

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, July 14, 2021**

Attendees:

Board Members: Bill Bedford, Chairman
Peter Marchetti
Betsey Miller
Peter Senatore

Advisors: John Loveless, Counsel
Jim Perry, Building Inspector

Conservation Board: Ellen Grogan
Andrew Karpowich

Administrator: Christeen CB Dür

The meeting began at 7:00pm and it was noted that it was being recorded.

Adoption of Minutes from the Meeting on June 9, 2021.

Ms. Miller made a motion to adopt the Minutes from the June 9th meeting, and Mr. Senatore seconded. All members voted in favor.

Mr. Bill Bedford introduced the Board Members and explained the process of the meeting. Each applicant presents their application and plans. The Board Members will ask questions and anyone attending the meeting is welcome to ask questions as well.

Old Business:

Ronnie & Dan Abrams

10 Midway Lane, Block 9452, Lot 8.1

Application for a permit to construct a 380 sq. ft. addition to the existing residence on the north side of the structure, new balcony, terrace expansion and landscaping, which is within the 150' wetland regulated area. The application was reviewed by the Water Control Commission on August 12, 2020. The application was approved by the Planning Board in September 2020 with the Condition of Approval that a Planting Mitigation Plan be submitted and approved by the Water Control Commission as requested.

Zoning District: R-3A, Acres 5.96

Previous Meetings: 08/12/20, 06/09/21

Mr. Jeri Barrett, landscape architect, explained the 3-year Planting Mitigation Plan that will be reviewed annually and a report will be submitted to the Building Inspector. Mr. Barrett agreed to add the plan agreement details on the plans as well as a notation about the dumpster. Mr. Teo Siguenza, architect, confirmed that no changes have been made to the house or foundation plans previously submitted.

Mr. Bedford made a motion to approve the application with a 3-year Planting Mitigation Plan with a bond of \$5,000, Mr. Senatore seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Ronnie & Dan Abrams, 10 Midway Lane, for a permit to construct a 380 sq. ft. addition to the existing residence on the north side of the structure, new balcony, terrace expansion and landscaping with a Planting Mitigation Plan, which is within the 150' wetland regulated area is approved and the Plan will be monitored for 3 years by the Building Inspector, Mr. Perry.

The application is further subject to the following conditions:

FIRST, once siltation protective measures are in place, the Building Inspector shall be notified and within 48 hours (two working days) a site inspection shall be performed. Prior to commencing work within the minimum activity setback area, all protective measures shall comply with specifications of the Building Inspector and/or Commission. The limit of any tree disturbance should be flagged in the field and noted on the plans.

SECOND, prior to removal of the siltation protective measures, it will be necessary to notify the Building Inspector at least 48 hours (two working days) of the intent to remove the barrier so a site inspection can be performed. Said barriers shall not be removed until so authorized by the Building Inspector and/or Commission.

THIRD, interim inspections may be made by the Building Inspector and/or Commission at any time. The Building Inspector is authorized by the Commission to act in its behalf, if necessary, in any emergency.

FOURTH, this resolution of approval is not a permit to start clearing, grading or construction of the site. Upon receipt of all fees, bonds, and revised plans, if required, the construction permit will be issued by the Building Inspector.

FIFTH, if the plans and conditions as specified and approved are not fully complied with as determined by the Building inspector, said permit shall be voided. In such event, all work must cease, except for temporary mitigating procedures as may be required, and the applicant shall be required to apply to the Commission for a new hearing and reinstatement of the permit, if necessary.

SIXTH, within thirty (30) days after completion of all work allowed under said permit, as-built drawings and consultant's verification shall be submitted. An engineer, landscape architect or architect licensed by the State of New York shall verify that the work has been completed in compliance with the approved permit documents. The Commission shall be notified if there is any change in the plans.

SEVENTH, when all work allowed under a permit is deemed acceptable, the Town Engineer and/or Commission shall issue a Certificate of Completion.

EIGHTH, a bond in the amount of \$5,000 shall be required to ensure that the work is performed in a manner that complies with the permit documents. The bond shall be posted with the Town of Pound Ridge prior to the commencement of work. Said bond shall be processed for release once a Wetlands Activity Completion certificate is issued.

BASIS FOR DECISION: Applying Chapter 63-25 of the Wetland Ordinance, the Commission finds that the proposed site is the best practical alternative, that adequate safeguards for the protection and preservation of the environment will be taken to protect the wetlands and the proposed action is not averse to the general health, safety, or economic and general welfare of the residents of Pound Ridge and is in accordance with the intent of the Town's Freshwater Wetlands Ordinance. The plan provides for the state-of-the-art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

Bruce & Christine Churchill
210 Trinity Pass Road, Block 9820, Lot 49

Application for a new exterior wood deck with hot tub. Current permit #21-8197 is for the following; interior renovation of existing pond chalet per plans, and exterior will be refreshed with materials and finishes complimentary to the main house, including stucco and oak timber. Existing roof and structure to remain.

Zoning District: R-3A, Acres: 7.03 acres Previous Meetings: 01/13/21, 06/09/21

Mr. Rudi Elert, architect, reviewed the proposed plans and photos for the wood deck and hot tub. He highlighted the notes added to the plans regarding the sequence of work and water discharge plan. Mr. Bill Kennedy, landscape architect, reviewed the plantings to be added to the area.

Ms. Miller made a motion to approve the application under the current bond of \$5,000, Mr. Marchetti seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Bruce & Christine Churchill, 210 Trinity Pass Road, for a new exterior wood deck with hot tub is approved under the current bond for current permit #21-8197 (interior renovation of existing pond chalet per plans, and exterior will be refreshed with materials and finishes complimentary to the main house, including stucco and oak timber. Existing roof and structure to remain), which activity is within the 150' wetland regulated area.

The application is further subject to the following conditions:

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FOURTH, this resolution of approval is not a permit to start clearing, grading or construction of the site. Upon receipt of all fees, bonds, and revised plans, if required, the construction permit will be issued by the Building Inspector.

FIFTH, if the plans and conditions as specified and approved are not fully complied with as determined by the Building inspector, said permit shall be voided. In such event, all work must cease, except for temporary mitigating procedures as may be required, and the applicant shall be required to apply to the Commission for a new hearing and reinstatement of the permit, if necessary.

SIXTH, within thirty (30) days after completion of all work allowed under said permit, as-built drawings and consultant's verification shall be submitted. An engineer, landscape architect or architect licensed by the State of New York shall verify that the work has been completed in compliance with the approved permit documents. The Commission shall be notified if there is any change in the plans.

SEVENTH, when all work allowed under a permit is deemed acceptable, the Town Engineer and/or Commission shall issue a Certificate of Completion.

EIGHTH, this will be added to the current bond in the amount of \$5,000 to ensure that the work is performed in a manner that complies with the permit documents. The bond shall be posted with the Town of Pound Ridge prior to the commencement of work. Said bond shall be processed for release once a Wetlands Activity Completion certificate is issued.

BASIS FOR DECISION: Applying Chapter 63-25 of the Wetland Ordinance, the Commission finds that the proposed site is the best practical alternative, that adequate safeguards for the protection and preservation of the environment will be taken to protect the wetlands and the proposed action is not averse to the general health, safety, or economic and general welfare of the residents of Pound Ridge and is in accordance with the intent of the Town's Freshwater Wetlands Ordinance. The plan provides for the state-of-the-art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

Steve Monroe

203 Upper Shad Road, Block 9317, Lot 19.3

Application for new construction of a residence, driveway, stormwater infiltrators, pool, well and septic system. Currently applying to the Planning Board.

Zoning District: R-3A, Acres: 4.08

Previous Meeting: 05/12/21, 06/09/21

The applicant did not attend and has decided to wait to return to the Water Control Commission until after Planning Board approval.

Dennis Dilmaghani, applicant/ 355 Realty LLC, current owner

492 Long Ridge Road, Block 9031, Lot 171.3

Application for new construction of a 2 story, 4 bedrooms single family residence with new septic system, landscaping and driveway with access to Long Ridge Road. Currently applying to the Planning Board.

Zoning District: R3-A, Acres: 3.011

Previous Meetings: 05/12/21, 06/09/21

Mr. Bedford requested to see the final plans submitted to the Planning Board before setting the Bond amount.

Louis Navarro, 3521 Property LLC

27 Tatomuck Road, Block 9816, Lot 27

Application for a permit to reconstruct a single-family residence and realign existing driveway, which activity is within the 150' wetland regulated area.

Zoning District: R-2A, Acres: 2.001

Previous Meeting: 01/13/21

Mr. Jeri Barrett, landscape architect, reviewed why the application changed from a renovation to an application for a new house. Mr. Perry reminded the Commission that no site plan has been approved but the applicant was allowed to begin framing. Mr. Barrett reviewed the plans for the house, the driveway, and the plantings and erosion control plan. Mr. Alan Pilch, engineer, reviewed the stormwater management and drainage plan. Mr. Bedford asked them to add notes to the plans regarding the following: sequence of work, labels and a legend, the lawn maintenance plan, and stormwater basin and construction details.

Ms. Miller made a motion to approve the application under the conditions of Planning Board approval and the notes referenced above are added to the plans, with the current bond of \$7,500, Mr. Marchetti seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Louis Navarro, 3521 Property LLC- 27 Tatomuck Road, for a permit to reconstruct a single-family residence and realign existing driveway, which activity is within the 150' wetland regulated area is approved under the conditions of Planning Board approval and the notes referenced above are added to the plans with the current bond of \$7,500.

The application is further subject to the following conditions:

FIRST, once siltation protective measures are in place, the Building Inspector shall be notified and within 48 hours (two working days) a site inspection shall be performed. Prior to commencing work within the minimum activity setback area, all protective measures shall comply with specifications of the Building Inspector and/or Commission. The limit of any tree disturbance should be flagged in the field and noted on the plans.

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New Business:

Mo Koyfman

24 Midway Lane, Block 9452, Lot 10

Application to install a gunite pool, adjacent terraces and a covered pavilion.

Zoning District: R-3A, Acres: 9.795

Mr. Seth Ticehurst, landscape architect, reviewed the proposed plans for a pool and spa with an open pavilion. He mentioned they are also applying to the Planning Board. The Board expressed concerns about the pool being too close to the wetlands. Mr. Ticehurst suggested a 3-year maintenance plan with an annual report to be submitted to the Building Inspector. He reviewed the wetland buffer, plantings and fence line. Mr. Bedford asked Mr. Ticehurst to rethink the design. Mr. Ticehurst agreed to review the design and return to the next meeting.

Anthony Kim

37 West Lane, Block 9818, Lot 9.9

Application to install an asphaltic tennis court, fencing, drainage and planting and to remove the existing basketball court.

Zoning District: R-2A, Acres: 7.407

Mr. James Sanok, architect, reviewed the application for the tennis court, to remove the basketball court and return it to lawn. The Board asked him to explain the drainage and demolition plans and to include them on the plans. He explained the application is also before the Planning Board considering the long gravel driveway and coverage calculations. Ms. Dür noted that a letter from a neighbor, Mr. Andrew Phillip, has been received expressing his concern about water drainage since in the past there was a problem with water flowing onto his property from West Lane. Mr. Bedford acknowledged his concern and said this application should not create such a condition.

Mr. Bedford made a motion to approve the application under the condition of Planning Board approval and notes discussed are updated on the plans, with no bond, Mr. Senatore seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Anthony Kim 37 West Lane, to install an asphaltic tennis court, fencing, drainage and planting and to remove the existing basketball court which activity is within the 150' wetland regulated area is approved with no bond under the condition that the notes discussed are updated on the plans, and subject to Planning Board approval.

The application is further subject to the following conditions:

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Sam Fertik and Julie Levitt-Fertik
Adjacent to 129 Upper Shad, Block 9317, Lot 27.1

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

Zoning District: R-3A, Acres: 3.509

Mr. Sam Fertik, architect, reviewed the application for his new home. He reviewed the stormwater system and catch basins and noted that the application is also before the Planning Board. Mr. Perry expressed concern about the slope at the end of the driveway and that at least the last 75' of the driveway be adjusted. Mr. Kris Heinzelman, a neighbor, spoke to the drainage issue that already exists on the road. Mr. Bedford explained that the Town Engineer for the Planning Board will review the concerns with the driveway. He reviewed the setbacks at the request of the neighbor. Mr. Bedford asked for notes to be added to the plans regarding: sequence of work, list of materials and location, add the dumpster.

Mr. Bedford made a motion to approve the application, subject Planning Board approval, with a bond of \$5,000, Mr. Senatore seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Sam Fertik and Julie Levitt-Fertik adjacent to 129 Upper Shad, to construct a new 2 ½ story dwelling, including new septic, well and stormwater management which activity is within the 150' wetland regulated area is approved subject to Planning Board approval.

The application is further subject to the following conditions:

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applicant shall be required to apply to the Commission for a new hearing and reinstatement of the permit, if necessary.

SIXTH, within thirty (30) days after completion of all work allowed under said permit, as-built drawings and consultant's verification shall be submitted. An engineer, landscape architect or architect licensed by the State of New York shall verify that the work has been completed in compliance with the approved permit documents. The Commission shall be notified if there is any change in the plans.

SEVENTH, when all work allowed under a permit is deemed acceptable, the Town Engineer and/or Commission shall issue a Certificate of Completion.

EIGHTH, a bond in the amount of \$5,000 shall be required to ensure that the work is performed in a manner that complies with the permit documents. The bond shall be posted with the Town of Pound Ridge prior to the commencement of work. Said bond shall be processed for release once a Wetlands Activity Completion certificate is issued.

BASIS FOR DECISION: Applying Chapter 63-25 of the Wetland Ordinance, the Commission finds that the proposed site is the best practical alternative, that adequate safeguards for the protection and preservation of the environment will be taken to protect the wetlands and the proposed action is not averse to the general health, safety, or economic and general welfare of the residents of Pound Ridge and is in accordance with the intent of the Town's Freshwater Wetlands Ordinance. The plan provides for the state-of-the-art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

Sacha Spitzer and Nayoung Woo
35 Fox Run Road, Block 9820, Lot 100

Application for a master bathroom renovation (tub, 2 sinks, shower, toilet), existing window replacement, new slop sink in the basement and new 50-gallon water heater.

Zoning District: R-3A, Acres: 2.02

Mr. Pietro Rosato, architect, reviewed the application for the bathroom renovation and window replacement and new heater. He added that they will also be resealing the driveway. Mr. Perry confirmed no permit is needed to reseal a driveway. A permit is needed when changing the footprint or material of the driveway which is not the case in this application.

Mr. Marchetti made a motion to approve the application with no bond, Ms. Miller seconded the motion, all members voted in favor.

Be it hereby resolved that the application by Sacha Spitzer and Nayoung Woo 35 Fox Run Road, for a master bathroom renovation (tub, 2 sinks, shower, toilet), existing window replacement, new slop sink in the basement and new 50-gallon water heater, which activity is within the 150' wetland regulated area is approved with no bond.

The application is further subject to the following conditions:

FIRST, once siltation protective measures are in place, the Building Inspector shall be notified and within 48 hours (two working days) a site inspection shall be performed. Prior to commencing work within the minimum activity setback area, all protective measures shall comply with specifications of the Building Inspector and/or Commission. The limit of any tree disturbance should be flagged in the field and noted on the plans.

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of-the art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

Stephanie and David Schneider

309 Pine Brook Road

Application to construct a stand-alone 900sf Accessory Dwelling with approximately 400sf basement and an attached 264sf carport for the home owners' parents.

Zoning District: R-3A, Acres: 1.937

Mr. Joe Riina, architect, reviewed the application for the accessory building with necessary ADA access. The Board discussed the setback requirements and the layout of the proposed accessory building. Mr. Perry explained that the applicant needs to prove there is no wetlands on the property. He also noted that there is no permit on file at the building department for the second curb cut. The applicant agreed to have the survey done to establish the presence of wetlands or not. If it is determined that there are no wetlands, they will continue only with the Planning Board application.

Other Business:

The Old Pound Committee: Mr. Andrew Karpowich, Member of Old Pound Committee and Conservation Board, provided an update regarding the 2 scenarios on how the Old Pound Property can be connected to the Town Park. He explained that the Committee is working with the Town Engineer and they will get more information about the boundaries of the wetland area.

Bond Releases:

Pound Ridge Homes, LLC

28 Shad Road West, Block 9031, Lot 36

Request for the release of Bond #2019-07 in the amount of \$10,000 for improvements to the property including the main house, drainage infrastructure, septic system, driveway and all other aspects of the approved plans. Conditions of the wetland permit have been completed and inspection of work was satisfactory.

Giulio Possenti

33 Laurel Road, Block 9822, Lot 26

Request for the release of Bond #2021-22 in the amount of \$2,000 for interior renovations and new roof and all other aspects of the approved plans. Conditions of the wetland permit have been completed and inspection of work was satisfactory.

Andy & Leslie Costa

84 Old Mill River Road, Block 9825, Lot 4

Request for the release of Bond #2021-21 in the amount of \$1,000 for improvements to the property including adding stone to a driveway, replace and extend the stone patio by 20sf and replace damaged boards on the deck and all other aspects of the approved plans. Conditions of the wetland permit have been completed and inspection of work was satisfactory.

Ms. Miller made a motion to release the Bonds listed, Mr. Senatore seconded the motion. All members voted in favor.

The next Water Control Commission meeting will be held on August 11. Mr. Bedford adjourned the meeting at 9:21pm.

Respectfully submitted,


Christeen CB Dür