

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, March 9, 2022**

Attendees:

Board Members:	Bill Bedford, Chair Peter Marchetti Betsey Miller Phil Sears
Advisors:	John Loveless, Counsel Jim Perry, Building Inspector
Conservation Board Liaison:	Andrew Karpowich
Administrator:	Christeen CB Dür

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

New Business:

Marc Yaggi & Sarah Douglis

Adjacent lot to 63 Hack Green Road, Block 9828, Lot 11.2

Application for a new single-family residence served by a private well and septic.

Zoning District: R-3A, Acres: 3.0

Mr. Dave Sessions, engineer, reviewed the wetlands, slopes and potential grading that would be needed for a new house and driveway on the lot. He explained that they have WCDOH approval for the septic location. Mr. Sessions said the Planning Board has also walked the site and did not have any issue with the house and driveway location. He pointed out the limit of disturbance line on the plans. Mr. Sessions fine tuned the previous wetlands information himself as a wetland consultant and will add that as a note on the site plan. Mr. Sears and Mr. Bedford noted that a lot more information would be needed for a complete approval. Mr. Bedford said they agree with the proposal and do not have any objections. Mr. Bedford asked Mrs. Dür to send a memo to the Planning Board explaining that the Water Control Commission does not have any objection to this application and has a conditional approval at this time.

Russell Tunick

1 Sherwood Road, Block 9031, Lot 99

Application to rebuild an existing deck and add stairs and a ramp.

Zoning District: R-2A, Acres: 2.01

Mr. James Best, architect, reviewed the existing deck and nonconforming house. He explained the need to rebuild the deck and to add stairs and a ramp towards the pond to make it more accessible for the homeowners and their guests. Mr. Best showed pictures of the site and reviewed the notes on the site plan. No trees will be removed and there will be no change to the grading. Mr. Bedford asked for a note about construction access and the

sequence of work to be added to the site plan and for the code conformance worksheet to be updated.

Mr. Sears made a motion to approve the application with the notes discussed added to the site plan and update the code conformance worksheet with a bond of \$1,000, Ms. Miller seconded the motion. All board members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by Mr. Russell Tunick, 1 Sherwood Road to rebuild the deck and to add stairs and a ramp, which is within the 150' wetland regulated area is approved.

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 \$1,000 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.

Ric Wake & Sandra Bellarae

317 Stone Hill Road, Block 10047, Lot 6.2

Application to demolish and reconstruct an existing garage with an office, build a greenhouse to replace existing shed and build a new outbuilding.

Zoning District: R-3A, Acres: 9.474

Mr. Jeremy Rainato, engineer, reviewed the entire scope of work, including to remove and rebuild a garage with an office and replace an existing shed with a new greenhouse and build a new outbuilding. He explained that the garage is the majority of the proposed work. They would also like to remove the circle in the driveway so it has a better turning radius. Mr. Perry noted that the new greenhouse and outbuilding are within the FEMA floodplain. Mr. Rainato said he can relocate the outbuilding but the greenhouse is just to replace a shed at that location already. Mr. Bedford explained repairing a nonconforming shed is ok but to rebuild it and/or expand it is not acceptable. Ms. Bellarae, owner, explained that the proposed work is to accommodate her and her family's needs as they now live at this home full-time. She added that these are utilitarian base additions and they are not changing the house but would like a greenhouse to grow vegetables year-round. Mr. Perry reviewed the FEMA floodplain again. Mr. Bedford asked for the limit of lawn and plantings to be added the plans. He added that the expansion of the shed into a greenhouse was not acceptable in its current location and would prefer to see it removed. Mr. Ken Okamoto, architect, said they will review the plans and look for a new location for the greenhouse. He added they have applied to the WCDOH. Mr. Rainato asked if they could receive garage and driveway approval. Mr. Bedford said they can separate the approvals if they remove all other information from the site plan. They can have approval on the garage and driveway before the other items are finalized. The applicant will review the concerns expressed and decide on what they want to do for the next meeting.

Old Business:

Dennis Dilmaghani

492 Long Ridge Road, Block 9031, Lot 171.3

Modification to previous approval for a new single- family residence served by a private well and septic.

Zoning District: R-3A, Acres: 3.0

Mr. John Kellard, engineer, reviewed the changes needed for the previously approved application for a new home, well and septic. Mr. Kellard explained that during construction, the general contractor discovered much more favorable soil conditions than anticipated. Subsequently, they re-applied to the WCDOH and were able to eliminate fill over the septic and also the associated pump system if the 1st floor was raised. They have chosen to raise the elevation of the house and garage 2' which improves the grade of the driveway and will allow them to use a gravity system to service the septic instead of a pump system. They no longer need a large quantity of fill and will modify the storm water drainage to accommodate the changes. Mr. Kellard explained these modifications will improve how the house fits on the site, its driveway entry and the septic. Mr. Bedford noted that the modifications look good and will work better for the site overall.

Mr. Sears made a motion to approve the modifications from the original approval subject to Planning Board and WCDOH approval under the current \$10,000 bond already posted, Ms. Miller seconded the motion. All members voted to approve the application. The application is approved.

Be it hereby resolved that the application by Dennis Dilmaghani, 492 Long Ridge Road, for modifications to his prior approval in 2021 for a new home, well and septic, which is within the 150' wetland regulated area is approved.

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, this approval is under the current \$10,000 bond already posted 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.

Tyler & Jennifer Haviland

30 Laurel Road, Block 9822, Lot 14

Application to install a 14 x 34 concrete pool.

Zoning District: R-2A, Acres: 2.45

Mr. David Katz, senior design consultant, reviewed the application for a new pool. Mr. Bedford explained that they need to review the construction plans for the pool and they need a limit of lawn, distances and plantings on the site plan for review at the next meeting. He suggested they add large boulders or stones to mark the limit of lawn after construction. Mr. Katz will submit construction plans and add all items discussed to the plans and will return to the next meeting.

Catherine P. Zicherman Living Trust

61 South Bedford Road, Block 9452, Lot 92

Application to dredge a portion of the pond with spoils to be spread on site.

Zoning District: R-3A, Acres: 3.134

Mr. Glenn Ticehurst, landscape architect, reviewed the process to dredge the pond with spoils to be spread on site. He explained that all the neighbors around this pond are in support of this project. Mr. Jason Maxwell, contractor, said he will use a large reach excavator and they hope to do this project at the end of the summer when it is the driest. Mr. Bedford asked for a limit of lawn line be added to the plans but otherwise this application is very thorough and complete.

Mr. Bedford made a motion to approve the application with the limit of lawn line added to the site plan with a bond of \$5,000, Mr. Marchetti seconded the motion. All board members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by the Catherine P. Zicherman Living Trust, 61 South Bedford Road, to dredge a portion of the pond with spoils to be spread on site, which is within the 150' wetland regulated area is approved.

The application is further subject to the following conditions:

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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.

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Ibrahim Jamal

Trinity Pass Road, Block 9824, Lots 10.3 and 10.4

Application to construct a new single-family dwelling with attached garage and pool.

Zoning District: R-3A, Acres: 7.823

Other Applications: Planning Board Lead Agency, Subdivision/Lot Line Change Application

Mr. Jeri Barrett, landscape architect, reviewed the application for the new home. He reviewed the limit of lawn, plantings, pool plans, stormwater basins, and grading. Mr. Marco Mandra, architect, reviewed the layout of the house and pool. The pool house has a powder room, laundry and snack area. The pool will use a cartridge system with no backwash and will be surrounded by a 5' post and rail fence. Mr. Perry noted that the house and pool are within the supplemental setbacks. Mr. Barrett, reviewed the stormwater basin plan added by Mr. Mastromonaco. Mr. Bedford said dimensions are needed on the plans and more information is needed about how it all connects to the septic. Mr. Bedford requested a larger scale drawing with more information about the pool, pool house, materials, walls, paving, and septic as well. Mr. Bedford noted that the pool size and location look ok but it is all hinged on the conservation easement.

Mr. Ralph Mastromonaco, engineer, said they found that the conservation easement was never filed for this lot and is not on the title. Mr. Loveless, WCC counsel, noted that the conservation easement is a condition of the subdivision whether it was recorded on the title or not. Mr. Bedford and Mr. Marchetti explained that more information is needed about the conservation easement description and location. Mr. Loveless noted that the WCC has no authority to amend a conservation easement whether it was recorded or not on the title. The applicant will research the conservation easement information.

Chris & Whitney Taussig

9 Great Hill Farms Road, Block 9317, Lot 49.13

Application to remove concrete platform (308sf), remove gravel parking area (186sf), and build a 2- story addition to the house.

Zoning District: R-3A, Acres 6.224

Other Applications: Planning Board,

Zoning Board

Ms. Gerri Tortorella, attorney, explained the owners are new to the property and reviewed the variances received from the Zoning Board and explain. She explained the variance for the alpaca and llama is on hold. Ms. Tortorella added they have retained a soil scientist and there is a functioning catch basin on site. Mr. Bedford said the catch basin goes into brook which connects with the Mianus River therefore it is piping water directly into the wetland. Mr. Perry suggested they consider on site storm water culverts. Mr. Bedford asked for the area around the catch basin be cleaned. Ms. Tortorella, explained they will remove the compost area and will be developing a complete animal and manure plan. She explained they have removed the animals from this application so they are looking for approval jut to build the 2 -story addition to the house, remove the concrete platform and gravel parking area at this time.

Mr. Bedford made a motion to approve the application to remove the concrete platform and remove the gravel parking area and to build a 2nd story addition with a bond of \$500, Ms. Miller seconded the motion. All board members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by Chris and Whitney Taussig, 9 Great Hill Farms Road, to remove a concrete platform and remove gravel parking area and build a 2nd floor story addition to the house, which is within the 150' wetland regulated area is approved.

The application is further subject to the following conditions:

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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 \$500 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.

Other Business:

Adoption of Minutes from the Meeting of February 9, 2022.

Ms. Miller made a motion to approve the Minutes from February 9, 2022, Mr. Sears seconded the motion. All members voted in favor to pass the Minutes as distributed.

The next Water Control Commission meeting will be held on April 6th at 7pm. Mr. Bedford adjourned the meeting at 9:25pm.

Respectfully submitted,



Christeen CB Dür