

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD
MEETING of
WEDNESDAY, FEBRUARY 15, 2017**

I. Call to Order

The Chair called the meeting to order at 8:03 p.m.

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

**II. R. Mohring Building & Development Corp.
611 Ashford Avenue
Applications for new One-Family Dwelling, for Special Permit for Excess Floor
Area, for Special Permit for Excess Land Coverage, for Site Plan Approval.
Continuation of Public Hearing**

Present: Robert Pellegrino, Chair,
Susan Jainchill
Bernhard Preisser
Evan Yager

Also Present: Richard Mohring
Gabriel Senor
Larry Tomasso

The Chair noted that the lot had been staked out and upon inspection it's apparent that due to the orientation of house the usable yard abuts the Ditman property at 1 Exeter.

The Chair stated that the Planning Board just received Mr. Greechan's comments on the plans, to which Mr. Senor will need to respond, after which Mr. Greechan will make further recommendations, if necessary, to the Planning Board

The Chair asked if any member of the public wished to speak in favor of or in opposition to the application, and no one so wished.

The Chair stated that the Planning Board would address the special permits at the next meeting.

The Chair recommended that applicant give a harder look at the landscaping before the next meeting, noting that the current plans show landscaping on Ashford Avenue but little screening on the Abington side.

III. **Mr. Andrew Cortese**
66 Bramblebrook Road and Shady Road
Applications for proposed Two-Lot Subdivision and Site Plan Approvals for 2 One-Family Dwellings on Bramblebrook lot. Applications for Site Plan Approval for 1 One-Family Dwelling and Steep Slope Permit on Shady Road lot.
Continuation of Public Hearing.

Present: Robert Pellegrino, Chair,
Susan Jainchill
Bernhard Preisser
Evan Yager

Also Present: Andrew Cortese, applicant
Ubadah Abdullah, Hudson Engineering.
Larry Tomasso

The Chair stated that Mr. Greechan reported that there were many engineering items still open.

The Chair noted that the property entrance interferes with neighbor Bassini's structure in the right of way, and asked that this be shown with a dashed line on the plans.

Mr. Cortese stated that the property is staked out according to the original plan, but that they now have an alternative plan with the same lots but with the footprint of one house altered and with the driveway into the lot from Bramblebrook now coming in off the side, instead of straight in. The Chair opined that the relocated driveway is better, but will impact land coverage. Mr. Tomasso confirmed that this would bring the land coverage over the basic square footage currently permitted. Mr. Cortese stated that they probably will resubmit the applications with the new proposed layout. Mr. Tomasso advised applicant to contact him before the next meeting, as the land coverage limits may become less restrictive, thereby not necessitating a special permit.

**IV. Crossroad Building Corp.
(by Mr. Patrick Kennedy, Irvington Builders)
Cross Road / Sprain Road / Ashford Avenue
Application for Eleven Lot Residential Subdivision
Public Hearing and SEQRA Review**

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

Also Present: Richard Blancato, Esq.,
James Kennedy, applicant
Larry Tomasso

The Chair read the legal notice.

Open Public Hearing

Mr. Blancato reviewed the history of this application, stating that this was previously an eleven-lot subdivision in an R-3 zone, that all the lots comply with the zoning ordinance, that a preliminary plat was approved by the Planning Board twice before, and that both approvals had expired. Mr. Blancato stated that approval was granted to do stream restoration with retention pond and plantings, and that this work has been Inspected and approved by the village engineer. Mr. Blancato reported that applicant's engineer submitted a memo to Mr. Greechan, that all the necessary County and DEC permits have been obtained, and that applicant now seeks re-approval of preliminary plans.

The Chair stated that the Planning Board has declared itself lead agency and has received a response from the County, which will be reviewed by Messrs. Greechan and Cleary, as some of the County's comments may be out of date. The Chair stated that the Planning Board will await the comments from the Village consultants.

The Chair explained that the history of the development was for ten lots off a cul-de-sac accessed from Cross Road, and an additional lot that faces Ashford Avenue. The Chair stated that the original goal was to have two 2-family affordable housing units on the Ashford Lot. It was later determined by the Building Inspector, Larry Tomasso, that the Settlement Order gives the Planning Board the authority to approve one 2-family house, and that any additional multi-family homes would require a zoning variance, and further, that if two 2-family homes were to go on one lot, and additional variance would be required.

Ms. Jainchill stated that she would like the current subdivision to have, as had been indicated on 2012 preliminary subdivision approval, “reconstruction of approximately 1.3 acre conservation and storm water quality parcel, including a 1 acre wetlands in this area [to] provide both storm water management flood control and wetlands habitat reestablishment.” Mr. Blancato responded that Mr. Petretti had sent information about the conservation area with calculations to Mr. Greechan, explaining that the water table would not support wetlands vegetation. Ms. Jainchill pointed out that, per the Negative Declaration, this mitigation was not only for storm water, but also for wetlands habitat. The Chair stated that the conservation lot is part of the whole plat, and that although the subdivision is still eleven lots, this conservation lot has been reduced in size, which is something for the Planning Board to understand and consider.

The Chair asked if any member of the public wished to speak in favor of or in opposition to the present application, and several members of the public so wished, as follows:

Norma Scaleri, 637 Ashford Avenue.

Mrs. Scaleri asked if the pond and conservation area would be considered Ardsley property or County property, and Mr. Blancato replied that it would be still be private property. Mrs. Scaleri asked if anyone would be able to walk through that area, and Mr. Blancato replied that it is a conservation area and that there would be no walking there.

Mrs. Scaleri asked if the Planning Board might consider two homes in the lot adjacent to her property. The Chair responded that this would depend upon the function of the area and what the applicant can do with it, but stated that at a minimum it would have one large 2-family home for affordable housing if not the two 2-families. Mrs. Scaleri asked if the Planning Board can tell her what this will do to property values. The Chair replied that the County is under a Settlement Order to create affordable housing, and in any event, he believed it to have benefits not just for those who would live there but also for the community.

Mrs. Scaleri asked if the Planning Board will take the additional traffic on Ashford Avenue into consideration. The Chair responded that, as part of our Negative Declaration, this is considered. Mrs. Scaleri stated that even when the traffic light is red, people do not stop to allow her to exit her driveway. Mrs. Scaleri also asked if one 2-family unit would take 4 cars. The answer was there is no restriction on the number of cars at the affordable housing, just as there are none for the rest of the homes, subject to permitting for street parking.

Mrs. Scaleri asked when she will know the setback of the neighboring lot. The Chair and Mr. Tomasso advised her that it will be no less than 15 feet. Mrs. Scaleri asked if she and that neighbor might share a driveway. Mrs. Scaleri

suggested that if that neighbor had its own driveway, it would be more sensible for that driveway to be located East of the bus stop. The Chair advised Mrs. Scaleri that she was welcome to come back next month and/or to send a letter with that suggestion and any other comments.

Nick Burilis, 19 Cross Road.

Mr. Burilis stated that The Sprain Brook behind his home had been causing erosion, but that after the stream restoration, it flows much better. Mr. Burilis reported that there had been frequent flooding before the work, and that there has been no flooding on the street since the work was done. Mr. Tomasso pointed out that the flooding was also relieved because they cleaned out the clogged double box culvert under Ashford Avenue. Mr. Burilis stated that the only negative is up North, where erosion continues. The Chair pointed out that the Northern section is in the Town of Greenburgh.

Mr. Burilis added that applicant has been keeping him abreast on the work.

Mr. Ajish Aravinbakshendar, 21 Cross Road.

Mr. Aravinbakshendar stated that the covered storage area shown on the plan is actually a closed 3-car garage, for which he has a Certificate of Occupancy. Mr. Aravinbakshendar also stated that the Brook is now a little wider beyond the handrail than is shown on the plan. The Chair asked that the drawings be made to accurately reflect the width of the stream.

**V. Carol O'Neil-Roberts
12 Dellwood Lane
Applications for 2-Story Addition, Drive, Walkways; Special Permit for Excess
Floor Area; Special Permit for Excess Land Coverage.
Public Hearing**

Present: Robert Pellegrino, Chair,
Susan Jainchill
Bernhard Preisser
Evan Yager

Also Present: Carol O'Neil-Roberts
Mr. Acocella
Larry Tomasso

The Chair read the Legal Notice.

Open Public Hearing

Mr. Tomasso stated that applicants are seeking a 3-car garage addition with habitable space above. Mr. Tomasso added that currently there is an outline of a driveway, but no blacktop, and that paving the driveway skews the land coverage number. Mr. Tomasso advised that the maximum permitted house size is 7,855 square feet, and that applicants are requesting 8,215 square feet, which includes the garage area. The Chair noted that the amount requested is beyond the discretion of the Planning Board, and that the variance granted by the Zoning Board of Appeals makes it approval by the Planning Board possible noting that the excess house size sought is *de minimis* relative to the size of the lot.

Mr. Tomasso reported that the lot is 54,103 square feet, that the current proposal is for 10,598 square feet of land coverage, and that applicants had received approval for 10,410 square feet in approximately 2009. The Chair pointed out that 8,407 square feet is the maximum within the Planning Board's discretion, adding, however, that the Planning Board has ever yet impeded a variance granted by the Zoning Board of Appeals. The Chair noted that applicants had taken the Planning Board's advice to reduce the land coverage from their original request of over 14,000 square feet, and have brought the number close to that of the prior approval.

The discussion moved to details of the site plan. Mr. Preisser expressed concern about runoff from the driveway. Mr. Acocella replied that the surface is not permeable now, as there is a rock ledge two feet below the surface, which Mr. Tomasso confirmed.

The Chair noted that there was no member of the public present to speak in favor of or in opposition to the application.

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

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

The Chair – Aye, Ms. Jainchill – Aye, Mr. Preisser – Aye, and Mr. Yager - aye.

Close Public Hearing

The Chair moved, and Mr. Preisser seconded, that, pursuant to Village Code Sections 200-83(B) and 200-83(C), the Planning Board grant the requested special permit for excess house size area at the level of 8,215 square feet, and grant the requested special permit for excess land coverage at the level of 10,598 square feet, noting that applicant has twice appeared before the Zoning Board of Appeals for this same project and that in each case the Zoning Board of Appeals has granted applicant variances in amounts in excess of the discretion of the Planning Board.

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

The Chair – Aye, Ms. Jainchill – Aye, Mr. Preisser – Aye, and Mr. Yager - aye.

VI. Approval of Minutes

The Chair moved, and Ms. Jainchill seconded, to approve the minutes of the Planning Board meeting of January 12, 2017.

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

The Chair – Aye, Ms. Jainchill – Aye, Mr. Preisser – Aye, and Mr. Yager - aye.

VII. Adjournment

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

Respectfully submitted,
Judith Calder
Recording Secretary