

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, February 8, 2023**

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 7:03pm 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:

Christopher Ytuarte

122 Old Stone Hill Road

Block 10047, Lot 33.2

Application to remove existing wooden deck and replace it with natural stone and pavers while maintaining existing footprint and heights.

Zoning District: R-3A, Acres: 3.031

Mr. Jan Cadek, architect, reviewed the existing deck, existing stone wall and noted they will maintain the mulch area. He reviewed the plans to replace the existing deck and replace the pressure treated wall with a new stone wall. Mr. Bedford asked for a larger drawing that shows the doors to the house, and where the blue stone will start and stop. Mr. Bedford and Ms. Miller expressed concern over protecting one large tree near the wall during construction. Mr. Cadek confirmed they want to keep the tree and will protect it. Mr. Cadek agreed to add details about the tree, its roots and protection and that the excavation will be done by hand. Mr. Bedford also asked that the wetland area be defined and a contingency plan noting that anything damaged to the wetland buffer will be replaced be noted on the site plan.

Mr. Sears made a motion to approve the application with the notes discussed added to the site plan with a bond of \$3,000, 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 Christopher Ytuarte, 122 Old Stone Hill Road, to replace an existing deck, 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 \$3,000 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.

New Business:

David Pitluck

18 E Kinnicut Road

Block 9458, Lot 28

Application to build a spa and replace existing deck to include the spa.

Zoning District: R-2A, Acres: 2.7

Mr. Peter Gregory, engineer, reviewed the plans to replace the existing deck and add a spa. He noted that they are still working on developing plans on how to incorporate the spa into the deck, possibly a fence and will provide detailed spa information but wanted to get the Commission's feedback. Mr. Bedford said the Commission has no objection to this application but they need to see detailed plans with footings information and would like to see the limit of lawn noted on the site plan. He added that they could consider boulders as a way to establish the limit of lawn. Mr. Gregory said he will return with detailed information.

**Swan Lake Trust
128 Old Stone Hill Road
Block 10047, Lot 28**

Application to build an outdoor garden and chicken coop within 150' setback of wetlands, partial removal and relocation of the existing gravel driveway between the garden and existing barn and removing an existing shed.
Zoning District: R-3A, Acres: 6.211

Mr. Andrew Kuzmich, engineer, reviewed the plans to build a formal garden with 24 apple trees and a chicken coop near an existing paddock. He said they are currently working on the design for the chicken coop with a possible chicken run near an existing grass area. Mr. Kuzmich said there will be no change to the drainage pattern, an existing well will be used for the garden and he will add a note that soil will be taken off site. Mr. Bedford and Mr. Marchetti explained that details are needed about the type of wall that will be added around the garden. Ms. Jill Korwal, a neighbor at 106 Old Stone Hill Road, expressed concern regarding the wetlands, excavation and the long-term impact on the water quality. She asked if the applicant would consider any other location for the chicken coop. Mr. Bedford asked about a maintenance plan for the chicken coop. Mr. Kuzmich said the site was chosen so it could be parallel to the existing barn, garden and paddock. He said he can put together a maintenance plan. Ms. Korwal said the apple tree and the chickens would require different maintenance plans and she is concerned due to the insensitivity experienced from the prior owner. Ms. Vasilia Karageorgos, 90 Old Stone Hill Road, expressed her concerns over the application as well. Mr. Bedford said the Commission has the same concerns over the wetlands, water quality, and drainage. He noted that the stone wall is good protection and is requesting more details described on the site plan that will have to be followed. Mr. Kuzmich said they are not changing the grade and the current owner is sensitive to the wetlands. He will return with more detailed information.

**Swan Lake Trust
81 Lyndel Road
Block 10047, Lot 31**

Application to drill wells for geothermal HVAC system.
Zoning District: R-3A, Acres: 27.39

Mr. Andrew Kuzmich, engineer, reviewed the process to drill wells for a geothermal HVAC system. He said they expect to do 1 -2 weeks of erosion control prep and 4 weeks for drilling. Mr. Dan Hughes, general contractor, explained that this is their 7th geothermal HVAC system and he answered questions regarding the process. Mr. Bedford said a sequence of work including a contingency plan is needed on the site plan. Mr. Hughes said he will add the sequence of work including a restoration plan to the site plan.

Ms. Miller made a motion to approve the application with the notes discussed added to the site plan with a bond of \$10,000, 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 Swan Lake Trust, 81 Lyndel Road, to drill wells for a geothermal HVAC system, 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 \$10,000 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 January 11, 2023

Mr. Bedford made a motion to approve the Minutes from the January 11, 2023 meeting, Mr. Sears seconded the motion. All board members voted in favor and the Minutes were approved as distributed.

The next meeting will be Wednesday, March 8 at 7pm. Mr. Bedford adjourned the meeting at 8:11pm.

Respectfully submitted,


Christeen CB Dür