

**MINUTES  
VILLAGE OF ARDSLEY  
PLANNING BOARD MEETING of  
MONDAY, MARCH 11, 2024**

**I. Call to Order**

The Chair called the meeting to order at 8:05 PM.

Present: Rob Pellegrino, Esq., Chair  
Altin Batska  
Paul Bialowas  
Bernhard Preisser  
Jeff Rosen

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

**II. Franc Gjini and Nisida Berberi  
14 Cross Road  
Applications for Excess Gross Land Coverage Special Permit for Proposed  
Driveway Widening and Lengthening  
Public Hearing**

Present: Rob Pellegrino, Esq., Chair  
Altin Batska  
Paul Bialowas  
Bernhard Preisser  
Jeff Rosen

Also Present: Franc Gjini & Nisida Berberi  
Adriana LaRoche, architect and planner  
Dr. Karin Friederwitzer, 12 Cross Road, Ardsley, NY  
Dr. Marc Samolsky, 26 Clubhouse Lane, Scarsdale, NY

The Chair read the Legal Notice.

**Open Public Hearing**

Ms. LaRoche provided seventeen “green cards” received in response to the Legal Notices mailed.

The Chair stated that this application for a special permit for excess gross land coverage raises concerns beyond the square footage requested. The Chair opined that the driveway pitch is excessive, and suggested that Ms. LaRoche discuss this with the Building Inspector and rework the driveway profile before returning to the Planning Board next month. The Chair also advised that the Board would like to read the terms and conditions of the easement noted on the survey, and asked applicant to submit a copy of the easement before the next meeting.

The Chair asked if any members of the public wished to speak on this matter.

Dr. Friederwitzer asked where the seven-foot wall will be, and Mr. Gjini said that it will be at the back of the driveway by the fence. Dr. Friederwitzer asked if they will be widening the driveway. The Chair explained that the applicants propose widening the driveway but the plans do not show it further into the easement area. Ms. LaRoche pointed out that when they pave the new driveway area, they will also repave the existing driveway area to match, and added that if they change the slope of the driveway, it would be necessary to change the slope in the the existing paved easement area too.

The Chair expressed concern about facing a seven-foot high plain concrete wall. Other Board members opined that the proposed driveway slope was too steep, that the proposed curb cut was too large, and that more of the stone wall [flanking the curb cut] should be left intact.

The Chair advised that Board members will visit the property and talk to the Building Inspector.

This matter was then adjourned and will be continued.

**III. Joseph Pisanti and Ashley Maranino  
611 Ashford Avenue  
Application for Excess Floor Area Special Permit, for Proposed New Accessory  
Dwelling Unit within Portion of Unfinished Basement  
Public Hearing**

Present: Rob Pellegrino, Esq., Chair  
Altin Batska  
Paul Bialowas  
Bernhard Preisser  
Jeff Rosen

Also Present: Joseph Pisanti & Ashley Maranino  
Scott O'Neill, designer

The Chair read the Legal Notice.

### **Open Public Hearing**

Mr. O'Neill stated that they request a special permit for Excess Floor Area to build an Accessory Dwelling Unit for the grandparents of the applicants' children in the unfinished basement of the home. He further stated that only interior alterations are planned, and that the driveway already fits at least 4 cars.

The Chair stated that the Planning Board has discretion to grant a special permit for excess Floor Area but not more than a maximum amount per the Village Code. For anything beyond the Board's discretion, one must obtain a variance from the Zoning Board. The Chair stated that the Building Inspector advised the Planning Board that in this case the Board may grant the special permit subject to the Zoning Board's granting a variance for the excess floor area above the Planning Board's limit, in part because the Zoning Board had indicated it would approve the request when the Zoning Board voted on it. The Chair asked if the Zoning Board did not have a Resolution, to which Mr. O'Neill replied, "exactly."<sup>1</sup>

The Chair and Board members reviewed various aspects of the proposal. Mr. O'Neill stated that they removed the door from the Accessory Dwelling Unit to the finished storage/playroom portion of the basement because the Building Inspector required such removal.

Applicants provided 20 "green cards" received in reply to the 26 Legal Notices mailed.

The Chair noted that no members of the public were present to speak on this matter. The Chair moved, and Mr. Preisser seconded, that the Board close the Public Hearing.

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<sup>1</sup> Upon the close of a Public Hearing, if a majority of Zoning Board members favor granting a variance, the applicant is advised that the Zoning Board will prepare a Resolution to be voted on its next meeting.

**Vote:** 5 in favor, 0 opposed, 0 abstaining, as follows:

Rob Pellegrino, Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Bernhard Preisser –	Aye
Jeff Rosen –	Aye

#### **Close Public Hearing**

The Chair moved, and Mr. Preisser seconded, that the Planning Board grant a special permit to allow an increase in the floor area for the conversion of a portion of the existing unfinished basement into an Accessory Dwelling Unit, with the proposed amount of floor area sought, but this permit is expressly subject to the Zoning Board approving all of such square footage sought with no other conditions other than a condition related to Building Inspector's requirement for door removal as noted above.

**Vote:** 5 in favor, 0 opposed, 0 abstaining, as follows:

Rob Pellegrino, Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Bernhard Preisser –	Aye
Jeff Rosen –	Aye

#### **IV. Approval of Minutes**

The Chair moved, and Mr. Preisser seconded, that the Planning Board approve the Minutes of its meeting of February 12, 2023.

**Vote:** 5 in favor, 0 opposed, 0 abstaining, as follows:

Rob Pellegrino, Chair –	Aye
Altin Batska –	Aye
Paul Bialowas –	Aye
Bernhard Preisser –	Aye
Jeff Rosen –	Aye

#### **V. Christopher T. and Kelly M. McNerney**

##### **26 Lincoln Avenue**

**Applications for Three-Lot Subdivision and Site Plan Approval, for Special Permit for Excess Gross Land Coverage, for Steep Slope and Curb Cut Permits, for Proposed Driveway and Curb Cuts on Lincoln Avenue**  
**Continuation of Public Hearing**

Present: Bernhard Preisser, Acting Chair<sup>2</sup>  
Altin Batska  
Paul Bialowas  
Jeff Rosen

Also Present: Christopher McNerney  
Michael J. McGarvey, P.E.

Mr. McGarvey provided four “green cards” (in addition to 30 provided last meeting) and one return envelope, all received in response to 35 Legal Notices mailed.

Mr. McGarvey stated that six months ago the Planning Board had approved this application, pending signatures from Westchester County and Receivers of Taxes. Mr. McGarvey stated that they had not obtained the required signatures prior to the expiration of the subdivision approval, so now are back before the Planning Board with the same proposal as before.

The Acting Chair advised that the Planning Board had received a March 8, 2024 memo from KFCG Consulting, which reiterates their prior comments such as related to deep perk testing and retaining wall detail, and which now also requests a driveway profile and recommends that the Board revisit the driveway grade for safety on the hill. The Acting Chair advised that KFCG suggested meeting with Mr. McGarvey to discuss other potential driveway options and to discuss the capture of stormwater.

Mr. Bialowas asked about the proposed location of the Cultecs, and Mr. McGarvey agreed to review that with KFCG. Mr. Rosen asked about the design of the driveway retaining walls, and Mr. McNerney stated that they intend to make them attractive.

The Acting Chair noted that no members of the public were present for this matter.

This matter was adjourned and will be continued.

**VI. Ms. Ximena Cassanello**  
**56 Eastern Drive**  
**Applications for Site Plan Approval and Excess Gross Land Coverage Special Permit, for Proposed New Detached Garage and Driveway Addition**  
**Continuation of Public Hearing**

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<sup>2</sup> Mr. Pellegrino has recused himself on this matter, as he is a near neighbor.

This matter was adjourned.

**VII. 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.

**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**

There being no further business, the Planning Board adjourned its meeting at 8:57 PM.

Respectfully submitted,  
Judith B. Calder, Recording Secretary