

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, February 28, 2024**

Attendees:

Board Members:

Bill Bedford, Chair
Chris Hayes
Betsey Miller
Pete Marchetti
Deborah Tepper

Advisors:

John Loveless, Esq., Counsel
Jim Perry, Building Inspector

Conservation Board Liaison:

Andrew Karpowich

Administrator:

Christeen CB Dür

The meeting began at 7:05pm. Mr. Bedford introduced the Board Members and introduced 2 new members, Chris Hayes and Deborah Tepper. He thanked them for he commitment they have made to this Commission. Mr. Bedford explained the process of the meeting. Each applicant presents their proposed sequence of work and site plan. The Board Members will ask questions and anyone attending the meeting is welcome to ask questions as well.

Old Business:

Paul Richardson

333 Salem Road

Block 10301, Lot 17

Application for a permit to grade and level land to facilitate a lawn and landscaped area which is within the 150' wetland regulated area.

Zoning District: R-2A, Acres:3.24

Mr. Bedford said we will begin with an application that was presented in January 2021. Mr. Richardson shared current pictures of his property via zoom to support his position that no work was done since he appeared before the Water Control Commission. He said he did put up a silt fence for a period of time but decided not to do the proposed work and there is an open issue that he would like to close. Mr. Bedford said it is best if he withdraws the application but reminded Mr. Richardson that if he would like to do any work within the 150' setback line then he needs to return to the Commission. Mr. Richardson acknowledged Mr. Bedford's comments.

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

Ms. Dür explained that this applicant is asking for a one-year extension of their approval from December 14, 2022. Since the applicant never received a Building Permit they must get an extension on their Planning Board and Water Control Commission approvals to move forward. They already received their Planning Board extension approval in January. They confirmed that there are no changes to the approved site plan.

Ms. Miller made a motion to approve the extension, Mr. Marchetti seconded the motion. All members voted in favor, the extension for one year has been approved.

Pound Ridge Tennis Club

2 Major Lockwood Lane, Block 9816, Lot 100

Application to build 4 new pickleball courts, 1 new paddleball court & deck, expand the parking lots, & build an addition to their existing clubhouse.

Zoning District: R-2A, Acres: 6.97

Other Boards: Planning Board, Zoning Board

Mr. Chris Hayes recused himself from the application and left the table. Mr. Keith Betensky, counsel, noted that the Planning Board has declared their intent to be the lead agency and this is part of a coordinated review. Mr. Loveless said the Planning Board will make a determination and notify the Water Control Commission. Ms. Dawn McKenzie, engineer, reviewed the updates since their last appearance before the Commission. Ms. McKenzie said they have moved some of the parking away from the pond. She explained that the pond is used to water the courts and its height varies by season. Ms. McKenzie reviewed the sequence of proposed work and the limit of disturbance area. She reviewed the access for emergency vehicles and existing coverage. Ms. Miller said she is still concerned about the parking location near the pond and the fact there is nothing there to stop oil and other contaminants into the pond. Mr. Bedford agreed and said the Commission needs stormwater management review by the Town Engineer and the Planning Board. Ms. McKenzie said the pond is accepted by the DEC and allowed by the State. She reviewed the existing landscaping, asphalt areas and grading. Mr. Betensky recommended the Commission require a maintenance bond for their landscaping plan. Mr. Bedford noted some type of infiltration is needed. Ms. McKenzie said she is currently working with the Planning Board and the Town Engineer. Mr. Perry asked if the DEC had reviewed this site plan. Ms. McKenzie said they have a general permit but need SWPP approval first and then will go back to the DEC. She said they have conducted soil testing and submitted a SWPP to the Planning Board.

Mr. Bedford said he does not see a good solution for the parking. Ms. Miller noted the grading will negatively impact the pond. Mr. Betensky said the site plan is designed for minimum disturbance. Ms. McKenzie said they are adding 25 parking spots to make it compliant with the Town Code. As a result, there should no longer be unorganized parking overflow next to the pond but rather established parking near the pond. Mr. Bedford said this is considerable development to a nonconforming site that they have not addressed infiltration. He said the applicant needs to go back to the Planning Board and Zoning Board and review again how they can protect the pond. Ms. McKenzie said they have addressed as much as possible and added all required notes to the site plan. Ms. Miller suggested they add a curb or some sort of visible wheel stop that can help protect the pond. Mr. Marchetti made separator suggestions for infiltration. Ms. McKenzie said the grade is too low for a catch basin. Mr. Bedford said the Commission will send a memo to the Planning Board expressing the Commission's concerns about the parking near the pond and they would like to see the test hole information and SWPP. Ms. Dür said she will compile all the letters of concern and support received and share them with the Commission, the Planning Board and the applicant's team. Mr. Betensky said they will review all letters submitted and respond to the neighbors' concern and the Commission's concerns.

New Business:

Michael & Janice Ioli

32 Hemlock Hill Road, Block 9320, Lot 100

Application to demolish and install new wall doors, windows, and load bearing structure and new non-load bearing interior partitions, new kitchen and plumbing fixtures.

Zoning District: R-2A, Acres: 5.313

Mr. Bill O'Neill, architect, reviewed the proposed work on the site plan. Mr. Bedford said he needs to show the dumpster, stockpile, existing propane tank and debris on the site plan. Mr. O'Neill said he will update the site plan and confirmed they will be installing new windows from the inside.

Mr. Bedford made a motion to approve the application with a bond of \$2,000, Mr. Hayes seconded the motion. All members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by Michael and Janice Ioli, 32 Hemlock Hill, to demolish and install new doors, windows and a load bearing structure and new non-load bearing interior partitions, new kitchen and plumbing fixtures, 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 \$2,000 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.

Ann Stout & Andrew Schuck
11 Doe View Lane, Block 9816, Lot 99

Application to renovate an attic.

Zoning District: R-3A, Acres: 2.039

Ms. Ann Stout, owner, reviewed the site plan to renovate an attic. She confirmed they are not adding any bathrooms or bedrooms to her home.

Mr. Marchetti made a motion to approve the application with a bond of \$2,000, Ms. Miller seconded the motion. All members voted in favor of the application. The application is approved.

Be it hereby resolved that the application by Ann Stout and Andrew Schuck, 11 Doe View Lane, to renovate an attic, 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 \$2,000 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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Jan Gajdos

515 Long Ridge Road, Block 9317, Lot 63

Application to build a new 5-bedroom house, driveway and pool.

Zoning District: R-3A, Acres: 2

Other Boards: Planning Board, Zoning Board

Mr. Bill Bedford recused himself for this application and left the table. Ms. Miller is the Board Chair for this application. Mr. Lou DiLeo, architect reviewed the updates to the site plan. Mr. Ralph Alfonzetti, engineer, reviewed 2 stormwater basins, the grading plan and septic area. He said they have already received approval for the new septic and well from the WCDOH. Ms. Miller asked they save and protect the large maple tree that's root system can contribute to stormwater management. Mr. Nick Pouder, landscape architect, said they will revise their plan to save and protect the tree. He reviewed the landscaping and drainage plans. Mr. Perry said they need to submit their information to the highway department regarding removing the double curb cut driveway on Long Ridge Road and replacing it with access on Pine Brook Road and for permission to use the existing cultec. Ms. Miller said they need to add sequence of work, dumpster, pool dimensions and pool equipment and drawdown information to the site plan. She suggested they move the pool 5' away from the wetlands. Mr. Pouder said they will either move it away from the wetlands or reduce the size of the pool. Ms. Miller noted they are conceptually ok with the proposed site plan but asked for them to return with the updated site plan with all items discussed. Mr. Pouder confirmed he will return with all items noted on the site plan.

Jonathan and Carol Lieber

50 Old Corner Road, Bedford, Block 9452, Lot 67

Application to build a new home, pool and cabana.

Zoning District: R-3A, Acres: 5.97

Other Boards: Planning Board, Zoning Board

Mr. Bedford noted the Commission was not able to access the site for their site walk. Mr. Mathew Gironda, engineer, reviewed the 3 existing parcels and reviewed the property and town line for Bedford and Pound Ridge. He said the proposed plan is to respect the view of the lake for the owner and the neighbors. Mr. Gironda, reviewed the plan for the new home and new septic location. He said they will restore the existing dock and demolish the existing house. Mr. Bedford said they need to submit a sequence of work for the demolition and make sure the staging area is outside of the wetland setback line. He also requested information about the concrete foundation. Mr. Gironda confirmed they can do that and that the majority of the work is in Bedford and they will utilize the existing driveway. Mr. Perry suggested they develop a site plan for the demolition and a separate site plan for the new home. Ms. Cynthia Filkoff, architect, reviewed the site plan for the new L shaped home with a low roof line and pool pavilion. She noted the pool is entirely in Bedford. Mr. Jonathan Lieber, owner, said they are a member of the lake's association as noted in their deed. He said they

have lived in Bedford over 20 years, love the lake and this location. Mr. Girona said they will return with all requested information and make sure the site is accessible for the site walk the morning of the next meeting.

Jason Davies

18 Laurel Road, Block 9822, Lot 18

Application to build a small addition on the front of the house and interior renovation.

Zoning District: R-2A, Acres: 2.008

Mr. Andrew Whitelaw, architect, reviewed the plan to build a small addition and some interior renovations, remove the pool and gravel. Mr. Perry noted that they need to remove the bottom of the pool. Mr. Bedford said they need to add the wetland setback line and sequence of work to the site plan and they need to submit demolition information. Mr. Whitelaw confirmed they will return with the required information.

Minutes Approval:

Adoption of Minutes from November 8, 2023 and December 13, 2023

Ms. Miller made a motion to approve the Minutes from the November 8, 2023 and December 13, 2023 meetings, Ms. Tepper seconded the motion. All members voted to approve the Minutes as distributed. The Minutes are approved.

Mr. Bedford adjourned the meeting at 9:33pm.

Respectfully submitted,



Christeen CB Dür