

**ADOPTED MINUTES
VILLAGE OF ARDSLEY - PLANNING BOARD
MEETING of TUESDAY, SEPTEMBER 15, 2015**

I. Call to Order

The Session was called to order at 8:04 p.m.

Board Members in Attendance: Robert Pellegrino, Chair
 Art Hunter
 Bernard Preisser

The Chair stated that the agenda will be taken out of order.

**II. Joseph and Marie Galimi, 23 Revere Road
Special Permit to Increase Basic Permitted Gross Land Coverage
Public Hearing**

The Chair read the Notice on the matter.

Open Public Hearing

Mr. Preisser announced that he is a neighbor of applicant, and therefore recused himself. With Mr. Preisser's recusal, there was no quorum.

Therefore, the public hearing was adjourned at 8:07 PM, and was left open for the next meeting.

**III. Anthony Santavicca, 85 Heatherdell Road
Proposed regrading and curb cut widening
Continuation of Site Plan Review**

Mr. Santavicca's engineer, John Annunziata, presented a new drawing, as had been requested by the Planning Board at the last meeting.

The Chair stated that he had looked at the current driveway and saw that it is currently 14 feet wide. He indicated that the Board is always reluctant to allow widening, as code allows 14 feet and a flare, but he recognizes that the geometry of the driveway relative to Heatherdell could be a problem.

Mr. Santavicca stated that the current width of the driveway did not permit his wife and mother-in-law to park side by side and still unbuckle his four year old.

The Chair stated that even if the Board were amenable to widening the driveway at all, it would not be able to accommodate the proposed plan. Mr. Preisser added that run-off could be an issue with the amount of driveway proposed. The Chair pointed out that alternatives to parking side by side included parking on a side street or obtaining a permit to park on the street. The Chair recommended that Mr. Santavicca's designer discuss the proposal with the Building Inspector to come up with a design that would allow backing out of the driveway onto Heatherdell more safely, and suggested that porous pavers might minimize run-off.

The matter was adjourned at 8:17 PM, and will be left open until the next meeting.

IV. Robert and Cynthia Powers (by Richard Mohring, contract vendee), Ridge Road For Proposed Single Family Residence: steep slope and wetlands permits; proposed site plan including storm water pollution prevention and driveway curb cuts. Continuation of Public Hearing

Mr. Steven Anderson of Gabriel Senor's office informed the Planning Board that deep tests were performed, and documentation of it had been provided to the Village; that construction entrance detail had been added to the drawings; and that the contractor's certification had been submitted. He added that there is an existing pipe and that all of the property's storm water enters a closed system.

The Chair asked Mr. Grecian for an update. Mr. Grecian advised that the plan stores as much water on site as possible, specifying that plans provide for 9-1/2" pipe, the new 100-year drainage system, and noting that most of the front and back yards are drainage system.

The Chair pointed out that because the pipe goes through the driveway, the neighbors should be notified.

The Chair noted that the pipe spills off down Almena, and asked if there was a plan to increase the capacity of that pipe. Mr. Grecian advised that the pipe capacity would not be increased, but that the pipe surroundings would be cleaned. Mr. Grecian stated that it would not be desirable to increase the capacity of this relief pipe as there are homes below, and that it is preferable to have greater capacity on site than over the hill. He noted that the pipe does not need replacement as it is PVC and was installed by the Village twenty to thirty years ago.

The Chair moved, and Mr. Preisser, seconded, that, based upon the applicant's compliance with code and the requirements of the Planning Board, and based upon the recommendation of the Village's consultant, the Planning Board approve the wetlands and steep slope permits of August 27, 2015, and approve the site plan proposed by applicant. **VOTE:** 3 in favor, none opposed, no abstentions.

**V. New York Foundling Hospital
Proposed relocation of new building
Continuation of Informal discussion**

The Chair stated that the Planning Board had invited New York Foundling to return this month with more concrete information.

Ms. Lucia Chiochio of Cuddy & Feder, attorney for New York Foundling, requested that the Planning Board reconsider allowing New York Foundling to build the replacement home in the original proposed location. She stated that the existing building is 200 years old, that New York Foundling has had residents there for 37 years, and that the house cannot be renovated. She reiterated that the bids for the new location were so much higher than the estimates that New York State would not approve that expenditure. She also pointed out that if New York Foundling is unable to use the property, the property will revert to ownership by New York State, which would not be subject to the Village of Ardsley code.

The Chair was unimpressed by the veiled threat of reversion, and stated that he was in receipt of the letter that New York Foundling had sent the Village which included similar language about the consequences of not reconsidering the approved location. The Chair pointed out that New York Foundling does not have the right to have two structures on that property. Further, the Chair reiterated that the Planning Board had approved the alternate site because it was not in the residents' interest to be relocated, and because there had been a clear consensus that the alternate site allowed better surroundings while avoiding septic and steep slope issues. In sum, the alternate site was better for the residents, better for visitors, and better for the Village. The Chair felt that the State was disregarding the accommodations being made.

Mr. Preisser added that the costs provided were not necessarily comparable, both because two years had elapsed since the original numbers were provided, and because the dollars given for rebuilding on the current location were only estimates, whereas the costs given for building on the site approved by the Planning Board were bids.

Ms. Jill Gentile, Senior Vice President of New York Foundling, stated that their feasibility study projects that the building costs will not be approved, as they exceed New York State's maximum approval amount, and that New York Foundling would then have to cover the difference between York State funding and actual costs.

The Chair offered to join a conference call to New York State. Ms. Gentile explained that going back to New York State without action by or direction from the Planning Board would only result in New York State sending New York Foundling back to the Planning Board for the same request. The Chair stated that New York Foundling could advise the State that the Planning Board is not amenable to reconsidering constructing a new building on the current site.

Mr. Hunter added that he would have liked to have been provided more concrete information from New York Foundling. It was noted that at the last meeting the members present were opposed to moving the site from the approved location, and that a vote this evening would likely result in the same conclusion.

The matter was adjourned at 8:44 PM.

**VI. Crossroad Building Corp. (by Irvington Builders, Inc.)
Sprain & Cross Roads / Ashford Avenue
Proposed preliminary subdivision plat, including storm water pollution prevention
plan, to develop 5.8 acre site (“Sprain Brook Manor at Ardsley”)
Continuation of Public Hearing and SEQRA Review**

Mr. Richard Blancato, attorney for applicant, addressed the Planning Board. He advised that Mr. Petretti had obtained the necessary permit from the State, and therefore, to allow Mr. Petretti to proceed with the work on the stream that is weather dependent, subject to the flood permit from the Village, the applicant asks that the Public Hearing be closed.

The Chair advised that Planning Board approval requires additional permitting, including the Village flood plain permit, and the permit from the County. In addition, a clear schedule with time table for work is needed, as well as perhaps a bond. The Chair noted that the Planning Board has given preliminary approval on the geometry of the lots, so does not disagree about closing the Public Hearing as it relates to the plat. The only change since the prior approval is the requirement for affordable housing as part of the project.

The Chair asked Mr. Grecian to recap the status of the project. Mr. Grecian informed the Planning Board that the developers have State approval and are in the process of obtaining County approval, which requires a signature from the Village. Mr. Grecian suggests that the applicant send it to the County to get it going, and to meet in the field, even without Village signature. Mr. Grecian believes that the Village’s flood plan permit will not be an issue, although the Building Inspector does have to sign off on it, noting that Messrs. Petretti and Tomasso have spoken. Mr. Grecian stated that if the County were to respond within a week or two, and the Village as well, despite the delay of a couple of weeks, you might still get some planting in, and vegetation will start anyway. Mr. Grecian added that bond could be posted for work in the right of way, and that the result of the work would be a better stream.

Ms. Shannon Lines, a neighbor at 649 Ashford Avenue, asked about how the plan for the stream will affect her property, which runs alongside the stream.

Mr. Petretti informed Ms. Lines that there is no reason to work on the side of the stream on which her property falls, noting that there is no vegetation that needs to be removed. He added that if there are invasive vines on Ms. Lines’ property, he will remove them.

Mr. Petretti stated that he would like to begin work on the stream shortly after the October meeting of the Planning Board. He asks that Mr. Grecian come up with a bond amount. He explained that beginning work would be staking out the property, getting the grades, and cleaning the barrel out of the Ardsley Road culvert that is full of soil. Whether the work would stop at that point or proceed further would depend upon how mild the winter is. Mr. Grecian added that Mr. Petretti will be working with Woodard and Curran, including on the staging of materials. As to the issue of leaving Ashford Avenue undisturbed, Mr. Petretti explained that

Ashford Avenue is a separate drainage retention area, the restoration of which is part of the stream work, and that he would be able to provide a timetable of when they would be working on one area and when on another point.

Mr. Gerald Loehr, a neighbor at 5 Cross Road, asked if any other agency will address the Ashford Avenue lot before the Planning Board in connection with the affordable housing component. The Chair replied that the Board would need to determine if the Zoning Board of Appeals might be involved, and whether the Planning Board would have a role as an advisory board.

The Chair moved, and Mr. Preisser seconded, that the Planning Board close the Public Hearing as it relates to the preliminary approval and proposed site plan of August 10, 2015, and as it relates to the Planning Board's self-designation as a lead agency, and direct the Village's planning consulting to draft a resolution for its review. **VOTE:** 3 in favor, none opposed, no abstentions.

Close Public Hearing

The Public Hearing was closed (as to the matters of the preceding motion at 9:05 PM.

The Chair announced that the Planning Board will direct that a Resolution be prepared.

VII. Approval of Minutes

The Chair moved, and Mr. seconded, that the Board adopt the minutes of the meeting of March 10, 2014. Motion passed unanimously.

The Chair moved, and Mr. Preisser seconded, that the Board adopt the minutes of the meeting of December 8, 2014. Motion passed unanimously.

The Chair moved, and Mr. Hunter seconded, that the Board adopt the minutes of the meeting of February 10, 2015. Motion passed unanimously.

Mr. Preisser moved, and the Chair seconded, that the Board adopt the minutes of the meeting of March 9, 2015. Motion passed unanimously.

VIII. Adjournment

There being no other business, the meeting of the Planning Board was adjourned at 9:10 PM.

Respectfully submitted,

Judith B. Calder
Recording Secretary