

**Town of Pound Ridge  
Water Control Commission Minutes  
Wednesday, April 10, 2024**

**Attendees:**

**Board Members:** Bill Bedford, Chair  
Chris Hayes  
Betsey Miller  
Pete Marchetti  
Deborah Tepper

**Advisors:** John Loveless, Esq., Counsel  
Jim Perry, Building Inspector

**Town Board Liaison:** Dan Paschkes

**Conservation Board Liaison:** Andrew Karpowich

**Administrator:** Christeen CB Dür

The meeting began at 7:12pm. Mr. Bedford introduced the Board Members. 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:**

**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. Received Planning Board approval with conditions 08/26/21.

**Zoning District: R-3A, Acres: 4.08**

**Approved September 2021**

Mr. Marchetti recused himself for this application. Mr. Louis DiMarzo, engineer, explained that this application was approved by the WCC and PB in 2021 and is currently under construction but has returned due to changes along the driveway and stormwater system. The 3 changes since approval are as follows - they have changed the guard rail to use existing boulders on site, added 2 drains in the driveway and decided they needed rock line swales instead of grass due to the steepness of the area. Mr. Steve Monroe, owner, showed pictures of the driveway and described what they learned regarding the flow of water and the retention basin for the past year. Mr. Bedford noted that the changes do seem to be a better solution than what was originally proposed.

Mr. Bedford made a motion to approve the amended application with the already posted \$5,000 bond, 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 Steve Monroe, 203 Upper Shad Road, to amend his application that was approved in September 2021, 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**, amended application should continue with already posted \$5,000 bond 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 report 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.

**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. Matt Gironda, engineer, reviewed the updates to the site plan. He said they moved the dumpster away from the wetlands, marked a no-mow area that will be delineated with granite markings and will replace the existing wood dock with a floating dock that will be removed during the winter. Mr. Gironda said there will not be any new permanent posts but that the floating dock will be anchored to the 2 existing posts. He reviewed the landscaping plan and path to the dock. Mr. Dan Paschkes, Town Board liaison, said a note should be added that

the wetlands near the dock will remain in its natural state. Mr. Girona agreed and said the pool equipment and dock will be stored away from the wetlands on the Bedford side of the property.

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

Be it hereby resolved that the application by Jonathan and Carol Lieber, 50 Old Comer Road, to build a new home, pool and cabana, 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 report 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.

**Greensky Real Estate, LLC**

**76 Cross Pond Road, Block 10263, Lot 43**

Application for interior renovations, updating a deck and landscaping.

Zoning District: R-2A, Acres: 3.449

The applicant did not attend the meeting.

**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 this application. Mr. Keith Betensky, counsel, noted that the Planning Board adopted a Negative Declaration as part of the SEQRA process. Ms. Dür noted a letter of concern was submitted and distributed to the Commission and the applicant. Letter is attached. Ms. Dawn McKenzie, engineer, acknowledged the letter the Water Control Commission sent to the Planning Board and hopes the changes to the site plan will address the Commission's concerns. She said they have added a 6" high Belgian block curb with curb breaks, a gravel trench and an hydro dynamic separator. Ms. McKenzie said the separator will be maintained as part of the stormwater management system. She said she will add a note about how the landscaping will be maintained to the site plan. The Commission discussed how the courts are cleaned and maintained and asked for construction details. Ms. McKenzie confirmed that chemicals are not used on the courts. She said they are adding a rain garden and improving the site. Ms. Tepper asked about a water quality check after construction. Ms. McKenzie said all checks will be part of the overall stormwater protection plan. She reviewed the details of the SWPP.

Mr. Betensky noted a noise study was submitted and reviewed by the Planning Board and construction details will also be submitted to the Planning Board. Mr. Jim Perry noted that this Commission issues an actual permit and will also need to review the construction details. Mr. Bedford said they will also need to review the deck and foundation information. Ms. Miller explained that the Commission needs a complete set of plans just like the Planning Board for an approval. The applicant will return with a complete set of plans after their next appearance before the Zoning Board of Appeals and the Planning Board.

**Minutes Approval: Adoption of Minutes from March 13, 2024**

Ms. Miller made a motion to approve the Minutes from the March 13, 2024 meeting, Ms. Tepper seconded the motion. All members voted to approve the Minutes as distributed. The Minutes are approved.

Mr. Bedford adjourned the meeting at 8:29pm.

Respectfully submitted,



Christeen CB Dür

## Christeen Dur

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**From:** Jamie Spillane <jspillane@hrllawyers.com>  
**Sent:** Tuesday, April 9, 2024 3:50 PM  
**To:** Christeen Dur  
**Subject:** Re: FW: Pound Ridge Tennis Club - WCC Submission and copies for ZBA

Hi Christeen:

As the Town is aware, we represent Jolana NY LLC and its principals, the Blau Family, who are the owners of 12 Major Lockwood. The Blau Family has serious concerns regarding this application and specifically the proposed pickleball courts within the wetland buffer.

As we have previously advised the WCC, Pickleball is not a permitted use under the Town Zoning Code (the "Code") or under the Special Use Permit granting authority for the Tennis Club to operate as a membership club. The Schedule of Use Regulations incorporated into the Code deems any use that is not specifically listed as a permitted use to be prohibited. As such, our office, on behalf of the LLC, has submitted an Appeal of the January 2, 2024 "Pound Ridge Office of the Building Inspector Z.B.A. Notice of Disapproval" which is the basis of the variances currently pending before the ZBA. The Special Use Permit limits the Use to Tennis and Paddle Tennis. The Appeal is scheduled to be heard at the April meeting of the ZBA. As such, we do not believe any determinations should be granted until such time as the ZBA makes a determination on the Appeal.

Our client is very concerned about the overdeveloped nature of the site. As it currently exists, the lot coverage of the site exceeds the Zoning Code's permitted lot coverage by 776%. The improvements proposed would result in the lot coverage being over 1,000% of what is permitted. In addition to the lot coverage, the expansion would result in a substantial increase in intensity of the active use of the premises within the wetland buffer.

We would ask that the Board be made aware of our clients concerns on this application and we will continue to be present at the upcoming meetings on this matter.

Thank you,  
Jamie

On Fri, Mar 29, 2024 at 3:20 PM Christeen Dur <[cdur@townofpoundridge.com](mailto:cdur@townofpoundridge.com)> wrote:

Per your request. thanks

**From:** Dawn McKenzie, RLA <[DMcKenzie@insite-eng.com](mailto:DMcKenzie@insite-eng.com)>  
**Sent:** Wednesday, March 27, 2024 11:22 AM  
**To:** Christeen Dur <[cdur@townofpoundridge.com](mailto:cdur@townofpoundridge.com)>; Nicole Engel <[chiefofstaff@townofpoundridge.com](mailto:chiefofstaff@townofpoundridge.com)>  
**Cc:** Jim Perry <[jperry@townofpoundridge.com](mailto:jperry@townofpoundridge.com)>; Keith Betensky <[keith@betenskylaw.com](mailto:keith@betenskylaw.com)>; Brett Feinberg <[Brett@betenskylaw.com](mailto:Brett@betenskylaw.com)>; Chris Hayes <[clhayes1110@gmail.com](mailto:clhayes1110@gmail.com)>; Andrew Smith <[andrewpsmith2@gmail.com](mailto:andrewpsmith2@gmail.com)>; Richard Williams, PE <[RWilliams@insite-eng.com](mailto:RWilliams@insite-eng.com)>; Sarah Richardsen, RLA, AICP <[srichardsen@insite-eng.com](mailto:srichardsen@insite-eng.com)>  
**Subject:** Pound Ridge Tennis Club - WCC Submission and copies for ZBA