

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD
MEETING of
THURSDAY, OCTOBER 13, 2016**

I. Call to Order

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

**II. Qing Chang & Jing Chen
12 Kensington Road
Application for a Special Permit for Excess Land Coverage
for a Proposed Single-Story Rear Addition
Public Hearing**

The Chair read the Legal Notice.

Open Public Hearing

Present: Robert Pellegrino, Esq., Chair
Altin Batska
Susan Jainchill
Bernhard Preisser
Evan Yager

Also Present: Qing Chang, owner
Paul Dennis, architect
Mr. Zoren Dicic, 8 Kensington

Mr. Dennis stated that this matter had already been before the Zoning Board of Appeals, which had granted a variance for a continuation of the non-conforming side yard. The Chair inquired if anyone had appeared at the Zoning Board meeting in opposition to the variance application, and Mr. Dennis stated that no one had. The Chair reported that the Building Inspector had informed the Planning Board that the plans provided for adequate drainage. Mr. Chang assured the Planning Board that they will not be removing the good size oak on the property. There is an existing hedge, but Mr. Chang does not know if the hedge is his or his neighbor's. The Planning Board noted

that the house in its present condition is over the basic permitted land coverage, and that adding the 400 square feet requested still yields land coverage below the maximum that the Planning Board could approve.

Mr. Dacic, a neighbor, attended the hearing to become educated about the matter, but spoke neither in support of or in opposition to the application. The Planning Board left the Public Hearing open until 8:24 PM, by which time no one else had appeared either in support of or in opposition to the application.

Close Public Hearing

The Chair moved, and Mr. Preisser seconded, to close the Public Hearing. **Vote:** 5 in favor, none opposed, none abstaining.

The Public Hearing was closed at 8:25 PM.

The Chair moved, and Mr. Preisser seconded, to grant the special permit as applied for in respect to this property. **Vote:** 5 in favor, none opposed, none abstaining.

III. Crossroad Building Corp. (by Irvington Builders Inc.) Cross/Sprain Roads / Ashford Avenue Application for Proposed 5.8 acre Subdivision Informal Review and “Proposed Notice of Intent to Serve as Lead Agency”

Present: Robert Pellegrino, Esq., Chair
Altin Batska
Susan Jainchill
Bernhard Preisser
Evan Yager

Also Present: Paul Petretti
Richard Blancato, Esq., Blancato Law Offices.

Mr. Petretti informed the Planning Board that since the last time this matter came before the Planning Board, he did the stream restoration work and created the conservation water quality parcel. Mr. Petretti stated that, consulting with Hugh Greechan in the field, he built it differently than as on the plan approved by the Planning Board. Mr. Petretti explained that a wet bottom was needed to support wetland species of plantings, and therefore he made the area of retention smaller and deeper than the large flat storm water management area shown on the plan previously

approved by the Planning Board. Mr. Petretti added that the original plan was neither presented to nor filed with either the State or the County.

Mr. Petretti stated that, by changing the area and size of the conservation water quality parcel, there is now more area for the Ashford Avenue lot, and that he now proposes making that lot into two lots, one a flag lot, each of which could support a two-family home. Ms. Jainchill asked about the size and frontage of the Ashford Avenue lot as originally approved, and Mr. Petretti reported that the originally approved lot is 0.628 acres with approximately 90 feet of frontage. Mr. Preisser asked if the two lots he is considering proposing would both have frontage on Ashford Avenue, and Mr. Petretti stated that he hoped to address the limited frontage by creating a flag lot. The Chair asked why the frontage needed for two lots was not created when reshaping the conservation water quality parcel. Mr. Petretti stated that he left some frontage as a buffer, and added that he believes it should remain so.

Mr. Petretti sought confirmation of his understanding that one affordable housing unit was required. The Chair stated that his recollection was that there could be a two-family dwelling on that lot without requiring a variance from the Zoning Board or anyone else. Mr. Petretti expressed his interest in changing the plan to a 12-lot subdivision, possibly with two of those lots being for affordable housing, but stated that he first needs to learn more of the County's expectations. The Chair asked Mr. Petretti to inform him of the time set for a meeting with the County, as he would like to participate by conference call, as would, he believes, Larry Tomasso.

The Chair stated, as the approval was for an 11-lot subdivision, the need to start over with the required 30 day notice. The Chair noted that there may not be enough time to get this matter on the agenda for a Public Hearing at the Planning Board's November meeting, but added that applicant was welcome to come to the Planning Board informally in the interim.

Mr. Blacato pointed out that the final approval was subject to the stream restoration, which has all been done, and asked if it would be possible to get the preliminary plan approval in December, adding that this would give them the opportunity to gravel the road before the winter. The Chair stated that he will speak to Messrs. Cleary, Greechan and Tomasso, but pointed out that it may be difficult to approve a plan when the geometry does not match. The Chair added that the Planning Board cannot deny what applicant can do as of right, but noted that a variance would be needed for any proposed non-conforming frontage.

The Chair stated that the first step is to declare the Planning Board's intention to service as a SEQRA Lead Agency, and therefore read the following proposed Resolution:

**NOTICE OF INTENT
TO SERVE AS SEQRA LEAD AGENCY
FOR THE SPRAIN BROOK MANOR AT ARDSLEY SUBDIVISION
FOR PROPERTY LOCATED OFF CROSS ROAD
KNOWN & DESIGNATED AS SECTION 6.120, BLOCK 103, LOT 1
(formerly, SECTION 18, SHEET 8B BLOCK 0, LOT P79D)**

WHEREAS, Crossroad Building Corp., 11 Hudson Place, Tarrytown, NY, is proposing the subdivision of 5.8 acre parcel of land to create 10 new single-family residential lots and one new multifamily lot supporting 4 affordable housing units in a townhouse configuration, with lots ranging in size from 10,653 square feet (.24 acres) to 19,332 square feet (.44 acres) as well as a twelfth 56,381 square foot (1.29 acre) conservation and stormwater quality parcel, accessed via a new cul-de-sac off Cross Road; and

WHEREAS, in accordance with the provisions of 6NYCRR Part 617, the Planning Board of the Village of Ardsley intends to serve as Lead Agency for the SEQRA Review of this Unlisted Action, and in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, it is the intention of the Lead Agency to undertake a coordinated review of this action;

NOW THEREFORE BE IT RESOLVED, that the Planning Board of the Village of Ardsley hereby designates its intention to serve as Lead Agency for the SEQRA Coordinated Review of this action;

BE IT FURTHER RESOLVED, that the applicant is hereby directed to circulate this Notice of Intent to serve as Lead Agency, along with the Environmental Assessment Form and associated documentation, to all Involved Agencies. Involved Agencies shall be given 30 days from the mailing of this Notice of Intent to serve as Lead Agency to challenge the Planning Board's designation;

BE IT FINALLY RESOLVED, that this resolution shall have an effective date of October 13, 2016.

On motion of the Planning Board Chair, Robert Pellegrino, Esq., seconded by Planning Board member Bernhard Preisser, this resolution was approved by the following vote:

AYES: Robert Pellegrino, Esq., Chair
 Altin Batska
 Susan Jainchill
 Bernhard Preisser
 Evan Yager

NAYS: None

The Chair advised applicant that if the Notice of Intent needs to be changed, notice of that will require timely mailing.

**IV. Andrew Cortese
 66 Bramblebrook Road
 Application for Proposed 2-Lot Subdivision and Site Plan Approvals for Two New
 One-Family Dwellings on Bramblebrook Road Lot; and Steep Slope Permit and Site
 Plan Approvals for One New One-Family Dwelling on Shady Road Lot
 Continuation of Public Hearing**

This matter was adjourned.

**V. Richard Mohring Building & Development Corp.
 611 Ashford Avenue
 Application for Proposed New One-Family Dwelling, Special Permit for Excess
 Floor Area and Land Coverage, Proposed Site, Storm Water Pollution Prevention
 and Curb Cut Plans
 Continuation of Public Hearing**

This matter was adjourned.

VI. Approval of Minutes

The Chair moved, and Mr. Yager seconded, that the minutes of the April 2016 meeting be approved, as amended. **Vote:** 3 in favor, none opposed, 2 abstaining¹.

Mr. Preisser moved, and Mr. Batska seconded, that the minutes of the May 2016 meeting be approved. **Vote:** 4 in favor, none opposed, 1 abstaining².

The Chair moved, and Mr. Preisser seconded, that the minutes of the September 2016 meeting be approved. **Vote:** 4 in favor, none opposed, 1 abstaining³.

VII. Adjournment

There being no other business, the meeting of the Planning Board was adjourned.

Respectfully submitted,
Judith B. Calder
Recording Secretary

¹ Messrs. Batska and Preisser abstained, as neither had been in attendance at the April meeting.

² The Chair abstained, as he had not been in attendance at the May meeting.

³ Mr. Batska abstained, as he had not been in attendance at the September meeting.