

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD MEETING of
MONDAY, AUGUST 14, 2023**

I. Call to Order

The Chair called the meeting to order at 8:02 PM.

Present: Rob Pellegrino, Esq., Chair
Altin Batska
Paul Bialowas
Susan Jainchill
Bernhard Preisser

The Chair announced that the Agenda would be taken out of order.

II. Approval of Minutes

The approval of minutes was adjourned.

**III. Christopher Petit and Jee-Young Ham
7 Dellwood Lane
Applications for Steep Slopes Permit and Site Plan Approvals,
For Proposed Building Demolition and New Construction
Continuation of Public Hearing**

Present: Rob Pellegrino, Esq., Chair
Altin Batska
Paul Bialowas
Susan Jainchill
Bernhard Preisser

Also Present: Alan Filch, Architect for applicant

The Chair stated that the Village's Consulting Engineer had not completed the review, but that his preliminary indications were promising.

The Chair stated that he had visited the property and had noted the general age and condition of a lot of the trees but could not safely move around the property because of its overgrown condition; also the trees were not properly marked; many have two tape wraps of different colors. These need to both be addressed. The Chair also asked that the foundation be flagged as best as possible due to the foundation of the new home running through the old foundation. Mr. Filch said that the foundation would be flagged by the middle of the following week.

The Chair asked if any member of the public wished to speak in support of or in opposition to the application, and none so wished.

The public hearing then was adjourned and will be continued.

**IV. Mr. Abhijit Sanyal
36 Western Drive
Applications for Special Permits for Excess Floor Area and Excess Gross Land
Coverage, for Proposed Single-Story Additions
Public Hearing**

Present: Rob Pellegrino, Esq., Chair
Altin Batska
Paul Bialowas
Susan Jainchill
Bernhard Preisser

Also Present: Abhijit and Sonali Sanyal
Carlo Frugieuele, architect

The Chair read the Legal Notice.

Open Public Hearing

Mrs. Sanyal stated that in response to the mailing of the Legal Notice, they received fifteen "green cards" and one returned piece of mail.

The Chair advised that the Zoning Board of Appeals had granted a variance, noting that the Zoning Board typically permits an extension of a non-conforming setback, as is being done here in the back.

The Chair noted the following: the applicant seeks less than half of the excess floor area within the Board's discretion, and less than a tenth of the excess land coverage within the Board's discretion. The minimal amounts sought though, do not necessarily lead to approval. The location and configuration of the addition relative to the existing house also do not involve any material increase in visual impacts to any other properties, and there are no other general site plan related concerns.

The Chair asked if any members of the public wished to speak in support of or in opposition to the application, and none so wished.

The Chair moved, and Mr. Preisser seconded, to close the Public Hearing.

Vote: 5 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

Close Public Hearing

The Chair moved, and Mr. Preisser seconded, to grant Special Permits for Excess Floor Area and Excess Land Coverage, based on all the reasons set forth in the July 26, 2023 Resolution of the Zoning Board of Appeals, and the Chairman's notes above:

Vote: 5 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

V. 55 Ridge Road Equity LLC 55 Ridge Road Application for Subdivision Plat Amendment, For Proposed Sanitary Sewer Main Extension Plan Revisions Continuation of Public Hearing

<u>Present:</u>¹	Rob Pellegrino, Esq., Chair
	Altin Batska
	Susan Jainchill
	Bernhard Preisser

¹ Mr. Bialowas recused himself on this matter because of a prior business relationship with applicant.

Also Present: Gabriel Dan, applicant
Dan Collins, Hudson Engineering
Dave Sessions, Kellard & Sessions
Paul Pederson, 4 Shady Road, Ardsley, New York
Anoj James, 7 Shady Road, Ardsley, New York

The Chair stated that the Village's Consulting Engineer's updated letter included comments on the dip in the force main, the manner of trenching, and the trees.

The Chair added that the Planning Board thinks that the best solution is for Village Consulting Engineer's office, with consultation with the Building Inspector and the Highway Foreman, if necessary, to conduct an examination before trees are cut and trenching begins, to determine which trees may be cut, and for applicant to plant a suitable replacement for each such trees. Mr. Dan stated that he has no objection to that solution.

Mr. Sessions confirmed that the majority of his comments have been adequately addressed. Mr. Sessions mentioned where the Department of Public Works wants K-concrete or granular fill, and that the Department of Environmental Protection had signed off on lowering the elevation.

The Chair asked if any members of the public wished to speak in support of or in opposition to the application.

Mr. Pederson stated that the tree study did not address shrubs, and contended that shrubs in the path of the sewer are on his property. The Chair assured Mr. Pederson that only things in the right of way will be disturbed. The Chair also suggested that Mr. Pederson provide applicant a copy of his survey.

Mr. Pederson asked the Board to require applicant to "work from the bottom" to protect him from traffic and the road near his house from damage. The Chair advised that the Planning Board would not condition any approvals on this, and noted that applicant's contractors would be responsible should they damage the pavement.

Mr. James stated concern about the risk to neighbors should some of the many dead large trees fall. The Chair advised Mr. James to let the Building Inspector know if he had a concern about any particular tree. The Chair noted that Mr. Sessions had stated that some trees should be removed.

The Chair moved, and Mr. Preisser seconded, to close the Public Hearing.

Vote: 4 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Altin Batska –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

Close Public Hearing

The Chair moved, and Mr. Preisser seconded, that the Planning Board approve to approve the application of the subdivision plan amendment to incorporate the revised sewer plan of July 19, 2023 prepared by Hudson Engineering & Consulting, PC, subject to comments 3, 4 and 5 in the August 11, 2023 letter from Mr. Sessions, and, without limiting the importance of comments 3 and 5, comment 4 notes that the plans show trees according to the present plan and the arborist report, but the Planning Board's approval is conditioned upon the Village's Consulting Engineer, accompanied by the arborist, meeting at the site, prior to any surface disturbance or any trenching activity, to determine which trees ought to be preserved and which trees ought to be removed, and that all trees removed be replaced by the applicant with a suitable tree in a suitable location.

Vote: 4 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Altin Batska –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

**VI. Mr. Yen Wong
88 Lincoln Avenue
Applications for Excess Floor Area Special Permit and Site Plan Approvals,
for Proposed Building Demolition and New Construction
Continuation of Public Hearing**

This matter was adjourned.

**VII. Anthony and Helen Racanelli
18 Mt. View Avenue
Applications for Two Lot Subdivision and Site Plan Approvals,
for Proposed Demolition of Existing Dwelling and Construction of
Two New Dwellings
Continuation of Public Hearing**

This matter was adjourned.

**VIII. 774 Saw Mill River Road LLC
(By Kristina Capolino and M. Capolino MBR)
774 Saw Mill River Road
Proposed Plans for Demolition of Existing 3-Unit Multi-Family Building,
And Construction of New 9-Unit Multi-Family Building
Continuation of Review and Comment to the Board of Trustees**

This matter was adjourned.

**IX. Ferdinand Markushi
27 Abington Avenue
Application for Approval of Proposed Landscape Plan (Condition of March 12,
2018 Wetlands Permit for Rear Deck, Filling and Grading, Stream Bank
Restoration, and Tree and Shrub Removal and Planting)
Continuation of Review**

This matter was adjourned.

X. Adjournment

Mr. Preisser moved, and the Chair seconded, to adjourn the August 14, 2023 meeting of the Planning Board at 8:32 PM.

Vote: 5 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

Respectfully submitted,
Judith B. Calder, Recording Secretary