

**Town of Pound Ridge**  
**Water Control Commission Minutes**  
**Wednesday, December 14, 2022**

**Attendees:**

**Board Members:**

Bill Bedford, Chair  
Pete Marchetti  
Betsey Miller  
Phil Sears  
Peter Senatore

**Advisors:**

John Loveless, Counsel  
Jim Perry, Building Inspector

**Conservation Board Liaison:**

Andrew Karpowich

**Administrator:**

Christeen CB Dür

The meeting began at 7:05pm 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.

**Old Business:**

**Kevin Gan, Oberon Foundation**

**314 Stone Hill Road, Block 9816, Lot 74**

Application to build a 1,200 sq. foot accessory structure for at least 1 artist at a time for 3 to 4 months or longer depending on the artists' needs. The Property and Art Studio will be used strictly by the residents involved in the Artists in Residency Program.

Zoning District: R-3A, Acres: 4.452

Other Boards: Planning Board

Ms. Dimitra Tsachrelia, architect, reviewed the scope of work including a rain garden, leach field and a 20" shallow retaining pond. She noted there will be no disturbance west of the driveway. Mr. Peter Gregory, engineer, said there will be no change at all to the driveway. He said they are working with WCDOH to get approval to replace the cesspool with a septic tank for the house and add a chamber and septic tank for the new accessory building. Mr. Gregory explained this is considered a remediation by WCDOH because they are not adding a bedroom so it is not an expansion. He also reviewed the location of the new septic. Ms. Tsachrelia said the new accessory building will have a concrete foundation, no basement, and a 2% pitched roof. They are not sure yet if a new electrical line will be needed.

Mr. Bedford noted that almost all of the work is outside of the buffer. Mr. Perry noted that this is just an accessory building not an apartment and they have plenty of room for emergency vehicles. Ms. Tsachrelia confirmed the building will be used as an artist studio for 1-2 artists at a time, for 3-month intervals and not for commercial use. She reviewed the construction plans and said they will grow a range of plants and grasses on the roof. Ms. Miller noted that the material staging area and driveway will need to be repaired. Mr. Perry said they should consider shifting the staging area. Mr. Bedford agreed that needs to be reconsidered. Mr. Bedford said any approval will be conditional on WCDOH approval. He also said the site plan needs to add a note about the concrete washout hole and mark its location.

Ms. Miller made a motion to approve the application with the notes discussed added to the plans with a bond of \$5,000, Mr. Bedford seconded the motion. All board members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by Oberon Foundation/Kevin Gan, at 314 Stone Hill Road, to build a 1,200 sq. foot accessory structure to be used as an artist studio for an artist residency program with no commercial use, 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 (2 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.

**Minutes Approval:**

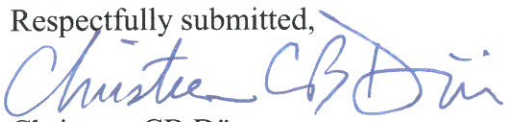
**Adoption of Minutes from the Meeting of November 9, 2022**

Mr. Bedford made a motion to approve the Minutes from the November 9, 2022 meeting, Mr. Sears seconded the motion. Lt. Senatore voted in favor and the Minutes were approved as distributed. Ms. Miller and Mr. Marchetti were not in attendance for the November meeting so they did not vote to approve the Minutes.

**The next meeting will be Wednesday, January 11 at 7pm.**

**Mr. Bedford adjourned the meeting at 7:28pm.**

Respectfully submitted,

  
Christeen CB Dür