer, aye, on the following:

RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to pay the additional \$82,422.00 requested by the Town Engineers Woodard & Curran subject to the Town Attorney getting an agreement with Woodard & Curran outlining the committed future services, with a clear scope of the work and not-to-exceed fee.

Request for Special Use Permit for new restaurant, to be located at 258 Westchester Avenue-formerly Emily Shaw at the Inn at Pound Ridge

On behalf of KKPR, LLC, Lucia Chiocchio of Cuddy & Feder submitted an application for a Special Use Permit for improvements to a restaurant at 258 Westchester Ave., Pound Ridge, N.Y. The name and logo of the new restaurant will be changed with no difference to the existing size or design of the sign. There will also be a reduction in the restaurant services and a decrease in the kitchen service hours. Kitchen service will end at 11:30 p.m. rather than 12:00 a.m. as approved in 2007. They will serve dinner 7 days a week and Sunday Brunch. They are requesting scheduling a Public Hearing so that they can move forward. Supervisor Warshauer said that he knows they have already reached out to the surrounding neighbors. He thanked them for being diligent. Counsel Sullivan asked if the fee owner of the land is an entity corporation and is it different or the same as the operating company. It is a Limited Liability Corporation and the operating company will be a separate entity. The Special Use Permit will be under the operating company. Counsel requested to see the corporate documents.

RESOLUTION #: 96-10

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the scheduling of a Public Hearing for Thursday, June 3, 2010 at 8:00 p.m. to consider the Special Use Permit for the new restaurant at 258 Westchester Avenue, Pound Ridge, N.Y. 10576.

Counsel Sullivan explained that there is no need to refer this applicant to the Planning Board because they are basically following the same format of the previous owner.

Open Space Fund-consider language for Resolution to be placed on ballot in November

The ten year (10 year) acquisition fund for the Open Space Fund will expire this year. The Town Board is inclined to put a referendum on the ballot in November 2010. The Town Board will need to come up with the language for the referendum and schedule a Public Hearing. Discussion took place regarding whether or not to have the referendum and then what the language should be. The Town Board unanimously agreed that it should be put on the ballot but the language was debated. The initial thought was to continue to fund its capital reserve fund from the annual general tax levy for ten years in the amount equal to one dollar (\$1.00) per \$1,000 of assessed value. The other option which was discussed at the Supervisor's Forum when they talked about the Open Space Fund is to phase the amount over three (3) years as follows: \$.50/\$1,000 in 2011; \$.75/\$1,000 in 2012 and \$1.00/\$1,000 in 2013 through 2020. Because of the current financial circumstances and financial times, Supervisor Warshauer said that we should consider phasing it in over the next three years. Councilman Paschkes isn't sure whether phasing it in will have any impact on the support of the referendum. He was reminded that this really isn't the issue tonight whether or not it would get the support of the people. The issue tonight is to decide if it should be on the ballot and if so, what the language will be. It was suggested that both language options be discussed at the Public Hearing.

RESOLUTION #: 97-10

Board Action: Motion by Councilman Falco, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby agrees to have the referendum for the extension of the Open Space Acquisition Fund put on the November 2010 ballot.

MINUTES OF THE JUNE 3, 2010 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARINGS HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR GARY WARSHAUER; COUNCIL MEMBERS: DANIEL PASCHKES, RICHARD LYMAN, PETER FALCO AND PAUL McCONVILLE

ALSO PRESENT: TOWN ATTORNEY JAMES J. SULLIVAN, ESQ.
TOWN CLERK, JOANNE PACE

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, all voting aye to hold an Executive Session Thursday, June 13, 2010 at 6:00 p.m. for a legal and personnel matter.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Work Session on May 26, 2010

Board Action: Motion by Councilman Falco, seconded by Councilman Paschkes, all voting aye to ratify the approval of the Town Board minutes of May 13, 2010 at the Town Board Work Session on May 26, 2010.

PUBLIC HEARING: To consider and act upon the Special Use Permit for new Restaurant at 258 Westchester Avenue (formerly Emily Shaw at the Inn at Pound Ridge)

Board Action: Motion by Councilman Lyman, seconded by Councilman Falco, all voting aye to open the Public Hearing to consider and act upon the Special Use Permit for new Restaurant at 258 Westchester Avenue (formerly Emily Shaw at the Inn at Pound Ridge).

The applicant Philip Maniatty and his attorney, Lucia Chiochio, Cuddy & Feder, explained that the Special Use Permit is submitted in accordance with the previous conditions in 2007. A new application is required for approval by the Town Board because it is issued to a new entity. There will not be any modifications except for maintenance and routine cleaning. They will comply with the conditions previously issued. They will be open seven (7) days a week for dinner and possibly lunch in the future. The kitchen was approved to be open until 12:00 a.m. but the applicant will keep it open until 11:30 p.m.

Joan Silbersher gave a brief history of Emily Shaw's and offered to give the applicant a picture of an original sign for the restaurant.

Diane Fulves, 256 Westchester Avenue, said that she had a lengthy conversation with the applicant and expressed her concerns about the after hours of the restaurant. She thanked the applicant for reaching out to her and hopes that they will respect her by monitoring the after hours noise in the parking lot. She would like to see the restaurant run as an elegant establishment and live in peace and quiet.

Jon Powers, 266 Westchester Avenue, thanked the applicant for reaching out to the neighbors.

Councilman Lyman questioned why the applicant wanted to limit the kitchen use to 11:30 when it was previously approved for 12:00 a.m. The applicant said that he just doesn't see the need after 11:30 p.m. and he is trying to show he is willing to work at keeping complaints to a minimum. Councilman Paschkes said he is setting the right tone and the Town Board appreciates it, acknowledges it and accepts it.

Supervisor Warshauer wished them success and very much appreciated how they reached out to the neighbors.

Board Action: Motion by Councilman Paschkes, seconded by Councilman McConville, all voting aye to close the Public Hearing to consider and act upon the Special Use Permit for new Restaurant at 258 Westchester Avenue (formerly Emily Shaw at the Inn at Pound Ridge).

RESOLUTION: 119 -10

Board Action: Motion by Councilman Paschkes, seconded by Councilman McConville, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the Special Use Permit as proposed for a new Restaurant at 258 Westchester Avenue (formerly Emily Shaw at the Inn at Pound Ridge) subject to review by Town Attorney.

Counsel Sullivan explained to the applicant that the Town Board allows the use of the Special Use Permit and they can also pull the permit if conditions are not followed. Jon Powers said that there should be intermediate steps to recognize the problems before the permit is pulled. Counsel Sullivan explained that it is best to understand the issuance of this permit is the domain of the Town Board to enforce, modify or pull.

PUBLIC HEARING: Open Space Fund-to consider language for resolution to be placed on ballot in November

Board Action: Motion by Councilman Lyman, seconded by Councilman Paschkes, all voting aye to open the Public Hearing on Open Space Fund-to consider language for resolution to be placed on ballot in November.

Supervisor Warshauer read the proposed language for the Open Space Referendum. Counsel Sullivan wanted to clarify the word "those" at the end of the first sentence. As written, it seems to refer to maintaining and preserving only open space areas to be purchased. It doesn't read to include existing open space acquired. It was suggested to eliminate the word "those" and put "previously or herein after acquired". The beginning sentence was also suggested to be changed to read "Shall the Town of Pound Ridge continue to make contributions to a capital reserve fund..." With this amendment, the second sentence should be changed from "Such acquisitions shall..." to

MINUTES OF THE NOVEMBER 10, 2011 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 7:00 P.M.

Supervisor Warshauer reported that the Tentative 2012 budget was filed with the Town Clerk on October 31, 2011. The tentative budget will be posted on the town website. The Supervisor asked for a motion to schedule the Public Hearing on the 2012 Budget for December 1, 2011.

RESOLUTION #: 160-11

Board Action: Motion by Councilman McConville, seconded by Councilman Lyman, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the Town Clerk to call for a Public Hearing for Thursday, December 1, 2011 at 8:00 p.m. to consider adoption of the 2012 Budget.

Schedule Public Hearing to consider amendments to Chapter 39 of the Town Code-Animals: Control of Dogs

RESOLUTION #: 161-11

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the Town Clerk to call for a Public Hearing for Thursday, December 8, 2011 to consider amendments to Chapter 39 of the Town Code-Animals: Control of Dogs incorporating fines for unlicensed dogs.

Inn at Pound Ridge Special Use Permit application

Lucia Chiochio, Cuddy & Feder, is representing KKPR, LLC in connection with its Special Use Permit to operate a restaurant at 258 Westchester Avenue, Pound Ridge, NY, formerly Inn at Pound Ridge. The current plans for the restaurant will comply with all of the conditions set forth in the Special Use Permit approval previously granted by the Town Board. The current plans also include enhancements to the premises that are mainly aesthetic in nature. Some of the enhancements include landscaping along the front of the premises and the northern and southern property boundaries; repairing and updating existing landscaped islands; installation of a wood privacy fence along the southern property boundary for additional screening; relocation of above ground propane tanks to an underground location; upgrading of existing water system to provide enhanced water treatment; a sprinkler system installation with underground sprinkler system storage tanks; modest architectural improvements that include the removal of the existing canopy and installation of a wood trellis; replacement of some existing windows and doors and small low wattage lighting fixtures for the parking areas.

Kenneth and Kathleen Tropin are the owners of the property and Mr. Tropin spoke briefly about the restaurant. He is bringing in a very famous chef, Jean Georges Vongerichten to launch a first class restaurant. He will fully comply with the Special Use Permit already granted. There will be some amendments to the permit because there is an operator other than the owner. Ms. Chiochio

MINUTES OF THE NOVEMBER 10, 2011 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 7:00 P.M.

of Cuddy & Feder will make the necessary amendments and forward the Special Use Permit over to our Town Attorney for review. They will also go to the next Landmarks and Historical District meeting with their proposed landscaping plans and any renovation plans. Once the plans have been finalized, they will come back to the Town Board for continued review of the Special Use Permit application.

Oceanus Navigation - Planning Board recommendation for a conservation subdivision

Ruth Roth, an attorney with Cuddy & Feder, spoke representing the owner of the Oceanus Navigation property. She gave a brief description of the property and how it will be subdivided and explained that the density will not exceed the density of a conventional subdivision. James Ryan, engineer with John Meyer Consulting, showed a Power Point to the Town Board and explained that they initially submitted a conventional subdivision plan and ended up with a number of different cluster plans. Mr. Ryan stated that an adjoining property had been purchased during the review process to provide access that he believed was a major mitigation measure to avoid much of the wetlands disturbance on the property. Mr. Ryan said that the proposed subdivision was increased from 11 lots to 12 lots because of the addition of the Santa Maria property. The residence on that property will be removed.

There is an existing house on the Oceanus property owned by C. C. Hsu. A major stream corridor runs through the middle of the property. There are State regulated wetlands on the property with a 100' regulated area requirement. The Oceanus Navigation Corporation (the "Applicant") proposal is for a 15-lot cluster subdivision (including 3 open space/conservation parcels) equaling 105.68 acres in area. The Planning Board forwarded a positive recommendation to the Town Board for approval of the proposed subdivision. The proposal that was presented to the Town Board was for a conceptual conservation/cluster subdivision that would allow the Planning Board some flexibility in the overall bulk requirements of the individual lots to make the plan more workable within the property and to preserve some environmental features that could have been disturbed by the conventional plan.

Mr. Ryan said that, on the conservation plan, they have created two major parcels for open space and one lot for storm water. He explained that out of approximately 1600 linear feet of stone walls, they have been able to save the vast majority of them. The plan includes significant storm water management efforts for both quantity and quality.

The Town Board members will consider the information submitted by the Planning Board and presented by the applicant and put the matter on a future agenda for a decision on granting the Planning Board the power to apply Conservation Development standards to this property.

Assessor – request approval of 2012 Tax Mapping Agreement
- request authorization to attend one-day seminar

Carole Long, Assessor, gave a memo to the Town Board for their approval for the 2012 Tax Map maintenance contract. There is an increase of \$15.00 per month, from an annual fee of \$4,620 to \$4,800.

MINUTES OF THE SEPTEMBER 6, 2012 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y. COMMENCING AT 8:00 P.M.

of Pound Ridge received an unqualified opinion which is the best opinion that any municipality can get. The majority of the five funds is included in the General Fund and is available for spending at the Town's discretion. Susan Barosi briefly went through the Summary of Communications of Internal Control Matters and there were no material errors, frauds or illegal acts or weakness identified. All accounting policies appeared appropriate. There was nothing to report.

Supervisor Warshauer thanked Steve Conti, Director of Finance, along with O'Connor Davies, LLP for all their work for helping keeping Pound Ridge financially secure. The Financial Statements are available in the Town Clerk's office.

RESOLUTION #: 168-12

Board Action: Motion by Councilman Paschkes, seconded by Councilman Lyman, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the 2011 Financial reports as presented by the Town auditors O'Connor Davies, LLP.

Inn at Pound Ridge-Special Use Permit Application

Lucia Chiochio, Cuddy & Feder, LLP, is representing the owners of KKPR, LLC in connection with its Special Use Permit to operate a restaurant at 258 Westchester Avenue, Pound Ridge, NY, formerly The Inn at Pound Ridge. The design team has developed the final detailed plans for the restaurant to comply with all of the conditions set forth in the Special Use Permit approval granted by the Town Board. They have obtained approval from Landmarks and Historic District Commission and from the Westchester County Department of Health for the replacement of the existing above ground septic system with a new underground septic tank and system. They also put in a back up generator in the basement of the barn structure.

Final drawings were presented to the Town Board with the landscaping and architectural enhancements to the building by Thomas Darmawan of Brooks & Falotico and Robert Aiello, PE of JMC Consulting, PC. The design team anticipates submission of the required Building Permit application materials in October. They would like to open in the fall of 2013.

RESOLUTION #: 169-12

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

RESOLVED, that the Town Board hereby refers the Special Use Permit application to the Planning Board for their review and recommendations.

- **Consider Referendum to Temporarily Suspend Funding Open Space**

In addition, the applicant proposed installing a gate in front of the driveway and a gravel apron for turning around.

Board members will walk the property. Mr. Fowler did not see a problem with the request. Mr. Naderman will be contacted when a date for the walk is decided.

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50. Referral from Town Board for a recommendation for the Special Use Permit to operate a restaurant located in an R-2A zoning district. Application for commercial site plan review. The property consists of 2.39 acres.

Previous meeting dates: New application

Ms. Lucia Chiocchio, attorney with Cuddy & Feder, was present on behalf of the applicant. She said the Town Board issued a special use permit in November, 2011, subject to several conditions. Ms. Chiocchio said the building will not change in size or intensity. Improvements are being done that are required by the Town Building Code, and Department of Health. In December, 2011, the Landmarks and Historic Districts Commission issued approval for the upgrades. The Commission asked them to consider a different fence. They changed the design of the fence, and it was approved. The Health Department approvals were received.

Mr. Rob Aiello, John Meyer Consulting, presented a plan that delineated the existing restaurant building, existing barn building and the parking areas on the north and the south sides of the property. The septic fields are located in the rear of the property. Mr. Aiello explained that site improvements include the architecture and mechanical systems inside the building.

Mr. Aiello said the improvements fall into seven different categories:

- minor curb modifications for landscaping improvements
- upgrades to the existing septic and water systems
- fire suppression for the restaurant building
- new propane location for the restaurant building
- new electric service including a generator
- minor stormwater improvement
- rehabilitation of pavement after work is completed

Regarding the landscaping, Mr. Aiello proposed new landscaping along the entire frontage of the property, and a new fence to replace the existing. He said they are proposing a 6 foot high privacy fence along the southern property line with arborvitae for screening. The existing fence to the north will remain, and some landscaping will be planted that will grow up the fence.

Mr. Perry said he had noticed landscaping and lighting in the packet that they submitted. He said the fencing belongs to the adjoining neighbor, Mr. Jon Powers. Mr. Perry said they could not put landscaping or lighting on Mr. Powers' property.

Mr. Thomas Darmawan, Architect, Brooks & Falotico, proposed the lighting to be placed on posts on the applicant's property. The lights will be approximately 6 feet from the ground.

Mr. Aiello proposed landscaping along the front of the building and creation of a landscape island. Two dogwood trees will be placed on either side of the building. Regarding the septic system, Mr. Aiello noted that the existing septic tank is located behind the building, in close proximity to the existing terrace. He stated there was a history of odor issues relating to the septic tank. The tank is partially above ground. The applicant proposes removal of the septic tank and grease tank and construction of a new grease trap that will be closer to the kitchen. A 13,500 gallon septic tank will be located underground. The tank will have an advanced treatment unit.

Mr. Aiello said there are two wells on the property. One is located in the parking lot, and the other is located in a pit in the middle of the property. There are two storage tanks that will be removed. A 10,000 gallon storage tank is proposed. Mr. Aiello said they propose to relocate the propane tank to the rear of the barn.

Mr. Aiello said they will provide sprinklers for the building which requires two 10,000 gallon each of storage. A sump pit will be constructed in the barn where the fire pumps will be located. Electrical service will be upgraded. They plan to install a new utility pole in the location of the existing propane tank that will provide a new overhead service to the property. A generator is also proposed to be installed in the barn structure. A new walk-in cooler in the restaurant building will be installed to the left of the front door.

Mr. Aiello had provided a Stormwater Pollution Prevention Plan, which totaled the disturbance area to approximately 0.6 acres. Since they are not increasing the impervious area, they included an erosion control plan including silt fencing, and a sediment trap in the rear of the property. Some temporary gravel speed bumps will be installed to prevent water from entering the property during construction. A trench drain will be installed to capture the run off that comes through the site, and it will be pumped into the existing storm drain on the southern portion of the property.

Ms. Kennedy asked if the cars will enter from the north and exit from the south. Mr. Aiello said that the ingress and egress will remain as it had been. Mr. Bria asked why the utilities are not underground. Mr. Aiello said that the overhead lines are just coming across the road, and they will be buried on the property.

Mr. Fowler asked the patronage capacity. Mr. Aiello replied 253 seats, which is the same number as the original Health Department approval. Mr. Fowler asked for the parking plan. Mr. Aiello presented a valet parking study. The southerly portion will be used for valet parking, consisting of approximately 70 parking spaces. The northerly parking area will consist of 20 spaces. Mr. Aiello said the new fence will be installed in the same location as the existing.

Mr. Darmawan said the existing arch needs repair. In addition, the steps will be rebuilt according to the code. Mr. Darmawan said the Landmarks Commission was pleased that they will use copper gutters. Regarding the lighting plan, Mr. Darmawan

explained that they propose low voltage lighting in the parking area on the southern side. They will be mounted on posts that will be 8 feet apart and 6 feet high. Mr. Perry asked if the lights will shine onto the adjacent property owner's house. Mr. Darmawan said they will be down lights, and will be installed below the top of the fence.

Mr. Darmawan said, concerning the design of the fence along the front of the property, Landmarks directed the applicant to replicate the old look of Emily Shaw's as was shown on an old postcard. They required visibility of the building through the slats of the fence. Landmarks will decide on the finial. Ms. Kennedy asked if the awning will be removed. Mr. Darmawan said that it will in order to provide more visibility of the building.

Mr. Darmawan said they tried to incorporate the signage to the design of the fence. Mr. Fowler asked the type of bulbs for the lighting. Mr. Darmawan said they are LED 8.4.

Mr. Fowler directed Mr. Barbagallo to further review the engineering. Mr. Barbagallo said the septic system appeared to be very complicated.

Mr. Fowler questioned the hours of operation. The restaurant will provide dinner seven days a week and brunch on Sundays. The kitchen will close at 11:30 p.m. pursuant to the special use permit. Any music or entertainment will be indoors and will end at midnight, except for New Year Eve when closing will be extended to 2:00 a.m. The patio area could be used for a cocktail hour for a wedding, but there is no seating outdoors. The applicant hoped to open in the fall of 2013.

Mr. Barbagallo will meet with the applicant's engineer, and the application will be on next month's agenda.

Mr. Jon Powers, adjacent neighbor, noted that the fence on his property is 8 feet, and said as long as the lights are well below the top of the fence, there wouldn't be a problem. Mr. Perry was concerned with the neighbor on the other side who could be impacted by glare. Mr. Fowler said he would like to see the LED lights, since they can be a bright white.

Mr. Aiello said if the septic system should fail, it would still function as a regular septic system. He said the water system and chlorination is a common practice throughout the County.

Mr. Perry noted that the architectural firm had been extremely cooperative.

Informal Hearing:

Everett, 114 Barnegat Road, Block 9456, Lot 11.9. Discussion of possible 2-lot subdivision of a 15.60 acre property located in an R-3A zoning district.

Mr. Robbie Everett and his wife were before the Board. Mr. Everett told the Board they have 15 acres with a house that is located on the front of the property. He asked how

Rosenberg, 11 Shad Road West, Block 9031, Lot 78. Application for residential site plan review to construct an inground swimming pool that would exceed the maximum lot coverage threshold for an R-2A zoning district. The property consists of 2.4160 acres. The applicant was granted a 19.42 foot side yard variance by the ZBA on July 17, 2002.

Previous meeting dates: 09/27/12
 Previous approval for pool: 05/26/05
 ZBA 19.42' side yard variance granted for pool: 07/17/02

Board walked property: 10/18/12

Mr. George Henschel, Architect, was present at the meeting. A resolution of approval had been prepared by Mr. Landler. Mr. Fowler noted that the Water Control Commission had no problem with the application.

Mr. Bria made a motion to approve the resolution, and Mr. Brodnick seconded the motion. All Board members present voted in favor.

Levitt, 52 Old Logging Road, Block 9317, Lot 76.20-2. Application for residential site plan review to extend existing motorcourt for overflow parking and construction of a driveway entry gate with back-up turnaround area that would exceed the maximum lot coverage threshold for an R-3A zoning district. The property consists of 3.293 acres.

Previous meeting dates: 09/27/12

Board walked property: 10/18/12

Mr. Barry Naderman, Engineer, was present at the meeting. Ms. Kennedy asked if lights would be installed on top of the pillars. Ms. Levitt said there would be. Ms. Kennedy asked if the neighbors were aware of the lights, and Ms. Levitt said that they were. Mr. Perry noted that the ordinance does not allow illumination beyond the property line.

Mr. Naderman explained that the motor court was the staging area for the first project. They proposed to flatten it and improve the area as a gravel overflow parking area. He also proposed a gravel area off the driveway to be used as a turn around.

Mr. Bria asked if the purpose of the lights was to illuminate the driveway, or if they were merely a decorative feature. Mr. Fowler said that the lights should be subtle. He directed the applicant to submit a lighting plan, including specifications, when they file for the permit. Mr. Fowler added this note to the resolution.

Ms. Kennedy made a motion to approve the application and resolution. Mr. Bria seconded the motion, and Board members present voted in favor.

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50. Referral from Town Board for recommendation for the Special Use Permit to operate a restaurant located in an R-2A zoning district. Application for commercial site plan review. The property consists of 2.39 acres.

Previous meeting dates: 09/27/12

Ms. Lucia Chiochio, attorney, Cuddy & Feder, Mr. Thomas Darmawan, Architect, Brooks & Falotico, Mr. Rob Aiello, Insite Engineering, and Mr. Michael Trapp, Landscaper, were present at the meeting. Ms. Chiochio said that the engineers met with Mr. Barbagallo to review the details of the upgrades to the utilities and site plan. Details on the lighting had been submitted to the Board. A sample of the proposed lighting fixture

was presented to the Board. Details had been provided on the signage plan. The valet plan had been revised to provide better circulation.

Ms. Chiochio said they had received comments from Mr. Barbagallo. She said that a lot of details requested in the memo are structure related. Ms. Chiochio requested that the Board consider site plan approval with a condition that the requested information be provided as part of the construction drawings.

Mr. Rob Aiello presented the changes to the valet parking. Two way flow is proposed on the northern driveway, and one way flow exiting on the southern driveway. They widened it to a width of 22'. This would allow for one way drop off and exit, and pick up on the opposite side, exiting the northern driveway. Mr. Aiello had considered providing one-way signs. Mr. Fowler said there is some merit with making it one way in and one way out, as mentioned by Mr. Kushner. Ms. Kennedy did not feel it would be safe to have pick up and drop off in two directions with people crossing. Mr. Barbagallo suggested closing off the southern exit and using one entrance in both directions. Mr. Fowler said that one way in and one way out allows for more valet area and more parking area. This scenario would be less confusing. Mr. Bria suggested that the entrance be to the south, and the exit on the north. Mr. Fowler agreed.

Mr. Perry noted that time for approval is a major factor. He said that if the only question by the Board is traffic flow, they could decide at a later time, and focus on the infrastructure that evening.

Mr. Barbagallo said there is a biological air filter next to the property line. He suggested that it be moved. Mr. Aiello said that it could be moved. Mr. Barbagallo explained that the air that vents out of the grease trap will pass through a biological filter, which is an improvement.

Mr. Barbagallo noted that the applicant has Health Department approvals on the wastewater system. He said that since they are burying a number of tanks, he wanted to be sure they are aware of the groundwater. Mr. Aiello said that they would not know until construction. Mr. Perry was comfortable, since this is a condition they deal with on a daily basis.

Concerning the potable water system, Mr. Barbagallo has the description, but requested the calculations. Mr. Aiello presented them to Mr. Barbagallo.

Concerning storm water, Mr. Barbagallo said the existing pipe that runs through the back goes from a 15" to a 10" to a 15". Mr. Aiello said they are all 15" pipes. Mr. Barbagallo said that under existing conditions, the system is not sized to carry large flows. He said that a 10-year storm event is the best it can do. Mr. Barbagallo suggested replacing the pipe all the way to discharge with the appropriately sized pipe to be sure it can handle the bigger storm events.

Mr. Barbagallo noted that the discharge is not on the property, and he did not know which property receives the discharge. Mr. Aiello said that it is the school property. Mr. Barbagallo directed the applicant to look at the condition of the outfall to be sure that it can handle the larger flow. Mr. Aiello said the flows are not increasing. Mr. Barbagallo

wanted the pipe to be larger so it would not create a downstream problem. Mr. Aiello said that he will take a look at it. Mr. Barbagallo wanted to be sure that the pipes can accommodate a 100-year storm. Mr. Fowler requested the applicant to decipher the location of the discharges. Mr. Aiello requested plans for the school property. Mr. Perry said the Town has no plans because it has no jurisdiction over the school district.

Mr. Barbagallo said his other issue was to assure that the engineer had done sufficient study on the crossings of the underground pipes to assure that they work properly. Mr. Aiello said they were checked as part of the Health Department approval. Mr. Aiello said they will provide additional profiles on the pipes.

Mr. Aiello said the generator is located inside the barn structure, and the exhaust will be vented. He will provide the specs on the generator at a later time.

Mr. Darmawan presented the lighting plan. He said that lighting had been added on the egress area since his last submission. He brought a sample of the lighting fixtures for the parking area and demonstrated the features and illumination to the Board. Mr. Fowler asked the type of lighting features on the building. Mr. Darmawan said they were noted on his previous submission. Mr. Barbagallo suggested that the applicant update the photometric to include all lights.

Mr. Fowler said that the Board would be concerned with lights shining out from the building. He did not feel the sconces were appropriate for the historic nature of the building. Ms. Kennedy said that Landmarks had not seen the lighting. Mr. Darmawan said he had presented them to Landmarks along with the lighting specifications. Ms. Kennedy will contact Ms. Carol Cioppa, Chairperson, Landmarks Commission, regarding their opinion of the exterior lighting fixtures with regard to tone and architecture of the historic character of the building.

Mr. Fowler said lighting is an aspect that impacts the surrounding community. He applauded the applicant's use of LED's.

Mr. Darmawan presented the colors for the proposed signage. Two up lights will illuminate the sign.

Mr. Michael Trapp, Landscape Designer, presented his landscape plan. He explained that the fence will be changed to a design that is more historically appropriate. The existing boxwoods will be extended behind the fence. The existing island will be reduced. Mr. Trapp said the large trees will be maintained. Mr. Barbagallo asked the Board if there are trees critical to the site plan. He said they would have to reroute infrastructure around any trees that need to be saved.

Mr. Fowler said they can get started with work inside the building. There are still some outstanding issues on the exterior. These issues will be addressed when the Board walks the property.

Mr. Trapp said there is one tree on the property that is valuable, specifically the sugar maple in the back. Mr. Barbagallo recommended avoiding disturbance one foot away for each inch of diameter of the tree.

Mr. Fowler asked if there was any planting proposed for outside the fences. Mr. Trapp responded there is not. Mr. Trapp said there is pachysandra on the street side, and boxwood is behind the fence. He said the area of the terrace will be cleaned up. Mr. Fowler suggested plantings along the sides of the property that would help with attenuation for the neighbors. Mr. Aiello said the utility trenching is closer to the existing buildings. Mr. Barbagallo noted that disturbance should not affect the neighbor's trees as well.

Mr. Fowler referred the lighting plan to Woodard & Curran for review. Mr. Perry asked the current status in relation to the special use permit. Ms. Chiocchio said the Town Board was seeking the Planning Board's recommendation in relation to the permit. She said it appeared that the Board is ready to make that recommendation subject to approval of landscaping and lighting. Mr. Fowler recommended conditional approval and said that a memo will be issued to the Town Board. A formal resolution will be prepared for the next meeting.

Mr. Barbagallo asked if the special use permit needs to be approved by the Town Board before they can get started. Mr. Perry wasn't sure if they needed the special permit in place in order to issue a building permit. Mr. Barbagallo suggested that the recommendation could be to issue the special permit contingent on coming back for final site plan. Mr. Perry wanted them to get started on the physical plan so they wouldn't lose their key people. Mr. Fowler asked for comments from the Board members. Mr. Kushner stated that the purpose of the special use permit is for use rather than bulk. He said that a C of O could not be issued without the special use permit in place. Mr. Fowler said that the question will be referred to Mr. Eriole as to the ability to issue a building permit without approval of a special use permit. Ms. Chiocchio said that the Town Board is only requesting the Planning Board's recommendation on the use. Mr. Perry noted that in addition to the recommendation to the Town Board, approval of the commercial site plan by the Planning Board is required.

Mr. Fowler reviewed the applicant's special use permit application. Board members agreed with the conditions of the permit. Conditional site plan approval will be given at the next meeting, and appropriate building access will be given now for construction.

Mr. Fowler said that by next month's meeting the following will be resolved:

- Feedback on the lighting plan will be received from Woodard and Curran
- Location of storm water discharge
- Air vent for the grease trap moved closer to the building
- Landscaping issues (to be resolved at the site walk)
- Traffic circulation (to be resolved at the site walk)
- Confirmation from Landmarks that they approved the type of lighting proposed for the fence area and on the building, particularly on the front

Mr. Fowler confirmed that the signage looks fine. Ms. Kennedy will confer with Ms. Cioppa, Chairperson, Landmarks Commission, concerning the lighting.

The Board will walk the property on Saturday, November 3rd at 8:30 a.m.

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50. Referral from Town Board for recommendation for the Special Use Permit to operate a restaurant located in an R-2A zoning district. Review and ratification of resolution for commercial site plan approval.

Previous meeting dates: 09/27/12, 10/25/12

Board walked property: 11/03/12

Ms. Lucia Chiochio, Attorney, Cuddy & Feder, Mr. Rob Aiello, Insite Engineering and Mr. Thomas Darmawan, Architect, Brooks & Falotico were present at the meeting.

Mr. Perry said that building permits were issued for work on the inside of the building. Board members had walked the property to resolve some issues with the exterior. Mr. Barbagallo suggested adding a condition to the resolution stating there be no grading that will impact the trees that will remain. Mr. Aiello said they rerouted the water lines along the perimeter farther into the property in order to avoid the perimeter trees.

Mr. Fowler said Mr. Barbagallo had spent a lot of time on the project and will require additional escrow monies. He commended the applicants on their efforts.

Mr. Perry had met with the fire suppression engineers at the site, and was satisfied. Mr. Powers asked about the runoff onto the school property. Mr. Aiello said they found the drain pipe and provided a survey.

Mr. Fowler asked for a motion for approval with the addition of the clause referring to the protection of the perimeter trees. Mr. Bria requested clarification of the traffic flow. Mr. Aiello said they had decided on the counterclockwise rotation with the entrance on the north and the exit on the south. Mr. Barbagallo said he had looked at the photometric plan and noted that the level of lighting was very low. He did not have any concerns.

Mr. Bria made a motion, as previously requested by Mr. Fowler. Mr. Kushner seconded the motion, and all Board members voted in favor.

Rooney, 234 Westchester Ave., Block 9818, Lot 19.1. Review and ratification of resolution for amended residential site plan approval to allow for an additional 5' to the addition of an existing barn. Prior approval was granted by the Planning Board on May 24, 2012. The addition exceeds the maximum building and lot coverage thresholds for an LNG zoning district. The property consists of 2.353 acres.

Previous meeting dates: 03/22/12, 04/26/12, 05/24/12, 10/25/12

ZBA granted 23' rear variance for barn addition: 02/15/12

ZBA hearing for a 28' rear yard variance for barn addition: 10/17/12

Site plan approval granted by PB: 05/24/12

Board walked property: 04/12/12

Mr. Bria questioned the condition of approval that the barn addition be the same color and style as the existing building. He did not think it was appropriate for the Board to require such a condition. Ms. Taft said this was a condition of approval by the Zoning Board when they were granted a rear yard variance. Mr. Eriole said it was a discretionary approval and was not unlawful. Mr. Fowler agreed with Mr. Bria, but since it was directed by the Zoning Board, he said the condition should remain.

Delaney did not anticipate problems. Mr. Perry said in order to obtain a building permit, the Health Department must sign off on the plan as a new structure.

Mr. Delaney noted that Mr. Barbagallo had suggested a full SWPPP with post construction stormwater controls. Mr. Fowler said the property was already developed, and he did not feel it was necessary.

Mr. Mose explained the proposed changes to the house in answer to Ms. Rudolph's request. Mr. Fowler noted the left side of the house will remain.

Board members will walk the property.

INFORMAL HEARINGS:

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50.
Discussion relating to expansion of parking area.

Mr. Lyman had requested that this matter be placed on the Planning Board agenda for discussion of expanding the onsite parking area at the Inn at Pound Ridge due to an overflow of vehicles at the restaurant. Mr. Fowler agreed, stating it is problematic.

Ms. Lucia Chiocchio, Attorney, Cuddy & Feder, and Mr. Rob Aiello, Engineer, John Meyer Consulting, were present before the Board to discuss parking at the Inn at Pound Ridge. Ms. Chiocchio noted the restaurant is very popular, but requires more onsite parking. They are working with restaurant personnel in developing a plan to accommodate the busiest nights at the restaurant. She said the overall master parking plan will include a combination of additional onsite parking and some provisions for offsite parking. Ms. Chiocchio said they have a hand-shake deal with the Pound Ridge Nursery to provide some offsite parking. They are confident the plan will work to provide additional parking.

Ms. Chiocchio thanked the Town for working with them to assist with some options. She noted that construction work will be required that will take some time. She stated that they wanted to move forward as quickly as possible.

Mr. Rob Aiello presented the plan that would provide additional parking and improve the vehicular flow in and out of the restaurant. They are proposing parking in the middle of the site. The rear of the site contains existing septic fields.

On the entire site, with 9'w. x 18'l. parking spaces, Mr. Aiello said there is a total of 128 parking spaces, existing and proposed for valet parking. A total of 180 spaces would have immediate access to a 20' wide aisle. Connection of the two lots will provide for a clockwise circulation of vehicles using the facility. Twenty spaces are landlocked and would be used for employee parking. Mr. Aiello said that discussions with adjacent property owners for additional parking would most likely be used for employee parking.

Of the 180 spaces that have access to the aisle, Mr. Aiello said the valet identified that they need approximately 100 parking spaces for their patrons to deal with the overlap

of cars when the tables are changing over. Approximately 50-60 spaces are needed for employees on Friday and Saturday nights.

Mr. Aiello said connecting the two lots provides options that are better for the valet. All cars will be entering the northern drive and exiting the southern drive. Widening the area in the front and providing a stripe down the middle, entering cars will pull up in the lane closest to the restaurant. Cars to be picked up will be in the lane closest to the street.

In terms of the parking surface, Mr. Aiello said they would like to use a reinforced gravel type surface or grass type surface with reinforcement that would be acceptable to the Health Department. If it were to be paved, they would have to do some stormwater management.

Ms. Kennedy asked how many offsite parking spaces would still be needed. Mr. Aiello said there would be 20 onsite (landlocked spaces) for employees, and they would need 30-40 additional spaces elsewhere.

Mr. Fowler requested a parking and management operations plan. He said this is a case where we do have a stormwater management issue. Mr. Fowler asked Mr. Barbagallo what is needed, and can they do an impervious surface. He noted that the surface would get a high amount of usage. Mr. Barbagallo said they could not do any infiltration because of the septic. Mr. Fowler said they are trying not to ask for a full traffic analysis because it would take some time. He reiterated the need to see the parking plan in addition to a signage plan to direct vehicles entering the restaurant.

Mr. Perry stated that everyone is working to help the restaurant succeed. Unfortunately, he has not gotten responses from his calls. Mr. Perry said there are safety issues that have to be resolved. The Town is trying not to be forced to shut them down or tow cars, but he has received no response about the current safety issues. Cars are parked in front of Samuel Parker's market and around the corner which prevents emergency service vehicles from accessing the property in case of fire. Mr. Perry said these issues have to be resolved immediately. He said if they are not contacted to resolve the issues, both at Samuel Parker's and the Inn, he will issue citations, violations, and deny access to the Town Boards. Mr. Fowler was concerned about the access problems in case of fire. Ms. Chiochio said they will get a contact person for Mr. Perry.

Ms. Kennedy noted there had been discussions with the Community Church and the School concerning additional parking. Ms. Chiochio said they are evaluating these possibilities to come up with a master plan.

Mr. Aiello pointed out the proposed aisle is 20'. If there was self parking, the aisle would be 24'. He explained the valets back into the space, requiring less space.

Mr. Jason Worthler, general manager of the Inn, said he was aware of the parking situations. He said he will meet with Mr. Perry the next morning to discuss the concerns.

Mr. Kushner asked how many stalls exist presently. Mr. Aiello said that on the valet plan with 8½' x 17' spaces and double parking at the southwest corner of the site, there were 90 on the approved plan. Mr. Fowler asked the square footage of the patron area. Mr. Aiello said the number of seats in the restaurant is 240.

Mr. Lyman pointed out that the special use permit will have to be modified because the current permit requires that all parking be on the premises. Additionally, the parking and management operations plan will be included in the permit. Mr. Fowler said the license for offsite parking needs to be specified for a certain length of time in order to be valid. He said this will be part of the approval process.

Ms. Ali Boak pointed out that in the case of an event at the restaurant, there would be more people arriving at the same time. She wanted to be sure that this situation would be covered. Mr. Fowler said arrangements for special events should also be included in the operations plan. He suggested that each special event could require a special permit.

A representative from the school district said he was not sure who they are supposed to be working with concerning the leased parking spaces, the owner or the restaurant. Ms. Chiochio said they will speak about it after the meeting.

Mr. Richard Tisch, trustee of the Pound Ridge Community Church, said he would also like to speak to someone concerning offsite parking spaces.

Mr. Eriole, in response to the offsite parking comments, advised them to be sure to deal with the right party. He suggested they contact counsel of their own.

Mr. Fowler reiterated that the applicant is required to come back to the Board with a full parking operations management plan which includes licenses. He said the next meeting will be on Tuesday, April 22nd, and he hoped they could come back with the necessary documents to quickly expedite the process. After review by the Planning Board, and recommendations made to the Town Board, the applicant will appear before the Town Board to revise the special use permit.

Mr. Jon Powers noted that parking at the Town Park will be off limits beginning on April 15th. Ms. Chiochio said nursery parking will be available at that time.

Levitt, 52 Old Logging Rd., Block 9317, Lot 76.20-2. Discussion of proposed detached garage.

Mr. Barry Naderman, engineer, and Ms. Julie Levitt, property owner, were present before the Board. Mr. Naderman said the homeowners wanted to add a 3-car detached garage with playroom and ½ bath above on the property.

Mr. Naderman noted the distances from the adjoining residences. Ms. Rudolph asked the acreage of the property. Mr. Naderman responded it is 3.29 acres. He noted the structure is proposed to be at the end of a very long driveway.

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50.
Application for amended site plan review to provide additional on-site parking.
Previous meeting dates: 09/27/12, 10/25/12, 11/29/12, 03/27/14 (informal) Board walked property: 11/03/12
Commercial Site Plan Approved: 11/29/12

Ms. Lucia Chiocchio, Cuddy & Feder, and Mr. Rob Aiello, John Meyer Consulting, were present before the Board. Ms. Chiocchio said they had working with Woodard & Curran on developing details to the site plan to provide onsite parking. In addition, they have an agreement with the Pound Ridge Nursery to provide 35 offsite parking spaces. Ms. Chiocchio said they have a temporary agreement with the school to use 20 spaces that will become a permanent agreement within the next few days.

Mr. Fowler asked for clarification of how many spaces they are planning. Mr. Aiello said they had provided a stormwater management report and parking management narrative. Regarding the number of spaces, the plan had 130 onsite parking spaces, but were reduced to 120 because of the septic field location. An additional 55 offsite parking spaces, totals 175 spaces.

Ms. Chiocchio noted the agreement with the Pound Ridge Nursery is for one year. Mr. Bria said this was a different time period from the previous five or ten years. Mr. Fowler said they will revisit the time period after the plan is finalized.

Mr. Aiello said, regarding the need for spaces, the restaurant anticipated a maximum parking demand of 165 spaces. Ms. Rudolph asked what it was originally. Mr. Aiello said the original plan indicated 90 spaces, but was recalculated to 65 spaces, each 9'x18', all being valet. Areas of no parking will be delineated, and a 20' aisle will be kept throughout to accommodate emergency service vehicles. Mr. Fowler questioned the employee parking, noting that 50 spaces were needed during peak nights. Mr. Aiello said they identified 20 landlocked spaces on the plan for employees.

Mr. Aiello noted that more detail had been provided on the landscaping, including the proposed parking area and the neighbor to the north. The trees range in size from 10' to 14' for the Japanese cedar and between 10' and 16' for the white pine and Norway spruce. The trees will be planted in addition to extending the existing fence between the Inn property and the Powers property.

Mr. Aiello had indicated lighting locations on the proposed plan. Lighting would be put on the fence, mounted at a 6' height. Mr. Perry noted the maximum fence height allowable on the side yard is 6'. The Powers' existing fence is 8', that they installed after receiving a variance from the Zoning Board. He said the fence extension will require a 2' height variance.

Mr. Aiello said the proposed parking area will be gravel. He had met with the Health Department who approved it, provided it meets the required setbacks from the septic fields. Mr. Aiello will meet with the Water Group for approval of the gravel surface. A detention system was designed for the rear totaling 200' of 5' diameter pipe. He explained the various phases of engineering for the drainage.

Mr. Fowler asked if the existing 65 onsite spaces would be operable during construction of the additional spaces. Mr. Aiello replied they would be. Mr. Fowler requested, in writing, the plan during construction. He assumed it would take three months. Mr. Aiello said that was realistic.

Ms. Deborah Sherman, neighbor across the street at 253 Westchester Ave., asked about the duration of construction. Mr. Aiello said three months was reasonable. She was concerned about heavy trucks around the property and the visibility of the new parking area. Mr. Aiello said the new parking area is all behind the building.

Ms. Connie Doyle, neighbor across the street at 261 Westchester Ave., asked how cars would be taken from the restaurant to the school and the nursery. She was concerned for safety. Mr. Jason Worthler, general manager of the Inn, responded by explaining the cars going to the nursery are valet cars and they are accessed via Westchester Avenue. Mr. Fowler asked if when they use the school for parking, will they go through the accessway or onto the public road. Mr. Worthler said the access is for fire use only. Mr. Perry said, from a fire lane standpoint, the Fire Department's concern is that it is not blocked. Use for ingress and egress is up to the school.

Mr. Al Jacobsen, trustee of the Pound Ridge Community Church, had received a call from the owner's attorney requesting the use of some additional parking at the church. The response from the other trustees was that it would be disturbing to the family living in the parsonage, as well as possible liability. Mr. Jacobsen said they did offer 17 spaces adjacent to their fencing, but the area would require construction.

Mr. Jacobsen cited a situation he had on his commercial property in Bedford which involved parking and septic. He solved the problem by putting in pits to allow parking on top with septic underneath. Mr. Jacobsen believed it could be a solution for the Inn. Mr. Aiello said it would require a more extensive approval and construction process.

Mr. Jon Powers was concerned with water flow onto his property. Mr. Aiello explained that the drainage would not affect his property. Mr. Powers was also concerned with the impact of headlights onto their property from the additional cars. Although the fence would block some light, headlights would shine into the second floor of his residence. Mr. Wasp suggested plantings with a higher, more full landscaping screening. Mr. Fowler mentioned the possibility of using green giant arborvitae. He said they are available at Alfredo Landscaping in Armonk. Mr. Aiello will contact them and get some information.

Mr. Kanner asked how the employees who park their cars offsite get to the restaurant. Mr. Worthler explained that the nursery parking will be for the valet. Employee parking will be on the school property and the back gravel area.

Mr. Fowler asked for data of patron load. Mr. Worthler said they collect the data over a two week period of time, and is based on the number of cars and customers.

Mr. Perry asked for a specific construction schedule. He asked that the project be phased. Mr. Aiello said that area one can be done right away. Some of the items that have a lead time are some of the manhole items over the tanks, structure and the pipe in the back.

Mr. Fowler asked if the traffic on Westchester Avenue is being managed to a point where it is acceptable. Mr. Worthler replied that people are understanding the flow, and the backups have been alleviated. Ms. Deborah Sherman, neighbor across the street, said she noticed there have not been traffic jams on Westchester Avenue.

Mr. Fowler directed the applicant to:

- submit a full phasing plan, sequences and durations
- indicate where the cars will be parked
- provide statistics stating the number of cars parked
- finalize the access to alternative offsite parking arrangements.
- phase construction to provide the 20-30 spaces in the northwest corner to alleviate some of the pressure while the rest of the materials are ordered.
- provide a landscaping plan for the neighbor to the northwest
- submission of planting plan
- variance for height of fence along northwest property line

Mr. Powers requested that the fence be of the same color and material as the existing fence on his property.

Mr. Lyman said after the modifications to the plan have been made, and the final plan is in place, the applicant will appear before the Town Board for revisions to the special use permit. He said they have been communicating with Ms. Chiochio and Mr. Harrington.

The applicant will appear at the next meeting.

Todd, 418 Long Ridge Rd., Block 9031, Lot 164. Application for residential site plan review for a partial demolition of an existing residence and construction of a new addition, two-car garage and driveway that would exceed the maximum lot and building coverage for an R-2A zoning district. The property consists of 2.05 acres.

Previous meeting dates: 03/27/14

Board walked property: 04/15/14

Mr. Ed Delaney, Bibbo Associates, Mr. Jeff Mose, Architect, and Mr. and Ms. Todd were present at the meeting. Mr. Delaney explained that a center portion of the house will be taken down and rebuilt. They will be meeting Health Department requirements for a possible modification of septic. The bedroom count will remain the same. Mr. Delaney said they are meeting the stormwater Town regulations as outlined by Woodard & Curran. Mr. Wasp noted they are on a county road.

Mr. Fowler said the reconstruction will be an improvement to the property. A resolution of approval will be prepared for the next meeting. The applicant will not need to be present.

DRAFT
TOWN OF POUND RIDGE
MINUTES OF THE ZONING BOARD OF APPEALS
Meeting of May 21, 2014

The meeting was called to order at 7:30 p.m. by Chairman Les Maron who introduced Board members present, Larry Brotmann, Tom Smith, AnnMarie Fusco and David Grubb. Also present was Karen Taft, ZBA Administrator.

Mr. Maron explained that the applicant first presents his/her case before the Board. Board members, as well as members of the public, may ask questions. The hearing is normally then closed, and the Board members discuss the application. After the hearing is closed, neither the public nor the applicants are allowed to comment.

Mr. Maron said the Board usually votes at the meeting, but if there is an issue to be resolved, a decision could be held off until the following meeting.

Minutes from the Meeting of April 30, 2014

Mr. Brotmann made a motion to approve the minutes from the meeting of April 30, 2014, as submitted, and Ms. Fusco seconded the motion. All Board members voted in favor.

KKPR, LLC, for The Inn at Pound Ridge, located at 258 Westchester Avenue, Pound Ridge, NY, also known as Block 9816, Lot 50. Application for approval to construct an 8' wood fence along the northerly property line. Section 113-38 A (4) (c) [5] of the Code of the Town of Pound Ridge limits the height of wood fences located on a side property line to 6'. Therefore, the proposed fence will require a variance of 2'. Additionally, this fence will require a Certificate of Appropriateness from the Landmarks Commission.

Ms. Lucia Chiochio, Attorney with Cuddy & Feder, and Mr. Umberto Balducci, John Meyer Consulting, were present before the Board. Ms. Chiochio explained that the proposed fence is an extension of an existing fence along the northerly property line of the Inn. She said this request is in connection with a proposal currently before the Planning Board to add some onsite parking for the restaurant. Ms. Chiochio said additional parking is needed.

Ms. Chiochio described the proposed parking area on the site plan. The existing 8' wood fence is along the northern property line. The fence would be extended approximately 105' to provide screening to the northern property. Additional screening will be provided which consists of eleven 16' pine trees and six spruce trees 12'-14' in height. The fence extension will include light fixtures on the side of the Inn, similar to those on the existing fence. Ms. Chiochio noted the fixtures will face down and will be placed on every other post. The fence will be stained a weathered gray to match the existing fence.

Ms. Chiochio noted that last month, they had been to the Planning Board who were supportive of the proposed fence. She said the 'good' side of the fence will face the Powers' property. Mr. Smith noted that the existing fence was subject to a previously granted variance.

Ms. Chiochio addressed the five standards for granting an area variance:

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of an area variance?

Ms. Chiochio said it is an improvement since it provides for screening.

2. Can the benefit sought by the applicant be achieved by some method that is feasible for the applicant to pursue other than an area variance?

The purpose is to match the existing fence and height.

3. Is the requested area variance substantial?

Ms. Chiochio said a 2' variance is not substantial, particularly in light of the purpose of the fence for the screening.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Ms. Chiochio stated it will not have a detrimental effect, but will aid in the screening for the new parking area.

5. Is the alleged difficulty self created?

Ms. Chiochio said, to a certain extent, it is self-created, but the proposed parking is needed for the restaurant.

Mr. Maron was pleased that the applicant will be staining the fence to match the existing one. He asked if the purpose of the plantings was for sound and light attenuation. Ms. Chiochio said it was for buffering. She explained that the new parking area will be for patrons and employees.

Mr. Jon Powers, neighbor to the north, explained that headlights from cars in the expanded parking area will shine directly at his house. Without screening, he said, it would be a disaster. Concerning the color, Mr. Powers requested that it be as natural as possible. He said if it can be stained now, with continued aging, it will be fine.

Mr. Maron moved to close the public hearing, and Mr. Smith seconded. All Board members voted in favor.

Deliberations and Decision -

Mr. Maron said the applicant had met the standards of New York State Town Law for receiving an area variance. He moved to approve the variance as applied for with the condition that the fence be stained or otherwise treated so it is as close as possible to the existing fence between the Inn property and the property to the north. Mr. Grubb seconded the motion, and all Board members voted in favor.

a few items to be reviewed in final. Mr. Eriele said this will bring the matter to a satisfactory close.

Mr. Fowler said finalizing the resolution allows them to move to the next level. He said there is a fair amount of work for them to do. Documents will be presented to counsel and some directly to the Planning Board for approval.

Ms. Rudolph made a motion to approve the preliminary resolution, and Mr. Kanner seconded. All Board members present voted in favor.

DiPietro (Chubby's Hardware), 68 Westchester Ave., Block 9320, Lot 64. Review and ratification of Resolution of Commercial Site Plan Approval to construct a 20' x 40', one-story storage building behind the existing hardware store. The property consists of .5 acres and is in a PB-A zoning district.

Previous meeting dates: 03/27/14, 04/22/14

Board walked property: 04/15/14

A resolution of approval had been prepared by F. P. Clark. Mr. Kanner made a motion to approve the resolution, and Ms. Kennedy seconded. All Board members present voted in favor.

Todd, 418 Long Ridge Rd., Block 9031, Lot 164. Review and ratification of Resolution of Site Plan Approval for a partial demolition of an existing residence and construction of a new addition, two-car garage and driveway that would exceed the maximum lot and building coverage for an R-2A zoning district. The property consists of 2.05 acres.

Previous meeting dates: 03/27/14, 04/22/14

Board walked property: 04/15/14

Mr. and Ms. Todd were present at the meeting. A resolution of approval had been prepared by F. P. Clark. Ms. Rudolph made a motion to approve the resolution, and Mr. Kanner seconded. All Board members present voted in favor.

Grubb, 465 Long Ridge Road, Bedford, NY, Block 9317, Lot 48.1. Review and ratification of Resolution of Site Plan Approval for an addition to the existing residence that currently exceeds the maximum building and lot coverage thresholds for an R-3A zoning district. The property consists of 4.8771 acres.

Previous meeting dates: 04/22/14

Ms. Rudolph made a motion to approve the resolution, and Mr. Kanner seconded. All Board members present voted in favor, with the exception of Ms. Kennedy who abstained since she was not present at the previous meeting.

KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50. Application for amended site plan review to provide additional on-site parking

Previous meeting dates: 09/27/12, 10/25/12, 11/29/12, 03/27/14 (informal), 04/22/14 Board walked property: 11/03/12
Commercial Site Plan Approved: 11/29/12

ZBA approved 2' fence height variance for northerly side yard: 05/21/14

Present at the meeting were Ms. Lucia Chiocchio, Cuddy & Feder, and Mr. Rob Aiello, John Meyer Consulting. Mr. Fowler noted that Board members had walked the property earlier that evening to discuss an alternative traffic flow of the parking lot.

Ms. Chiochio told the Board they had received an area variance for the height of the fence extension along the northerly property line. She said Landmarks review would not be required, according to the Chairperson, since the fence extension is not visible from the street. A comment was received from County Planning stating the determination that the review was a matter of local concern.

Ms. Chiochio, referring to offsite parking, said they have an agreement with the nursery for 35 spaces. They are operating under a temporary agreement with the school for the use of 20 spaces. The school board requested background checks for the employees who will park there.

Ms. Chiochio said they need to reappear before the Town Board to amend a condition of the special permit that currently requires parking to be onsite only. At that time, she will also discuss agreements for offsite parking. The agreement with the nursery is for one year, and they anticipate the agreement with the school will also be for one year. Ms. Chiochio said they are looking into creating a permanent offsite solution. The Church approached them about constructing dedicated parking spaces on their property. Ms. Chiochio will speak to the Town Board about keeping the Town apprised of what they are doing with respect to offsite parking.

Pertaining to the site plan, she said they have maximized the space for parking on the site. Ms. Chiochio had confirmed with Jason Worthler, Manager at the Inn, that the offsite parking, along with onsite is working smoothly. She said a lot of the issues that were there in the beginning have been worked out.

Mr. Aiello had addressed the comments from the Town's consultants on his last submission. He said the most significant change in the plan was regarding screening to the north property and discussion regarding counter clockwise or clockwise rotation. Mr. Aiello had explained to the Board at the walk that the clockwise rotation is the best way for the traffic operation of the driveways. Entering to the north and exiting to the south provides for the best turning maneuvers in and out of the property. This scenario alleviates backing up of traffic at busy times for the restaurant.

Mr. Aiello said in order to address the headlight problems to the northerly neighbors, they modified the landscaping plan. The prior plan had Norway spruces more toward the property line. They are now proposing a hedge of arborvitae 16' feet tall at time of planting, more columnar in space, providing a more uniform screening from top to bottom. The trees will continue to grow 1-2' per year.

Mr. Aiello stated that a variance of 2' had been granted from the Zoning Board to install an 8' high wood fence extension of the existing fence along the northerly property line. He presented a headlight cross section profile from the parking lot to the residence to the north and pictures of the Dark American Arborvitae and Norway Spruce for the screening.

Regarding the current comments from the consultants, Mr. Aiello noted the one comment that needed to be addressed concerned the phasing of construction. He identified the three phases of construction:

1. Area 1 - Parking - 18 days to completion
Net gain of 30 parking spaces
2. Area 2 - installation of 6' diameter pipe - 22 days to completion
Temporary loss of 22 parking (offset by area 1 creating 30 spaces)
3. Area 3 - upgrades to access ways to septic tank, wiring, pipe improvements - 25 days to completion

Mr. Fowler noted the sensitive issue relates to the screening on the north. He agreed that the proposed arborvitae hedge was appropriate. Mr. Fowler directed Mr. Aiello to refer to F.P. Clark's landscape consultant to see if the height and distance between the trees is appropriate for growing in a full hedge. Additionally, there should be a plan for maintaining the maximum density of the screening. The 8' fence will provide some immediate relief, but having walked the property, Mr. Fowler could see it will not provide the needed relief. He directed them to develop a maintenance and replacement program for the arborvitae hedge.

Mr. Fowler said the visual sensitivity is not the only issue, with employees leaving at the end of the night. Mr. Kushner said one issue mentioned was specific to employees who leave late at night and at the same time. He wondered if they could exit in the other direction (counter clockwise). Mr. Worthler said he could arrange that with his employees. He said they leave between 11:00 p.m. and 1:00 a.m.

Mr. Fowler noted there were some issues addressed by Ms. Diane Fulves in her letter to the Board dated May 4, 2014 that needed to be rectified by Mr. Worthler.

Mr. Perry said he had received a phone call from the Supervisor the previous Tuesday night regarding concerns about the fire lanes again being blocked at the site. Mr. Perry visited the site and noticed the access to Sam Parker's was again blocked. Both he and the Police Chief, Dave Ryan, had met with Mr. Worthler the following morning. Mr. Worthler agreed to take care of the problem. Mr. Perry has not noticed the access blocked since. At that time, Mr. Ryan spoke to Mr. Worthler about early deliveries (6:00 a.m.), based on complaints by Ms. Fulves and witnessed by the police. They also witnessed excessive noise and car horns. Mr. Worthler also agreed to address these problems.

Mr. Fowler stated that they need to operate within the confines of the special permit. He said noise is an issue to the neighbor, and can be addressed. Ms. Fulves thanked the Board for mentioning her concerns. She asked that her restaurant neighbor be considerate. Ms. Fulves said she would like the same consideration as that given to her neighbor to the north.

Mr. Fowler asked that garbage handling be moved to a different time. Mr. Worthler said there is now no garbage leaving the facility past 11:00 p.m. He will call the carting company to pick up not prior to 7:00 a.m. Mr. Fowler said delivery times could be altered as well. He asked that the behavior of the employees be monitored. Mr. Fowler suggested posting those notes referring to consideration. He stated that he wanted to avoid issuance of citations and tickets which modifies behavior monetarily.

Mr. Eriole said the applicant had proposed the parking need, but there is nothing on record that gives correlation in terms of a general planning concept. Ms. Chiocchio presented a spreadsheet based on a non-scientific study by valet and staff. The totals add

up to about 55 cars for employees and about 100 for patrons. The need is approximately 180 spaces (worst case scenario).

Mr. Fowler asked that the areas be labeled on the phasing plan in terms of staff and valet parking. He also requested the status of the agreement with the school. Mr. Worthler said the agreement had been finalized. He stated that 20 spaces are allotted Monday through Friday from 4:30 p.m. to 1:00 a.m., and on the weekends from 11:30 a.m. to 1:00 a.m. The 35 spaces for the nursery have been finalized. Mr. Perry had walked the nursery site and stated there are no problems with the spaces.

Mr. Fowler asked about screening to the southerly property. He asked for similar treatment of 16' arborvitae along the property line.

Mr. Wasp asked if when the work is being done on phase 2 at the gravel area, would there be a temporary plating over the access driveway. Mr. Aiello said he had spoken with the contractor.

Mr. Kushner commended the applicants on their cooperation which wasn't the case initially. He said it is an important property in Town, and he is glad to see it is becoming something to be proud of.

Mr. Fowler clarified that the application is for site plan approval and will be recommended to the Town Board in terms of modification of the special permit. He asked the Board for a generic approval on the documents as submitted and reviewed. A formal resolution will be prepared for the next meeting.

Mr. Fowler reiterated the measures required by the applicant:

- Add notation to the plan pertaining to keeping the fire lane open
- Resubmit landscaping plan according to comments made
- Re-evaluate adequacy of screening to the north and south in the Fall
- Submission of maintenance plan on landscaping
- Modifications to the operation of special permit:
 - > no loitering after closing hours
 - > employees exit counter clockwise
- Label the phasing plan in terms of parking for employees and valet
- Submit leases for offsite parking which should be resubmitted annually

Mr. Perry noted that he cannot issue a permit until the Town Board amends the special use permit. Ms. Boak said she will get the matter on the work session agenda in two weeks. Mr. Eriole will draft a memo to the Town Board early next week, which will be reviewed by Mr. Fowler.

Mr. Powers requested that the adequacy of the screening be re-evaluated next Fall when the leaves are off the trees. Mr. Fowler said it will be added to our list of recommendations.

The landscape plan will be referred to F.P. Clark. Mr. Aiello will work with them in preparing the package, and will prepare a maintenance plan for the Board's approval.

A motion was made by Mr. Kushner for conceptual approval, which was seconded by Mr. Kanner. All Board members present voted in favor.

U.S. Summit Co./Eastwoods LLC (Pound Ridge Golf Club), High Ridge Road, Block 9316, Lot 18.9. Referral from Town Board for recommendation on proposed plan for discontinuation of water treatment system maintenance, bottled water program and residential sampling when water quality returns to pre-release conditions.

This matter was adjourned to the June 26th meeting

Rubin / Zuckerman, 38 Old Stone Hill Road, Block 10047, Lot 16.1. Application for residential site plan review for a) construction of a tennis court that would exceed the maximum lot coverage threshold for an R-3A zoning district, b) proposed 258 sq. ft. addition to existing 2½ story residence, c) application for steep slopes permit. The property consists of 9.158 acres. Water Control Commission approval is also required.
Previous meeting dates: New application

Mr. Glenn Ticehurst, Landscape Architect, was present at the meeting. He said there was a previous application for a tennis court at this location, but it was not pursued. Mr. Ticehurst explained that part of the application is to create an extension on the upstairs master bedroom. He said although the property consists of 9 acres, there are wetlands and steep slopes on the property. The Water Control Commission is currently reviewing the application.

Mr. Ticehurst explained that the tennis court is proposed on a slope requiring cut and fill that will allow access via a staircase on the upper side to a viewing area down to the court. At the low end, they would fill about 9 feet, and on the uphill side about 7-8 feet. This will require construction of retaining walls for the downhill side of the court.

Mr. Ticehurst had indicated the increased threshold setbacks on the plan. Regarding comments from the consultants, he said Mr. Barry Naderman will be working on the engineering aspects. A screening plan and landscape mitigation plan was developed.

Ms. Rudolph asked if the area was wooded. Mr. Ticehurst said it is, and approximately 25 trees would have to be removed.

Mr. Ken Okamoto, neighbor at 46 Old Stone Hill Road, was present at the meeting. Mr. Ticehurst said the screening plan will block Mr. Okamoto's view. Mr. Okamoto questioned access for construction. Mr. Ticehurst said the entry road will be on the opposite side. Mr. Okamoto was concerned that the screening plantings be appropriate.

Mr. Perry noted that no lights are permitted on the tennis court.

Board members will walk the property on Saturday, June 7th.

MINUTES OF THE JUNE 05, 2014 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, JONATHAN POWERS AND BONNIE SCHWARTZ

ALSO PRESENT: DEPUTY TOWN ATTORNEY JOHN LOVELESS
TOWN CLERK, JOANNE PACE

ABSENT: COUNCILWOMAN ALISON BOAK

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to hold an Executive Session on Thursday, June 12, 2014 at 7:30 p.m. for a personnel matter.

- **ANNOUNCEMENTS/REMINDERS:** Inn at Pound Ridge-This will not be discussed in length tonight because the attorney for the Inn at Pound Ridge was unable to attend. It will be put on next week's agenda if they are available.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on Thursday, May 8, 2014.

Board Action: Motion by Councilman Powers, seconded by Councilwoman Schwartz, all voting aye to accept the minutes of the Town Board meeting held on May 8, 2014.

NEW BUSINESS:

- Inn at Pound Ridge- amendment to original Special Use Permit

Pound Ridge resident and adjoining property owner to the Inn Diane Fulves asked to address the Town Board. A brief discussion took place regarding her noise complaints with the Inn at Pound Ridge regarding commercial deliveries that take place as early as 6:00 a.m. Our Noise Ordinance prohibits loud noise and commercial deliveries before 7:00 a.m. This also applies to refuse pick up. There seems to be a lingering problem with the staff making loud noises when they leave work between 11:00 p.m. and 1:00 a.m. Ms. Fulves has repeatedly complained about this and asked for their consideration. It is very difficult to legislate neighborliness. It was suggested again to have the staff park off-site going forward.

- Town Clerk – Retirement Resolution

Regulations of the New York State Comptroller require reporting requirements for elected and appointed officials for membership and service credit in the New York State and Local Retirement System. A resolution needs to be passed each time local officials are elected and/or appointed or

MINUTES OF THE JUNE 12, 2014 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, ALISON BOAK, JONATHAN POWERS AND BONNIE SCHWARTZ

ALSO PRESENT: TOWN ATTORNEY WILLIAM P. HARRINGTON, ESQ.
TOWN CLERK, JOANNE PACE

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

CALL FOR EXECUTIVE SESSION: None

ANNOUNCEMENTS/REMINDERS: None

MINUTES: Acknowledge/correct/accept minutes of the Town Board Work Session and Town Board Meeting held on Thursday, June 5, 2014.

Board Action: Motion by Councilman Powers, seconded by Councilwoman Schwartz, all voting aye to accept the minutes of the Town Board Work Session and Town Board Meeting held on Thursday, June 5, 2014.

NEW BUSINESS:

- **Inn at Pound Ridge - amendment to original Special Use Permit**

*Note: Councilman Powers recused himself from discussion and/or vote with the Town Board as he is a direct neighbor to the Inn at Pound Ridge.

Neil Alexander, Cuddy & Feder, represents KKPR, LLC, the property owner of the Inn at Pound Ridge. He spoke on behalf of the Inn and Jean-Georges of Pound Ridge, LLC organization regarding the amendments to the original Special Use Permit for the Inn at Pound Ridge. The major amendment addresses the parking issues. Robert Aiello, PE, Associate John Meyer Consulting, PC, explained the proposed parking plan for the Inn that includes a total of 124 on-site parking spaces for patrons and employees. The additional on-site parking will be in the rear of the building within an approximately 16,900 square-foot area. There are also two agreements for off-site parking with the Pound Ridge Nursery for use of 35 parking spaces after business hours and the Bedford Central School District using the Pound Ridge Elementary School grounds for use of 20 parking spaces. The total number of parking spaces will be 179 including on-site and off-site parking. The Planning Board approved the amended site plan at their May 22, 2014 Planning Board meeting. The Planning Board worked with the John Meyer Consulting group work with F.P. Clark Associates in developing a screening barrier for the adjoining neighbors.

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
June 12, 2014

Supervisor Lyman said that the real issues the Town Board facing now are the actual adjustments to the Special Use Permit. Counsel Alexander explained that Lucia Chiocchio, Cuddy & Feder, had outlined suggestions to amend the Special Use Permit. Supervisor Lyman said that he thought the Town Board would see an actual draft of the amended Special Use Permit proposals and not suggestions. Councilman Paschkes mentioned that he had some concerns with the wording of the sentence stating "The Applicant shall advise the Town Board of all off-site parking agreements and/or licenses and notify the Town Board of any changes to said off-site parking arrangements." Councilman Paschkes, along with the rest of the Town Board agreed that the Applicant will be required to come back to the Town Board for review and approval before going forward with any arrangements and/or licenses. Counsel Alexander said that they would have only so much control as to when they would know when a change would occur with the agreement. They could share that with the Town Board as soon as they become aware of the change. Councilman Paschkes said to give him a comfort level, the proposed agreements with third parties for off-site parking or any changes or amendments thereto, would have to be approved by the Town Board as an amendment to the Special Use Permit. They would have to be reviewed by Town Counsel and approved by the Town Board. The other issue is the amount of traffic to and from the off-site parking spaces. He would like to restrict the off-site parking to employee's vehicles to the extent possible. This would ease up the spots on premise for the patrons and eliminate some of the noise concerns at the property lines. Counsel Alexander as well as Jason Worflar, manager of the Inn, felt that his suggestion would not really work as the staff tends to come in as a group of 40 or more at a time and it would be too onerous to have the valet staff park the vehicles in a timely manner. Employees are restricted from parking their own vehicles at the off-site parking areas. This would definitely back up traffic on the in and out area. Counsel Alexander said they everyone agrees with the traffic issues and will definitely think this through. They will review where the short comings will be and think it through.

Councilwoman Boak said she understood that the owners were supposed to develop a written master parking plan to fully accommodate additional parking for the patrons and staff and lay out all the scenarios. The plan was to include both additional on-site parking as well as off-site parking. She has not seen this master plan and it would be beneficial to have it to refer to and eliminate problems going forward. Supervisor Lyman recalls hearing the same at the Planning Board meeting. There should be a written parking plan. Supervisor Lyman also made clear that what the Town Board is discussing tonight will not hold up the plan to go forward with the proposed parking amendment. They may have to refine it to get approval from the Building Department, but they should move forward. Another issue that hasn't been fully addressed is the noise. There is the refuse pick up prior to 7:00 a.m., the delivery trucks and the staff being warned about honking horns and shouting as they leave the premises. Most of this has been addressed. The other issue is the safety issue of not blocking the fire lanes. This has been done at the Inn premises as well as at Samuel Parker's store. Another suggestion that Supervisor Lyman mentioned to Counsel Harrington is to build in a fine structure into the Special Use Permit to avoid closing down the business when there is serious violation. There should be a consequence if things start to get loose. Counsel Alexander said he will look at that language and discuss it with his client. He will work to

get something into the permit that there is a result or consequence. He doesn't necessarily agree to a mandatory fine but will work with a result or consequence.

Counsel Harrington suggested that Counsel draw up a red line draft on the existing Special Use Permit.

Adjoining neighbor Diane Fulves spoke her concerns once again about the noise problems with the Inn at Pound Ridge and wants to know how this is going to stop. The noise after 11:00 p.m. is extremely exasperating. Chief Ryan said that Police Officers have been monitoring the noise level whenever they are able to and don't find it terrible. If it is in excess, they will address it. Chief Ryan has been communicating with Jason Worflar every day and addresses any concerns. It was discussed and agreed that the staff are told repeatedly to keep the noise level to a minimum and respect the neighbors. A suggestion from Councilman Paschkes is to possibly put up a couple of signs on the bordering fences that act as a reminder to respect the neighbors. Mr. Worflar agreed with the suggestion and will look into how they can do this. The personnel of the Inn and the Town Board will continue to be a sensitive to the issues as they can. The Town Board will address this again at the July 10, 2014 Town Board meeting.

- **Police Department- proposal for technology changes for Supervisor's Office**

The Police have been working on a project for the past two years to track storm conditions as they are happening in Pound Ridge and see how the information is flowing, changing and whether it is road closures, flooding, poles and wires down, trees down or highway concerns. They are at that last phase now. The last phase will cost between \$30,000 and \$40,000 and it is a private fund/donation. It will not cost the taxpayers any money. Chief Ryan would like to put an 87 inch Smart Board 800 series interactive whiteboard with two high monitors on the full wall in the Supervisor's office behind the table. They would then put a 23 inch monitor at the reception desk and an additional monitor over Caroline's desk in the police building. It basically takes all the technology they have been working with the software to create to give a visual of what is going on. All the data entry will come from the Police Department. They will run a cable line from the Supervisor's office to the police server. It will refresh on the computers as the data is entered. You would see the road closures and the reason. Highway will have the same information and will know where they can go. As soon as the roads are cleared, they would update the data. It will also give a more accurate power outage status. Everything will then be put on the website for the public to see.

Councilman Paschkes suggested using the remainder of the grant money allocated to the project to provide an annuity for maintenance costs. Chief Ryan said they will use it wisely. He is looking for the Town Board's approval to move forward on this project and make the purchases to finish it.

RESOLUTION #: 116-14

**DRAFT
TOWN OF POUND RIDGE PLANNING BOARD
MINUTES OF THE MEETING
Thursday, June 26, 2014**

Board Members Present: *Clay Fowler, Chairman
John Bria
Brian Kanner
Judy Kennedy
Steve Kushner
Sam Mlynar
Michele Rudolph*

Also present: *Joseph Eriole, Counsel
Joe Barbagallo, Woodard & Curran
Michael van der Heijden, Woodard & Curran
Jim Perry, Building Inspector
Ali Boak, Town Board Liaison
Gail Jankus, Conservation Board Liaison
Karen Taft, Administrator*

The meeting commenced at 7:30 p.m.

Adoption of Minutes from the Meeting of Thursday, May 22, 2014

Mr. Bria made a motion to approve the minutes from the meeting of Thursday, May 22, 2014, and Mr. Kanner seconded. All Board members voted in favor with the exception of Mr. Mlynar who wasn't present at the May 22nd meeting, and Mr. Kushner who hadn't yet arrived.

**KKPR, LLC (The Inn at Pound Ridge), 258 Westchester Avenue, Block 9816, Lot 50.
Review and ratification of resolution of approval for amended site plan to provide
additional on-site parking.**

Previous meeting dates: 09/27/12, 10/25/12, 11/29/12, 03/27/14 (informal), 04/22/14, 05/22/14
Commercial Site Plan Approved: 11/29/12
ZBA approved 2' fence height variance for northerly side yard: 05/21/14
Conceptual Approval for Amended Site Plan: 05/22/14
Board walked property: 11/03/12, 05/22/14

Ms. Lucia Chiocchio, Cuddy & Feder, and Mr. Rob Aiello, Insite Engineering, were present at the meeting. Ms. Chiocchio stated that F.P. Clark was in favor of the revised landscaping plan and maintenance plan. Mr. Aiello said they had provided additional screening consisting of 8', 10' and 14' tall Japanese cedar along the southern property line.

Mr. Fowler said the remaining issue is how to control the after hours noise from the employees. Ms. Chiocchio said she will make sure that Mr. Jason Worflar review the issue with his staff. Mr. Worflar had not yet arrived at the meeting. Mr. Perry noted that the

noise ordinance is a police issue, not one involving the Building Department. He said that a more aggressive stance needs to be taken by the Inn. Ms. Chiocchio said they had spoken with the Town Board about including a condition in the special use permit pertaining to training the employees on the conditions of approval.

Mr. Al Jacobsen, trustee of the Pound Ridge Community Church, mentioned that the Church owns 6-10 feet of property to the north of the fence. He wanted to make this clear. Mr. Jacobsen noted that lights had been installed on this fence. Mr. Perry said if the lights are over the property line, the wiring would have to be fed from the Church, not the Inn.

Mr. Jacobsen said he did not want an adverse possession on that part of the property. Mr. Aiello said he would look into the matter. Mr. Powers said they are working out an agreement with the Inn along their side of the property line since the fence and lighting are on the Powers' property.

After Mr. Worflar, General Manager at the Inn, arrived at the meeting, Mr. Fowler again addressed the issue of the employees behavior. Mr. Worflar will modify the current code of conduct at the restaurant to include noise and services outside the facility. Mr. Fowler noted that it is a residential neighborhood, and people should be more courteous upon leaving the restaurant. He did not want to have to involve the police, if at all possible. Mr. Perry said the Town is expending a great deal of resources and time with the residents being disturbed. He said it is imperative to relay to the staff that the noise is disturbing people's lives, and they should be good neighbors.

Mr. Fowler said that at some point, the current behavior may meet with consequences. The Town Board could deal with those if necessary by possibly limiting the hours of operation under the special use permit. Ms. Boak said the Town Board would prefer not to have to place limitations on the permit, but if the problem continues, they wouldn't have a choice.

Ms. Diane Fulves, neighbor to the south of the Inn, spoke to the Board. She noted that part of working is being considerate of other people. The employees need to be trained. Another matter Ms. Fulves was concerned with was the garbage disposal. She noted that bottles were dumped in the dumpster at 12:30 a.m.

Mr. Barbagallo said the applicant had addressed all of their engineering comments. Conditions remaining include finalization of the stormwater maintenance agreement, documentation from the Health Department, and possible screening to block lights during the counter clockwise exiting.

Mr. Eriole noted that the draft resolution had to be fine tuned. He and Ms. Chiocchio had been reviewing the resolution and had made some revisions. One issue was a reference to 130 spaces, but there are actually 124 spaces on the plan. Reference to employee spaces should be 36. Those changes were made to the resolution.

Ms. Chiocchio suggested that language be added to clarify that the time frames for construction referred to are from the start of each phase. In addition, the dates of the latest submissions should be 6/19/14 instead of 6/20/14. These changes were made.

Ms. Kennedy suggested that additional screening be provided to eliminate lights shining on the Church's parsonage when exiting vehicles are driving counter clockwise. Mr. Fowler revised 3. d. (2) to include "approximately 250' along the southerly property line" and added "to the maximum extent practicable" at the end of the sentence.

The applicant will appear before the Town Board on July 10, 2014 for discussion on the special use permit.

Mr. Bria made a motion to approve the resolution, and Mr. Kanner seconded the motion. All Board members present voted in favor, with the exception of Mr. Mlynar who abstained because he was not present at the May 22, 2014 meeting.

U.S. Summit Co./Eastwoods LLC (Pound Ridge Golf Club), High Ridge Road, Block 9316, Lot 18.9. Referral from Town Board for recommendation on proposed plan for discontinuation of water treatment system maintenance, bottled water program and residential sampling when water quality returns to pre-release conditions.

Ms. Geraldine Tortorella, Attorney, was present before the Board. She noted that the water monitoring at the golf club is ongoing. They merely wanted to arrive at a set of conditions that will be in place when they are able to discontinue the water treatment system.

Mr. Michael van der Heijden, Woodard and Curran, commented that the plan was very reasonable. He explained that the golf course does not plan on stopping the treatment systems to several homes as well as the bottled water until such time that they get three consecutive samples indicating no detected compounds. They are currently testing every 6 months. When the required water quality condition has been reached, homeowners would be given the option to have the account transferred to their name if they wish to have the service continued.

Mr. van der Heijden recommended that the plan be submitted to the Town Board for approval. Mr. Barbagallo asked if the residents who have the systems in place are aware of the proposed plan. Mr. John Benvegna, engineer with LB&G, said there are provisions for notification once the conditions are met. The residents will, at that time, receive a certified letter stating that after collecting three consecutive rounds of sampling, there were no detections of contaminants in their well, for a period of a year. They will at that time be given the option for continuing with the system under their own account.

Ms. Tortorella noted the residents normally get periodic notifications with the reported results. Mr. Benvegna did not have a problem notifying them once the plan is adopted by the Town Board. Mr. Fowler felt that was reasonable.

Mr. Bria asked approximately when this change would be coming into effect. Mr. van der Heijden said it was hard to anticipate. He noted the concentrations are decreasing. Mr. Bria suggested that when the plan is adopted, that everyone be notified at that time, by certified letter. He felt that advanced participation would be appreciated. Ms. Boak reiterated that the monitoring program requires a communication plan so there are e-mails available of all contiguous homeowners of the golf course in case of a spill. Mr. van der Heijden said they do have that list. Mr. Eriele suggested that a recommendation by the

- **The Kitchen Table-Special Use Permit for outdoor seating**

Daphne Everett, owner of The Kitchen Table in Scotts Corners, submitted a Special Use Permit Application to allow outdoor seating at her restaurant.

RESOLUTION #: 123 -14

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

RESOLVED, that the Town Board hereby accepts the Special Use Permit Application from The Kitchen Table, 71 Westchester Avenue, Pound Ridge, NY 10576 and allows the outdoor seating during the months of April through November. The seating will be limited to 12 seats and be contained by fencing or potted shrubbery.

- **Inn at Pound Ridge-amendment to the original Special Permit**

The proposed amendments to the Special Use Permit is shown below and was presented by Neil Alexander, Cuddy & Feder, representing KKPR, LLC, the property owner of the Inn at Pound Ridge and Robert Aiello, PE, Associate John Meyer Consulting, PC. The first comment was from Councilman Paschkes stating that he is still uncomfortable with the first paragraph because it doesn't address the fact that if there are going to be any changes in the offsite parking arrangements, the applicant must come before the Town Board for approval. It does say "Should the total of off-site parking fall below 55 spaces, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board." That sentence just doesn't address it correctly. The other complaint from the Town Board is that they never received a management plan narrative or written parking plan as requested. Counsel Alexander said that there was a plan given to the Planning Board dated April 17, 2014 but the Town Board has not seen a written sketch of the additional parking spaces. Notes were taken and the comments will be addressed at a future Town Board meeting.

A resident Connie Doyle, 261 Westchester Avenue spoke on behalf of herself and Diane Fulves saying that the noise level is out of control and nothing has been done to address this. There is no plan in effect for after hour noise control. She feels sound monitors should be placed around the parking lot to prove her point. This has been noted on the record and the applicant will try to address it. She also mentioned that there has been parking allowed at the Samuel Parker Deli lot at night and this is very disturbing. The Town Board was not aware of this parking agreement and asked Counsel Alexander to supply the Town Board with all parking agreements. There are some that are temporary parking spaces for the Inn (Samuel Parker Deli and Conant Hall) but that should be

included in the plan for the Town Board and marked as temporary. It should also indicate that once the approved parking plans are in effect, they will be restricted.

Councilman Paschkes disclosed for the record that Mr. Gosh, owner of Samuel Parker Deli is a former client of his.

Mr. Wechsler, 9 Salem Road, commented that there have been many traffic situations in front of the Inn at Pound Ridge at the ingress and egress. There is also a blind spot because trees and shrubs have been planted obstructing the view of on coming traffic.

Councilman Powers found a typo in paragraph 5 where it says an eight foot high fence along the *northerly* property line; it should be the *southerly* property line.

Diane Fulves, 256 Westchester Avenue, stated that there is still an awful lot of noise after 11:30 p.m. and food delivery trucks continue to deliver between 6:00 – 6:30 a.m. Unfortunately, the Town does not have an ordinance for delivery trucks, only refuse pick up. This will be addressed in the Special Use Permit. Ms. Fulves also asked that the ingress and egress of cars in front of the restaurant be reversed because the lights shine right through her bedroom window. This will be addressed through additional landscaping.

Councilman Paschkes suggested that paragraph 4 be separate paragraphs keeping refuse pick up as a single condition. Another change should be in paragraph 1 requiring notification to the Town Board within one week instead of 30 days of change notice to off-site parking arrangements.

Another suggestion that Supervisor Lyman mentioned is that the recycling of bottles should be left until the morning instead of after hours when the noise level is exaggerated.

Discussion and follow up will be put on the Town Board's August 7, 2014 meeting agenda.

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 _____, 2014, the Town Board of the Town of Pound Ridge approved the issuance of a Special Use Permit (the Original 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 terms and conditions set forth therein.

Following issuance of the Original Special Use Permit, issues relating to off-site parking, noise and related operational issues arose. Town officials notified the Applicant of the issues which prompted the Applicant to seek an Amended Special Use Permit to address same.

On _____, 2014, the Applicant's proposed Amended Special Use Permit application (the "Application") was filed with the Town Board and referred to the Town Planning Board for review, public comment and recommendation to the Town Board.

Thereafter, the Town Board reviewed the Planning Board's recommendation and conducted a public hearing on the Application on June ____, 2014.

Having considered the Application, and the comments of the public and Planning Board recommendation, the Town Board hereby grants an Amended Special Use Permit to the Applicant on the following terms and conditions:

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 May 8, 2014 as well as the Valet Parking Management Plan Narrative prepared by John Meyer Consulting, PC, dated April 17, 2014, collectively detailing the on-site parking at the Premises and the off-site parking jointly at the Pound Ridge Nursery and Bedford Central School District. The Applicants are required to notify the Town Board within 30 days of their receipt of written notice of any change to the off-site parking arrangements at the Pound Ridge Nursery and adjacent Bedford Central School District property reducing the total off-site parking below 55 spaces. Should the total of off-site parking fall below 55 spaces, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board. The Applicants 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. Until off-site parking is secured, the Town Board reserves its right to limit Applicant's operation based upon existing available off-site parking.
2. The Applicant will offer dinner and lunch seven days per week at the Premises.

3. Kitchen service at the Premises will be available until no later than 11:30 PM each day.
4. All dining services will be indoors, and all music or other forms of entertainment will be conducted indoors. Likewise, all refuse pick-up will occur between 7:00 a.m. and 7:00 p.m. in accordance with Chapter 90 (Solid Waste) and its penalties for offenses set forth in Section 90-4B.
5. The outdoor patio and contiguous lawn and garden area may be used on a limited basis to conduct wedding vows, photographs, and similar activities. Such outdoor spaces may also be used for limited cocktail/hors d'oeuvres services offered in connection with the wedding ceremony or similar limited activities. Such outdoor spaces may also be used for limited appropriate musical accompaniment for wedding vows and similar activities. The outdoor spaces may not be used for sit down dinner service. In all events, use of the outdoor spaces for any patron services shall terminate no later than one-half of one hour after sun down. All activities at the Premises regardless of whether they occur indoors or outdoors must comply with Chapter 75 (Noise) and its penalties for offenses set forth in Section 75-9. Notwithstanding Section 75-9 allowing for issuance of a warning citation on a first offense conviction, the Applicants waive their rights to such a reduced first offense conviction penalty and acquiesce to any first offense conviction being treated as a second offense upon conviction. The Applicants will attach courtesy signs to the 8 foot high fence along the northerly property line adjacent to those parking spaces reminding patrons that the restaurant is located in a residential area.
6. All music and/or other entertainment activities shall cease at the Premises no later than 12:00 a.m., except that such activities may continue until 2:00 a.m. on New Year's Day, all in accordance with Chapter 49 (Curfew, Restaurant and Cabaret) and its penalties for offenses set forth in Section 49-2.
7. At all times, the Applicant shall possess and maintain all necessary municipal, county, and state licenses, permits, certificates and approvals required to conduct the contemplated lawful activities at the Premises. In addition, at all times, the Applicant shall, consistent with its representations, operate the permitted restaurant/catering and related activities giving due regard to the rights of its residential neighbors to peaceful and quiet enjoyment of their property. Further, the Applicant shall undertake quarterly review and training in order to ensure that that the employees know and abide by the above-conditions.
8. This Amended Special Use Permit is granted to the Applicant and does not run with the land, nor shall this Amended Special Use Permit be assigned or

transferred to any other individual or entity without the prior written approval of the Town Board of the Town of Pound Ridge.

9. Should the Applicant desire to engage in any other activities not specifically permitted hereby, the Applicant must request the Town Board of the Town of Pound Ridge to amend or modify this Special Use Permit.
10. Violation of any of the terms or conditions of the Special Use Permit or of any applicable provision(s) of the Town Code may cause the Town Board of the Town of Pound Ridge to amend, modify or revoke this Special Use Permit.
11. Unless otherwise amended by this Amended Special Use Permit, all terms of the Original Special Use Permit remain in place and are in full force and effect.
12. As requested by the Applicant, this Special Use Permit is being issued to KKPR, LLC as fee owner and Jean-Georges of Pound Ridge, LLC as the operating entity of the business and activities hereby permitted.

- **“Pound Ridge Go Green Day”- debriefing the Town Board**

Santo Borsellino and Peter Avellino, members of the Pound Ridge Environmental Steering Committee, gave an update on the outcome of the Go Green Day event this past April. Numerous vendors/exhibitors shared information and demonstrations about energy solutions, sustainable home design, sustainable landscaping and gardening and land stewardship. The goal and mission of the Committee is to educate our community about their natural environment and empower them to make environmentally responsible choices for a more sustainable future. They are hoping to continue this event next year. This will be discussed at the Work Session on August 7, 2014.

- **Pound Ridge Library – requesting approval to post signs on its location**

Pound Ridge Library would like to increase the Library’s visibility and are requesting approval from the Town to install Library Street Signs with the ALA logo and a directional arrow in the following areas: 1) Coming from New Canaan in the vicinity of Scotts Corner; 2) Coming from Stamford at the intersection of High Ridge and Route 124; 3) Coming from Bedford at the intersection of Route 172 and Route 137; 4) Coming from South Salem on Route 124; and possibly, 5) on Route 137 at the Town Park. The Library will purchase the signs to be installed. The Town Board mentioned that the roads they are speaking of are State roads and they delegate who can put signs and where.

DRAFT
TOWN OF POUND RIDGE PLANNING BOARD
MINUTES OF THE MEETING
Thursday, July 31, 2014

Board Members Present: *Clay Fowler, Chairman*
John Bria
Brian Kanner
Judy Kennedy
Steve Kushner
Sam Mlynar
Michele Rudolph

Also present: *Joseph Eriole, Counsel*
Joe Barbagallo, Woodard & Curran
Jim Perry, Building Inspector
Gail Jankus, Conservation Board Liaison

Absent: *Karen Taft, Administrator*

The meeting commenced at 7:30 p.m.

Adoption of Minutes from the Meeting of Thursday, June 26, 2014

Ms. Diane Fulves, 256 Westchester Avenue, neighboring property owner to the Inn at Pound Ridge had previously read the draft minutes. She said Mr. Perry had made statements regarding the Inn that she believed were not in the minutes. Ms. Fulves said they were so important that they should be included. Mr. Fowler said the Town Board will take action on the issues of the Inn. He said if she wanted to make a specific comment, they would take it under consideration. Ms. Fulves was impressed with Mr. Perry's comments at the previous meeting. She wanted to listen to the tape, but was unable to in Ms. Taft's absence. Mr. Fowler said Ms. Fulves could e-mail those comments to the Board who will take them under consideration, possibly putting them in the record.

Mr. Kanner made a motion to adopt the minutes from the meeting of June 26, 2014, and Ms. Kennedy seconded. All Board members voted in favor with the exception of Ms. Rudolph who abstained because she was not present at the June 26th meeting.

Heinzelman, Clearwater Lane, Block 9316, Lot 35.9. Review and ratification of approval for residential site plan review for (a) new construction of a single-family dwelling and driveway, (b) application for steep slopes disturbance permit. The property consists of 5.54 acres and is in an R-3A zoning district.

Previous meeting dates: 02/27/14 (informal), 03/27/14, 04/22/14, 06/26/14 Board walked property: 04/15/14

A resolution of approval had been prepared by F. P. Clark. Mr. Mlynar made a motion to approve the resolution, and Ms. Rudolph seconded. All Board members voted in favor with the exception of Ms. Kennedy and Mr. Bria who abstained because they had not visited the property. The motion passed with 5 ayes and 2 abstentions.

MINUTES OF THE AUGUST 7, 2014 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y. COMMENCING AT 8:00 P.M.

This will be tabled until the September 4, 2014 Town Board meeting for further discussion.

- **Road Closed for Block Party**

Barbara Ingraldi of Autumn Ridge Road spoke on behalf of the residents of Autumn Ridge Road regarding the upcoming Block Party they are planning for September 13, 2014. They are looking to close a portion of the street from #36 to #57. They plan to have either a DJ or a band to play music during the event between 4:00 p.m and 8:00 p.m. The Town Board reminded them of the noise ordinance and was told that the Police Department will monitor the noise. If they fail to comply after complaints, they will be told to shut down. A major concern was the traffic control at the start of Autumn Ridge Road off Route 137 and at the start of the road at Brook Farm Road. The residents involved with the party planning should get an off-duty Police Officer for both ends. This will take care of vehicles going in and out with direction. They were also told to inform the surrounding neighbors of the party and have directions in and out the two entrances to hand out to people trying to go through the block. It was suggested that they don't close the street but close off one lane. Chief Ryan will work with them to come up with the best and safest recommendation for the party.

RESOLUTION #: 131-14

Board Action: Motion by Councilwoman Schwartz, seconded by Councilman Paschkes, all voting aye to allow the residents of Autumn Ridge Road to hold a block party on September 13, 2014 with a rain date of September 14, 2014 from 4:00 p.m. to 8:00 p.m. subject to Chief David Ryan's recommendations for street/lane closure and to hire two (2) off-duty Police Officers to direct the traffic on both entrances to Autumn Ridge Road at Route 137 and Brook Farm Road and with proper notification to surrounding neighbors and directions in and out of Autumn Ridge Road and noise control.

- **Inn at Pound Ridge – follow up discussion on amendments to the original Special 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 further 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:

MINUTES OF THE AUGUST 7, 2014 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y. COMMENCING AT 8:00 P.M.

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 --, 2014 (attached as Exhibit B), collectively detailing the on-site parking at the Premises and the off-site parking jointly at the Pound Ridge Nursery (see redacted Agreement attached as Exhibit C) and 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 Pound Ridge Nursery and adjacent Bedford Central School District property reducing the total off-site parking below 55 spaces. Should the total of off-site parking fall below 55 spaces combined or should a new property be introduced, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board. All temporary parking arrangements for Conant Hall, Samuel Parker's Landmark Deli or otherwise will end upon the issuance of a Certificate of Completion for the improvements contemplated by the 2014 Approvals of the Amended Site Plan and the Amended Special Permit.
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.
7. All refuse pick-up will occur between 7:00 a.m. and 7:00 p.m. in accordance with Chapter 90 (Solid Waste) and its penalties for offenses set forth in Section 90-4B as well as Chapter 84 (Refuse Disposal and Carters) and its penalties for offenses codified in Section 84-13. Likewise, all garbage and recycling will be placed in outdoor receptacles no later than 11 PM on any evening. Similarly, all deliveries will occur between 7:00 a.m. and 7:00 p.m. with the Applicant placing a sign on the front and rear entrances at the end of business each night setting forth that there are no deliveries before 7 a.m. and that **NO COMMERCIAL VEHICLES ARE TO ENTER THE PROPERTY PRIOR TO 7 AM** with timely deliveries occurring solely at the rear entrance.
8. The outdoor patio and contiguous lawn and garden area may be used on a limited basis to conduct wedding vows, photographs, and similar activities. Such outdoor spaces may also be used for limited cocktail/hors d'oeuvres services offered in connection with the wedding ceremony or similar limited activities. Such outdoor spaces may further be used for limited appropriate musical accompaniment for wedding vows and similar activities. The outdoor spaces may not be used for sit down dinner service. In all events, use of the outdoor spaces for any patron services shall terminate no later than one-half of one hour after sun down. All activities at the Premises regardless of whether they occur indoors or outdoors must comply with Chapter 75 (Noise) and its penalties for offenses set forth in Section 75-9. Notwithstanding Section 75-9 allowing for issuance of a warning citation on a first offense conviction, the Applicant waives its rights to such a reduced first offense conviction penalty and acquiesces to any first offense conviction being treated as a second offense upon conviction. Further, the Applicant will post courtesy signs in the south-eastern portion of the premises reminding patrons that the restaurant is located in a residential area.
9. All music and/or other entertainment activities shall cease at the Premises no later than 12:00 a.m., except that such activities may continue until 2:00 a.m. on New Year's Day, all in accordance with Chapter 49 (Curfew, Restaurant and Cabaret) and its penalties for offenses set forth in Section 49-2.
10. At all times, the Applicant shall possess and maintain all necessary municipal, county, and state licenses, permits, certificates and approvals required to conduct the contemplated lawful activities at the Premises. In

MINUTES OF THE AUGUST 7, 2014 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y. COMMENCING AT 8:00 P.M.

addition, at all times, the Applicant shall, consistent with its representations, operate the permitted restaurant/catering and related activities giving due regard to the rights of its residential neighbors to peaceful and quiet enjoyment of their property. The Applicant also will post signs in the employee changing areas (consistent with the sign attached as Exhibit E) reminding employees of appropriate behavior after work in the parking lot. Further, the Applicant shall undertake quarterly review and training to ensure that the employees know and abide by the above-conditions.

11. This Special Use Permit is granted to the Applicant and does not run with the land, nor shall this Special Use Permit be assigned or transferred to any other individual or entity without the prior written approval of the Town Board of the Town of Pound Ridge.
12. **Should the Applicant desire to engage in any other activities not specifically permitted hereby, the Applicant may request that the Town Board of the Town of Pound Ridge amend or modify this Special Use Permit.**
13. Violation of any of the terms or conditions of the Special Use Permit or of any applicable provision(s) of the Town Code may cause the Town Board of the Town of Pound Ridge to amend, modify or revoke this Special Use Permit.
14. Notwithstanding the above, the Town reserves its police power and rights to enforce the terms of this special use permit, impose appropriate and reasonable monetary sanctions for any violations thereof, or otherwise prohibit any conduct, action, practice or event that, in the Town's discretion, threatens the safety, health or welfare of the Town, its residents or the public (a "Default Event"). The Town shall provide the Applicant with written notice of any Default Event and the opportunity to be promptly heard to address and resolve same. The Town's written notice of any Default Event shall include specifics of the Default Event, including but not limited to date, time, location and persons involved, if known, and shall specify how the Default Event threatens the safety, health or welfare of the Town, its residents or the public. Upon receipt of the Town's written notice of any Default Event, the Applicant has 30 days to respond in writing and be heard. Monetary sanctions will not be imposed by the Town upon resolution of the Default Event by the Applicant to the satisfaction of the town.
15. This Special Use Permit is being issued to KKPR, LLC as fee owner and Jean-Georges of Pound Ridge, LLC as the operating entity of the business and activities hereby permitted.

Counsel Harrington recommended that the last line in Paragraph 14 be eliminated and the applicant agreed.

RESOLUTION #: 132-14

Board Action: Motion by Councilwoman Boak, seconded by Councilman Paschkes, Board polled and motion passed 4-0 with Councilman Powers abstaining on the following:

RESOLVED, that the Town Board hereby approves the 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 the Inn at Pound Ridge restaurant/catering facility at 258 Westchester Avenue, Pound Ridge, NY as corrected.

MINUTES OF THE JUNE 04, 2015 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, ALISON BOAK, BONNIE SCHWARTZ AND SHERENE DE PALMA

ALSO PRESENT: TOWN ATTORNEY WILLIAM P. HARRINGTON
TOWN CLERK, JOANNE PACE
DEPUTY SUPERVISOR JONATHAN POWERS

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman De Palma, all voting aye to hold an Executive Session on Thursday, June 11, 2015 at 7:00 p.m. for a personnel matter.

CALL FOR WORK SESSION: None

The Town Board did not feel a Work Session was necessary for Thursday, June 11, 2015.

• **ANNOUNCEMENTS/REMINDERS:**

Supervisor Lyman mentioned that the Record Review reporter Don Heppner had requested time to address the Town Board on a matter but called ahead of time to say he could not make the meeting and asked to be on the June 11, 2015 agenda.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on Thursday, May 14, 2015.

Board Action: Motion by Councilwoman Boak, seconded by Councilwoman De Palma, all voting aye to accept the minutes of the Town Board meeting held on May 14, 2015.

NEW BUSINESS:

• **Inn at Pound Ridge- amendment to original Special Use Permit**

Jason Worflar, General Manager of the Inn at Pound Ridge, is requesting an amendment to their existing Special Use Permit. They are almost finished with the parking project on their property and have cancelled the Pound Ridge Nursery Parking Contract effective May 31, 2015. The following is the verbiage requested for the amended items:

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 55 spaces. Should the total of off-site parking fall below 20 spaces combined, or should a new property be introduced, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board. All temporary parking arrangements for Conant Hall, Samuel Parker's Landmark Deli or otherwise will end upon the issuance of a Certificate of completion for the improvements contemplated by the 2014 Approvals of the Amended Site Plan and the Amended Special Permit.

Jason Worflar mentioned that the Bedford Central School District will allow the Inn at Pound Ridge to utilize the same 20 parking spaces they have been using in the past year for overflow of vehicles. Mr. Worflar asked if the Town Board would allow the continuation of the use of parking behind Conant Hall and some members of the Town Board felt it should not be continued because of the increase of events at Conant Hall.

Supervisor Lyman and Councilman Paschkes felt that the language in the second paragraph need to be revised/reworded and Councilman Paschkes along with Hannah Taylor-Noren, applicant's employee, will draft new language and pass it on to Town Counsel Harrington for his review and then present it to the Town Board at the July 9, 2015 meeting. Mr. Worflar will have Jim Perry, Building Inspector; walk the property at the Inn to make sure he is in agreement with the parking situation.

- **Pound Ridge Partnership – approval of the Harvest Festival Permit**

*The record shows that Councilwoman Boak recused herself from this portion of the agenda because she is a member of the Partnership Harvest Festival Committee.

Mike Daglio spoke on behalf of the Partnership regarding the application submitted to the Town Board for a Special Event Permit for their annual Harvest Festival that will be held on October 17, 2015 with a rain date of October 18, 2015 in the Pound Ridge Town Park. The Town Wide Block Party will be from 10:00 a.m. to 6:00 p.m. They have submitted a 2015 Pound Ridge Harvest Festival Alcohol-Control Plan to the Town Board as requested by Chief David Ryan and the Town

NEW BUSINESS:

- **Harvest Festival – approval of banner and Town bus**

RESOLUTION #: 119 -15

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

RESOLVED, that the Town Board hereby authorizes the Pound Ridge Partnership to hang a banner across Westchester Avenue advertising the Pound Ridge Harvest Festival that will be held on Saturday, October 17, 2015 with a rain date of Sunday, October 18, 2015. It will be hung up no later than September 10, 2015 and taken down after the event, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Pound Ridge Harvest Festival Committee to use the Town bus to shuttle event vendors and volunteers to the Pound Ridge Harvest Festival that will be held on Saturday, October 17, 2015 with a rain date of Sunday, October 18, 2015.

- **Inn at Pound Ridge - amendment to original Special Use Permit**

Councilman Paschkes amended the language correcting a typo carrying over the 55 spaces in addition to the 20 that they are availing themselves of at the PRES. They are increasing their capacity on site at the Inn at Pound Ridge and Jim Perry, Building Inspector, submitted a memo to Supervisor Lyman regarding his field inspection of the parking project at the Inn at Pound Ridge. He saw that the project is 2/3 completed and there are no deviations from the approved site plan. In the already completed portions of the parking lot, an additional 30 spaces were gained with out compromise to the required Fire Lanes. Mr. Perry does not foresee any problems with the parking plan. Councilman Paschkes simply redacted the reference in the second paragraph to the 55 additional spaces so that it reads that they will come back to the Town Board in the event that they either change or lose their contract with BCSD for the additional off site parking. Supervisor Lyman stated that the Town Board can formally act on this when the parking project is completed and it can be put on the July 9, 2015 Town Board agenda.

PUBLIC HEARING: 1. Community Choice Aggregation program

Scott Fernqvist, Pound Ridge Energy Action Committee Chairman and Mike Gordon Co-chair—Sustainable Westchester gave a Power Point Presentation regarding Guiding Communities through Community Choice Aggregation and on its Potential Benefit in Enabling Efficiency, Local Renewable Power, and Micro-grids. Roughly 70% of U.S. electricity is supplied by vertically

MINUTES OF THE AUGUST 4, 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: BONNIE SCHWARTZ AND JODY SULLIVAN

ALSO PRESENT: TOWN CLERK, JOANNE PACE
TOWN ATTORNEY, WILLIAM P. HARRINGTON
DEPUTY SUPERVISOR JONATHAN POWERS

ABSENT: DANIEL PASCHKES AND DAVID DOW

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman Sullivan, all voting aye to hold an Executive Session immediately following Town Board meeting for a legal matter.

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye to hold an Executive Session on Monday, August 8, 2016 at 7:00 p.m. to interview Police Officers.

ANNOUNCEMENTS:

- Supervisor Lyman removed paying of the bills from the agenda due to lack of a quorum for bill payment and will convene on Saturday, August 6, 2016 at 9:00 a.m. to pay the bills.
- Supervisor Lyman announced that there will be a 911 ceremony on Sunday, September 11, 2016 at 1:00 p.m. at Sachs Park. All are invited to attend.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on July 14, 2016.

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman Sullivan, all voting aye to accept the minutes of the Town Board Meeting held on July 14, 2016.

NEW BUSINESS:

- **Inn at Pound Ridge-Amendment to the Special Use Permit**
No one showed up from the Inn at Pound Ridge. This will be tabled.

MINUTES OF THE SEPTEMBER 15, 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
TOWN ATTORNEY, WILLIAM P. HARRINGTON, ESQ.

ABSENT: DEPUTY SUPERVISOR JONATHAN POWERS

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

EXECUTIVE SESSION: None

ANNOUNCEMENTS: None

MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held on August 4, 2016 and September 8, 2016.

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, Board polled and motion passing 3-0 with Councilman Dow and Councilman Paschkes abstaining due to their absence at the meeting, to accept the minutes of the Town Board meeting held on Thursday, August 4, 2016.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Dow, the Board polled and motion passing 4-0 with Councilwoman Schwartz abstaining due to her absence, to accept the minutes of the Town Board meeting held on Thursday, September 8, 2015.

PUBLIC HEARING: None

OLD BUSINESS:

- **Pound Ridge Planning Board-to review the draft steep slopes ordinance**

The Town Board had requested the Planning Board Chair Clay Fowler and/or Planning Board member Brian Kanner to be present to further discuss the draft revisions Steep Slope ordinance and neither were available for tonight's meeting. This will be tabled to a Town Board meeting in October.

NEW BUSINESS:

- **Inn at Pound Ridge-revisions to Special Use Permit**

MINUTES OF THE SEPTEMBER 15, 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.

The Inn at Pound Ridge did not send a representative to discuss the revisions of the Special Use Permit and the Town Board asked Counsel Harrington to inform their legal representative, Janet Giris, of the situation and encourage them to finalize the issues regarding their Certificate of Compliance.

- **Renewal of Memorandum of Understanding between the Town and Pound Ridge Conservancy**

The Memorandum of Understanding between the Town of Pound Ridge and the Pound Ridge Land Conservancy shall remain in effect for a five (5) year period and automatically renews for additional five (5) year periods unless either the PRLC or the Town choose to terminate it. The Land Conservancy has contacted Supervisor Lyman that they are now rewriting the agreement and do not want to renew until discussed with the Town. Their intent is to essentially remove the Town from the process and take over the entire responsibility and costs. When they are ready, they will let Supervisor Lyman know and he can put them on the agenda for discussion and acceptance of the MOU. Councilman Paschkes said that there is a covenant to name each other as additional insureds in the current agreement, which should be enforced going forward, whether it is with a renewal of the existing agreement or in any revised agreement. We need to confirm that we have them on the Town's insurance policy and we need a copy of the Land Conservancy's policy showing the Town as an additional insured on their policy.

- **Assessor-authorization to attend mandatory certification class**

RESOLUTION #: 132-16

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

RESOLVED, that the Town Board hereby authorizes Diane Briganti, Assessor, to attend the mandatory Elective Class, Farm Appraisal, for Assessor Certification on September 26 through September 30, 2016. There is no registration cost or class cost; however, there will be expenses for lodging, meals and transportation not to exceed \$1,100.00.

- **Liaison's report**

The Town Board briefly commented on their Boards and Commissions meetings.

FINANCIAL MATTERS

- **Monthly Reports**

The monthly reports have been received for August 2016 and are available in the Town Clerk's office.

Pay Bills

MINUTES OF THE NOVEMBER 3, 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 ATTORNEY, WILLIAM P. HARRINGTON, ESQ.
TOWN CLERK, JOANNE PACE
DEPUTY SUPERVISOR JONATHAN POWERS

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

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman
Sullivan, all voting aye to hold an Executive Session immediately following the Town
Board meeting for legal matters.

CALL FOR WORK SESSION:

ANNOUNCEMENTS/REMINDERS:

- Energy Action Committee is hosting a Solar Power Coffee Hour on Saturday,
November 5, 2016 at 10:30 a.m. at the Pound Ridge Library
- Pound Ridge Fire Department is having a Blood Drive on Saturday, November 5,
2016 from 9:00 a.m. to 3:00 p.m.
- Conservation Board is hosting a Toxic Targeting training seminar on Wednesday,
November 9, 2016 from 7:00 p.m. -8:00 p.m. at the Town House

MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held
on October 13, 2016

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Schwartz,
all voting aye to accept the minutes of the Town Board meeting held on October 13,
2016.

NEW BUSINESS:

- The Inn at Pound Ridge – to discuss Special Use Permit

Hannah Taylor-Noren, Manager of the Inn at Pound Ridge, gave the Town Board
verbiage changes to their Special Use Permit because of the parking lot expansion
project. They will no longer need the parking spaces at the Pound Ridge Nursery as

MINUTES OF THE NOVEMBER 3, 2016 MEETING OF THE TOWN BOARD OF
THE TOWN OF POUND RIDGE HELD AT THE TOWN HOUSE, 179
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those parking spots can be reallocated to their own parking lot. Their parking lot expansion project received a Certificate of Compliance from our Building Inspector. They will continue to use the Pound Ridge Elementary School allocated parking spaces and have a five year contract with Bedford Central School District. They will no longer use Conant Hall parking. Should the total of off-site parking fall below 20 spaces combined, or should a new property be introduced, then the Applicant will immediately commence a Special Use Permit amendment process with the Town Board. Supervisor Lyman requested that the Inn provide a copy of the five year contract with the BCSD for the Town's records. They agreed to do so.

Town Attorney William Harrington recommended that the last sentence in the second paragraph be eliminated from the verbiage changes as it is redundant. Counsel Harrington will review the amendments along with Councilman Paschkes and it will be addressed on the November 10, 2016 Town Board agenda.

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye to table the Inn at Pound Ridge amended Special Use Permit until the November 10, 2016 Town Board meeting.

- **Conservation Board-discuss Goat Feasibility Study**

Carrie Sears, Conversation Board Chair, spoke to the Town Board regarding a Goat Feasibility Study. The Conservation Board is contemplating applying for a grant to support the use of goats to manage the Japanese Knotweed at the soccer fields. The Japanese Knotweed is an invasive plant that would be too intensive for volunteers to get rid of. The use of the goats is a consideration and the disappearance of the knotweed would take approximately three years. There are many factors that need to be considered, eg. children nearby the soccer fields and how the goats would be controlled during the day as well as the night, before the Conservation Board goes ahead with this project. Carrie Sears merely wanted to introduce the idea to the Town Board and continue having small, controlled feasibility groups entertaining the idea.

- **Recreation Department - to approve playground repairs**

David Goldberg, Recreation Superintendent, informed the Town Board that the playground has some emergency repairs that need immediate attention. He has received three (3) quotes for the work and Raymond Michael, Ltd of Mt. Vernon is the low bidder with a quote of \$4,586.88.

RESOLUTION #: 143-16

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

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.

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:

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.

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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MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
JUNE 9, 2020

RESOLVED, that the Board hereby authorizes the Supervisor to sign the Village Green agreement.

Deputy Supervisor Les Maron joined the meeting at 8:10 pm.

• **Review and authorization of temporary Special Use Permits**

James Best, Co-President of the Pound Ridge Partnership, provided plans for outdoor dining at NorthStar, the Inn at Pound Ridge, and the Kitchen Table.

RESOLUTION: #118-20

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye on the following:

RESOLVED, that the Board hereby authorizes temporary Special Use Permits for NorthStar, the Inn at Pound Ridge, and the Kitchen Table through November 2020.

B. Water Wastewater Task Force: Request to hire counsel

RESOLUTION: #119-20

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Brand, all voting aye on the following:

RESOLVED, that the Water Wastewater Task Force is hereby authorized to hire counsel to provide advice on water/wastewater district formation for a flat fee of \$5,000.00.

C. Town Clerk: Authorization for sale of cemetery plots

RESOLUTION: #120-20

Board Action: Motion by Councilperson Brand, seconded by Councilperson Briggs, all voting aye on the following:

- **Approval for temporary waiver of zoning code requirements**

RESOLUTION 78-21

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye, on the following:

WHEREAS the COVID-19 pandemic has led to necessary closures of lawfully operating restaurants in the Town of Pound Ridge; and

WHEREAS outdoor dining at lawfully operating restaurants and food establishments is subject to the permit provisions of Section 91 of the Town Code; and

WHEREAS the Town Board is mindful of both the public health concerns and the public interest of safely and gradually reopening businesses; and

WHEREAS allowing restaurants and food establishments, where feasible, the opportunity to reopen for the safe conduct of outdoor dining, subject to approval and conditions hereinafter set forth, is a prudent measure that rationally balances those public interests; NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Pound Ridge hereby suspends the strict requirements of the Town Code and Zoning Code and may issue a Temporary Outdoor Dining Permit to lawful restaurant and food establishments, subject to the following conditions:

- An application for a Temporary Outdoor Dining Permit may be submitted to the Town Board to be considered at a meeting of the Town Board; and
- A plan to ensure social distancing and other applicable COVID-19 requirements and guidance shall be submitted, and, upon approval, implemented and observed; and
- No patron of the restaurant or food establishment shall be permitted within the interior of the restaurant or food establishment unless and until authorized by Order of the Governor of New York State or other controlling authority; and

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE

April 6, 2021

- The application shall include two (2) copies of a property survey or scale drawing showing the proposed location of outdoor tables and chairs with the total outdoor occupancy indicated, as well as any areas on-site devoted to off-street parking; and
- The application property survey or scale drawing shall show how all temporary outdoor dining areas will be protected from vehicular traffic for occupant safety; and
- The property survey or scale drawing shall show how tables and chairs of non-fixed seating shall maintain appropriate social distancing standards; and
- The Temporary Outdoor Dining Permit and the approved property survey shall be kept on premises during operation for viewing by municipal and law enforcement officials; and
- No temporary outdoor dining shall be permitted after 10:00 PM and, if required by the Temporary Outdoor Dining Permit, all tables and chairs shall be removed by said time;
- Any other conditions imposed for any restaurant or food establishment or location thereof; AND BE IT

FURTHER RESOLVED, that nothing herein shall be deemed to supersede any New York State Building and Fire Code or Westchester County requirements relating to restaurants and food establishments, including those dealing with the COVID-19 pandemic; AND BE IT

FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption by the Town Board and remain in effect until December 31, 2021.

- **Approval for PRBA Special Event Permit applications**

RESOLUTION 79-21

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Brand, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves Special Event Permits for Pound Ridge Business Association's Puppy Parade from 1:00 to 2:00 pm on April

2. Approval for special event permit for Trivia Night

RESOLUTION 119-23

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the request for a special event permit for a Trivia Night to be held at the green on June 22 from 7:00 pm to 9:00 pm.

3. Approval for cemetery plot sale

RESOLUTION 120-23

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the sale of Plot 402-B in Section 3 (one gravesite) at a price of \$1,000.00 to former Pound Ridge resident Nina Eisenman, of 224 Vail Lane, North Salem, NY 10560.

4. Approval for seasonal special use permits for outdoor seating

RESOLUTION 121-23

Board Action: Motion by Councilperson Boak, seconded by Councilperson Brand, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the seasonal special use permit application by DiNardo's for outdoor dining between the hours of 11:00 am and 9:30 pm through October 2023; AND BE IT FURTHER

RESOLVED, that the Town Board hereby approves the seasonal special use permit application by the Inn at Pound Ridge for outdoor dining between the hours of 5:00 pm and 11:00 pm through October 2023.

5. Approval for amendment to Proud Days special event permit

RESOLUTION 122-23

Board Action: Motion by Councilperson Boak, seconded by Councilperson Brand, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the Pound Ridge Partnership's request to add a "Chick Show," which would take place from 1:00 pm to 2:30 pm on

RESOLVED, that the Town Board hereby approves a special event permit for the Pound Ridge Garden Club's plant sale, to be held on May 9 and 10, 2024, at the Village Green.

4. Request to approve special event permit for Proud Days

RESOLUTION 79-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a special event permit for the Pound Ridge Partnership's Proud Days, to include a Color Run, to be held on June 2, 2024; beautification in the business district, to be held on June 9, 2024; and the Pound Ridge Bake-Off, to be held at the Village Green on June 15, 2024.

5. Request to approve special event permit for library children's programs

RESOLUTION 80-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Schelling, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a special event permit for the Pound Ridge Library to host Musical Tuesdays, Musical Wednesdays, Music with Kurt Gallagher, and All-Age Storytime at the Village Green on weekday mornings between July 2 and August 9, 2024.

6. Request to approve special event permit for Food Truck Fridays

RESOLUTION 81-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a special event permit for the Pound Ridge Partnership's Food Truck Fridays, to be held at the Barnwell Center on May 17, June 21, July 19, August 23, and September 13, 2024.

7. Request to approve seasonal special use permits for outdoor seating

RESOLUTION 82-24

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves seasonal special use permits for outdoor seating at Asia Hamachi, La Familia, DiNardo's, North Star, and the Inn at Pound Ridge.

8. Request to award 2024–25 contract for flower watering

RESOLUTION 83-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby awards the 2024–25 contract for daily watering of flower baskets in the business district at an annual cost of \$22,150 subject to confirmation that the cost does not exceed the budgeted amount.

9. Request to award re-bid of plumbing services

RESOLUTION 84-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby awards the bid for plumbing services to Better Water Well Systems with the following terms:

Labor rate:	\$145.83/hour
Overtime rate:	\$235.57/hour
Material markup:	40%

G. Receiver of Taxes – Request for approval of refund

RESOLUTION 85-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a refund of \$0.63 to Anna Rabinowitz and Martin Rabinowitz, for an overpayment of taxes on parcel 10263-61.

VIII. PUBLIC COMMENT – General

Resident John Nathan, of 155 Upper Shad Road, objected to the format for public comment on the grounds that it would require reserving questions that might arise in the course of the meeting until the end.

Town of Pound Ridge

Tel.: 914-764-5511

Fax: 914-764-0102



To: Town Board

From: Andrea Russo

Date: May 7, 2024

Re: Stipend for Youth Soccer Pro

I request the approval to pay our Youth Soccer Pro Leigh Parsons, a stipend of \$7,000, for the continued fall and spring soccer program, moving forward. This was a new program in the fall that has continued to grow.

The stipend is budgeted for within the recreation budget line "wages-program staff."
To date, we have 64 participants registered at a total of \$19,750.00.

Respectfully,

Andrea Russo
Supervisor of Recreation & Parks

Town of Pound Ridge

Tel.: 914-764-5511

Fax: 914-764-0102



To: Town Board

From: Andrea Russo

Date: May 16, 2024

Re: 2024 Neighbor to Neighbor: Friends of Felice Honorees & Recreation Volunteer Awards Proclamations

I request to develop proclamations of appreciation for Neighbor to Neighbor: Friends of Felice Honorees & Recreation Volunteer Honorees. Please find below the list of honorees for the proclamation requests:

Neighbor to Neighbor: Friends of Felice Honorees

1. Nadine and Ian Ashby
2. Vickie Dey
3. James M. Dodge III
4. Stacy French
5. Sally Semonite Green
6. Barbara K. Kanner
7. The Puccio Family
8. Natasha Seery

Recreation Volunteer Award

1. Greg Ackner
2. John Bush
3. The Dür Family
4. Darryl Shazier

Respectfully,

Andrea Russo
Supervisor of Recreation & Parks

	Kevin	Ali	Dan	Diane	Namasha	Other
Boards & Commissions						
Audit Bills					X	
Board of Assessment Review		X				
Board of Ethics	X					
Conservation Board			X			
Drug Abuse Prevention Council				X		
Economic Development Committee				X		
Energy Action Committee			X			
Highway & Maintenance				X		
Housing Board			X			
Human Rights Advisory Committee					X	
Landmarks & Historic District					X	
OEM	X					
Old Pound Road Committee		X				
Open Space			X			
Planning Board					X	
Police Department	X					
Recreation Commission				X		
Water Control Commission			X			
Zoning Board of Appeals				X		
Other						
BCSDNY	X					
East of Hudson Watershed	X					
Environmental Initiatives Advisors						Elyse/Bill Harding
Fire District	X					
Insurance						Harvey Dann
Library Board	X					
New Dawn			X			
Westchester County Shared Services	X					
Sustainable Westchester			X			
WEMS						Tom Mulcahy
Wireless Communication				X		
Water Wastewater Task Force		X				