

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD
MEETING of
MONDAY, MARCH 14, 2016**

I. Call to Order

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

Board Members in Attendance: Robert Pellegrino, Chair
 Altin Batska
 Bernhard Preisser
 Evan Yager

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

**II. Katayon (Kathy) Javid Nejad and S. Mohammad G. Nejad (Esfarjani)
35 Orlando Avenue
Proposed Re-grading of Rear and Side Yards and Increase in Land Coverage for
Proposed New Patio and Retaining Walls
Continuation of Informal Hearing**

Present: Katayon Javid Nejad and S. Mohammad G. Nejad
 John Annunziata, engineer
 Larry Tomasso, Building Inspector

Mr. Tomasso reported that since the last meeting of the Planning Board, they had a site meeting with the engineer and the property owner. The revised plan is that instead of having one six-foot high wall, property owners will terrace the yard with two two-foot high walls with a fifteen foot separation between the two walls. There will also be a four-foot high fence. Mr. Tomasso also reported field-verifying that there are no steep slopes, Mr. Tomasso further reported that no special permit for land coverage is required. Therefore, this matter can be addressed without a public hearing.

Mr. Yager stated that this new plan addresses the concerns the Planning Board had previously expressed. The Chair thanked the property owners for their cooperation.

The Chair moved, and Mr. Yager seconded, that the proposed plan to terrace and regrade with two-foot high fences be approved. **Vote:** 4 in favor, none opposed, none abstaining.

**III. Nissequogue Realty Group LLC
46, 48 and 50 Heatherdell Road
Amended Site Plan for Proposed Grading Revisions to Site Plan of July 9, 2012 for
Construction of Three New Single-Family Homes
Public Hearing**

Present: Richard Mohring, Builder
Elliot Senor, of Gabrielli Senor, Engineers
Hugh Greechan, Consulting Engineer for Village of Ardsley
Larry Tomasso, Building Inspector for Village of Ardsley

The Chair read the Legal Notice.

Mr. Senor stated that the original approved site plan, which was not prepared by his office but by Paul Petretti, provided for a one-half-foot high wall, but the topography is different than represented on the plan, so following the plan would have made that wall nine and a half feet high. Mr. Senor reported that during construction they built a couple of walls between the houses so that the grades would run to the back instead of directly into the side of the house.

Mr. Tomasso reported that the differences from the site plan include: (a) the retaining walls were supposed to go from the rear corner of each house to make an arc between the three houses, whereas now the walls run parallel instead of perpendicular to the property lines; and (b) the front yards were supposed to be at slightly higher elevations and the step-downs were going to be into the rear yard, whereas now the grading steps down from site to site, with an actual step rather than a slope.

Mr. Tomasso stated that his main concern is that now there are large stone walls that surround the walk-out basements on two or three sides, and the stone walls do not appear to be properly constructed. In the original plan, the walls were made to step down and the basements should have been straight walk-out, and one of the houses had steps up to the basement, but now when you walk out of one of the basements, you look up at a six-foot stone wall.

The Chair asked if anyone present wished to speak in support of or in opposition to the application.

Ms. Carolyn Freidash, of 45 Heatherdell Road, stated that it did not look the way she thought it was supposed to look from the original plan, and she expressed concern about drainage into Stonegate.

The Chair advised that the Village has a consultant on the drainage issues. Mr. Greechan stated that eight-foot-diameter drywells resolve any drainage issues. Mr. Tomasso added that he today confirmed with the Stonegate property manager today that there have been no adverse drainage issues. Mr. Tomasso stated that since September he has brought several issues to the attention of the developer which have been disregarded. Mr. Tomasso reported having advised the developer that walls had been placed in the wrong location, and that the developer reconstructed the walls rather than coming back to the Planning Board. Mr. Tomasso also reported that the easement is in the wrong location, which required going back to the Village to have the easement rewritten.

Mr. Mohring stated that Mr. Tomasso is correct. Mr. Mohring acknowledged that they corrected Mr. Petretti's mistake on the field, and should have come to the Planning Board.

The Chair stated that the Planning Board will not be able to consider approving revisions without a site visit and therefore will continue this hearing until the next meeting.

**IV. Cortese Construction Inc.
66 Bramblebrook Road
Proposed Two-Lot Subdivision and Site Plan for Construction of Two New Homes
Informal Hearing
and
Shady Lane
Proposed Site Plan for Construction of a One-Family Dwelling on a Vacant Parcel
Informal Hearing**

Present: Michael Stein, President of Hudson Engineering
Larry Tomasso, Building Inspector

Mr. Stein reported that each of the lots proposed at 66 Bramblebrook Road has in excess of the 7500 square feet required in the R-3 zone. Mr. Stein noted that although the frontage of Lot One is on Shady Road and the frontage of Lot Two is on Bramblebrook Road, the proposal is to have both houses access from Bramblebrook Road, with an easement to get utilities from the

Shady-frontaged Lot down to Bramblebrook Road. Mr. Stein also reported that much of the existing house is located in the Village right-of-way, and it is proposed that this building be demolished. Mr. Stein explained that applicant is seeking input from the Planning Board before proceeding with further development or site testing.

The Planning Board, Mr. Stein and Mr. Tomasso discussed location of utilities, square footage, and other issues related to the access of both proposed lots. Mr. Tomasso stated that although accessing Lot One from Bramblebrook initially seemed the preferred course, the long driveway may yield land coverage in excess of the allowable amount, which would require a variance. Mr. Tomasso noted that there is a third house North of Lots 1 and 2, which could be a separate application as it is just a site plan.

The Chair advised applicant that it would be worthwhile to complete the rest of the zoning worksheet to see if land coverage, steep slopes, or anything else would be necessary to address. The Chair further stated the Planning Board will want to see a proposed plan that shows all three houses, will require more information about where the utilities are located, and will want to do a site visit.

V. Approval of Minutes

Mr. Yager moved, and Mr. Batska seconded, to approve the minutes of the February meeting of the Planning Board. Vote: 4 in favor, none opposed, no abstentions.

The Chair moved, and Mr. Preisser seconded, that the Planning Board approve the minutes of its January meeting. Vote: 4 in favor, none opposed, no abstentions.

The Chair moved, and Mr. Preisser seconded, that the Planning Board approve the minutes, as amended, of its December 2015 meeting. Vote: 4 in favor, none opposed, no abstentions.

VI. Adjournment

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

Respectfully submitted,

Judith B. Calder
Recording Secretary