

**MINUTES  
VILLAGE OF ARDSLEY  
PLANNING BOARD  
MEETING of  
MONDAY, MARCH 13, 2017**

**I. Call to Order**

The Chair called the meeting to order at 8:00 p.m.

**II. The NY Foundling  
2 Sylvia Avenue  
Proposed Amended Site Plan for Construction of New Building in Same Location as  
Existing Community Residence.  
Informal Hearing**

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

Also Present: Jay Diesing, RA, AIA, Mauri Architects PC,  
303 Mill Street, Poughkeepsie, NY, 12601.  
Lucia Chiocchio, Esq., Cuddy & Feder LLP  
Cynthia Fraley, Property Manager, The New York Foundling  
Pat Cleary  
Hugh Greechan  
Larry Tomasso

Mr. Diesing stated that in the original approval plan the existing building was to remain in place until a new building was constructed in front of it, but that per bids received, this would have brought the project over budget. Mr. Diesing reported that New York Foundling has decided instead to move the residents out of the existing house, demolish it, and build a new one in roughly the same location. Mr. Diesing noted that the existing floor area is approximately 2,200 square feet, and that the proposed new building would be a little larger but on one story. Mr. Diesing also noted that the proposal calls for moving the house forward to meet building setback requirements, maintaining the existing driveway but shifting the parking lot back away from the road. Mr. Diesing

offered to produce a preliminary rendering. The Chair advised that the Planning Board is more interested in the site plan.

Mr. Tomasso stated that to fulfill all requirements for a Public Hearing, New York Foundling need only apply for a building permit, complete and submit a zoning worksheet, and file the plans in sufficient time for the required ten-day notice, noting that the escrow is in place from last time. Mr. Diesing advised that New York Foundling would be ready for a Public Hearing next month, if the company preparing the storm water design can have it done in time. The Chair asked that when they deliver the plan, they also deliver it to Mr. Greechan at Woodward & Curran. Mr. Greechan advised that such delivery should be electronic.

Ms. Jainchill stated that the landscaping should consist of native, non-invasive species. The Chair asked that the Planning Board be provided a list of proposed plants in advance.

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

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

Also Present: Robert Mohring, applicant  
Gabriel Senor, architect  
Pat Cleary  
Hugh Greechan  
Larry Tomasso

The Chair announced that since the last meeting the Planning Board had received a memo of March 9<sup>th</sup> from Woodward & Curran, which indicated that there were missing items on the SWPP. Mr. Greechan reported that he now had received and reviewed the SWPP, and that all the issues in his memo had been addressed. Mr. Senor added that the perk test had been done last fall.

Mr. Preisser asked if they had addressed the bottom elevations. Mr. Senor informed the board that it is the bottom of a coltech unit, not the bottom of the gravel bed. Mr. Greechan confirmed that he is satisfied.

The Chair stated that, with the revisions to the statute, the basic permitted land coverage is 3555 square feet, and the maximum within the Planning Board's discretion is 4,105 square feet. The Chair noted that the subject proposed land coverage is 3,643 square feet, which is 88 square feet over the basic permitted.

The Chair reported that the orientation of the house as staked out fits the setback along Ashford Avenue, and that the house is set back further than is required, which answers the previously expressed concerns of the neighbors on the Exeter side.

The Chair added that his remaining concern is with the landscaping. Ms. Jainchill stated that the privet should come down, and Mr. Mohring agreed to remove it. Ms. Jainchill also stated that there should be a walkway from the front door to the Ashford Avenue sidewalk, acknowledging that it would add a small amount to the excess land coverage, and the other Members agreed it was a good suggestion nonetheless. Mr. Mohring and Mr. Senor agreed to add the walkway, and Ms. Jainchill said, and Mr. Senor agreed, that the walkway should be five feet wide. Ms. Jainchill asked to see a plant list in advance, to make sure that the proposed plants are native, non-invasive species appropriate for the climate. Ms. Jainchill added her concern that the absence of landscaping around the driveway might be an invitation to park there, effectively adding to the impervious surface. The general lack of screening was also pointed out at the prior meeting. Mr. Senor stated that they wanted to provide screening, but had not wanted to impede sight lines by going too close to the corner. Ms. Jainchill and the Chair said that those could be accommodated.

The Chair asked about the garage doors. Mr. Senor showed that they are on the West side of the building, facing Abington. Mr. Senor reported that the proposed driveway is 14 feet wide at the curb and widens to about 18 feet at the house, to create a hammerhead so no one need back out of the driveway, which will be blacktop. The Chair reserved his opinion and that of the Board on whether the driveway should come in at a slight angle.

The Chair asked if any member of the public wished to speak in favor of or in opposition to this application. No member of the public so wished.

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

**Vote:** 4 in favor, none opposed, none abstaining, as follows: Mr. Pellegrino, Chair – aye; Ms. Jainchill – aye; Mr. Preisser – aye; Mr. Yager – aye.

### **Close Public Hearing**

The Chair moved, and Mr. Preisser seconded, to grant a special permit to exceed the basic permitted floor area as established by Section 200-83B of the Ardsley Village Code pursuant to the plans; to grant a special permit to exceed the basic permitted gross land coverage as established by Section 200-83C of the Ardsley Village Code; to approve the site plan pursuant to the requirements of Chapters 36 and 167 of the Ardsley Village Code, the SWPPs plan pursuant to Chapter 171 of the Ardsley Village Code, and the driveway curb cut plan, with the condition that applicant return with a proposed landscape plan within 30 days of this approval, and that the exact angle of the driveway to be determined by the Building Inspector.

**Vote:** 4 in favor, none opposed, none abstaining, as follows: Mr. Pellegrino, Chair – aye; Ms. Jainchill – aye; Mr. Preisser – aye; Mr. Yager – aye.

#### **IV. Mr. Andrew Cortese**

##### **66 Bramblebrook Road and Shady Road**

**Applications for (a) proposed Two-Lot Subdivision and Site Plan Approvals for Two One-Family Dwellings on Bramblebrook Road lot; and (b) Steep Slope Permit and Site Plan Approval for One One-Family Dwelling on Shady Road lot.**

##### **Continuation of Public Hearing**

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

**Also Present:** Andrew Cortese, applicant  
Pat Cleary  
Hugh Greechan  
Larry Tomasso

Mr. Cortese stated that the changes in the proposal since the last meeting are that there is an eave overhanging part of the driveway and more floor area on the second floor. Mr. Cortese reported that Mr. Greechan prefers a larger pipe to come out from the catch basin, which applicant will do. Mr. Greechan noted that they first need to know the size, which the surveyor did not note. Mr. Greechan added that the retaining walls need to be professionally designed. Mr. Cortese stated that their structural engineer soon will provide details on the retaining walls to Mr. Tomasso. Ms. Jainchill asked the height of the retaining walls, and Mr. Cortese stated that he thinks they are 5 feet high.

The Chair asked what had been done to address Mr. and Mrs. Bassini's shed. Mr. Cortese reported that they had met with the Bassinis, and he distributed to the Planning

Board members a proposal based on that meeting, showing a replacement 12 x 14 structure. The Chair remarked that it was a good solution for the Bassinis as well as for the applicant, whose structure is technically in the right of way. Mr. Tomasso noted that the setback requirement for an accessory structure is 3 feet if not on a permanent foundation, and 15 feet if a permanent structure.

Mr. Cleary stated that for SEQR, a full EAF is needed from applicant. Mr. Cleary recommends minimizing the heights of the retaining walls to share grading with the two lots. Mr. Cleary identified the biggest subdivision issue as the proposed flag, which is being proposed for bringing in utilities, which he suggested could be accomplished with an easement instead. Mr. Cleary noted that it looks as though they are creating a flat side yard, and that they should also address avoiding the steep slope impact.

Mr. Cleary stated that any mapped road raises the question of whether that road should be improved. The Chair noted that the topography makes road improvement difficult, if not impossible, and that applicant is not worsening the condition, with which Mr. Cleary agreed. Mr. Tomasso stated that his concern is whether any improvement would be dedicated or private, and opined that the Highway Department would prefer not to maintain more of Shady than needed. The Chair and Mr. Tomasso agreed that it should be private.

Mr. Preisser asked if there were provisions for a street light. Mr. Greechan stated that lighting is a requirement.

The Chair advised applicant to make the changes suggested in the memo, and get them to Mr. Cleary well in advance of the next meeting.

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

The Chair moved, and Mr. Preisser seconded, that the Planning Board designate itself as Lead Agency for SEQRA Review of the proposed subdivision.

**Vote:** 4 in favor, none opposed, none abstaining, as follows: Mr. Pellegrino, Chair – aye; Ms. Jainchill – aye; Mr. Preisser – aye; Mr. Yager – aye.

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

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

Also Present: Paul Petretti  
Richard Blancato, Esq., Blancato Law Offices  
James Kennedy  
Pat Cleary  
Hugh Greechan  
Larry Tomasso

Mr. Blancato reported that the original plan had 56,350 square feet for the entirety of the conservation easement, of which the wet area was 26,000 square feet. Mr. Blancato further reported that the wet area now is 9,392 square feet, and that the dry area went from 56,350 to 30,386 square feet, but added that additional easement areas are being added which are not yet calculated into the figure.

The Chair stated recapped what was said at the prior meeting; that it was originally contemplated that there would be two 2-family homes (4 units total) for affordable housing but the zoning did not permit the second.

The Chair noted the Board had received the County's letter which clearly showed that it was not aware of the work that had been done. Mr. Greechan confirmed that he had been on site with the stream control commission people, who thought the work done was site improvement.

The Chair reported that the County had expressed concern that the affordable housing would lag the development, which had never been the intention. The Chair stated that there should not be a separate plan for the affordable housing lot, but that where and what size that lot and how configures would be addressed as part of this plan. The Chair noted that this might include addressing neighbor Mrs. Scaleri's desire to access a road into the development, which would also address Ms. Jainchill's previously stated concerns about too many driveways on Ashford Avenue. Mr. Cleary concurred that to meet SEQRA goals the entire parcel should be done as one plan rather than stepping it out, as carved out in the Negative Declaration. Mr. Blancato stated that this approach is fine.

Mr. Cleary stated that if there is to be a cul-de-sac into which the neighbor would connect, it should be established in an approval, so that independent of the timing of its construction, the Board has rendered a decision on it. Mr. Blancato advised that Mr. Petretti has talked to the neighbor, and Mr. Petretti reported that Mrs. Scaleri is amenable to giving up her curb cut to get a driveway off the cul-de-sac. The Chair

pointed out that one curb cut accommodating everything would be preferable to three curb cuts. Mr. Greechan asked if the road would be public or private. Mr. Blacato stated that they would like the road to be a dedicated road. Mr. Blacato pointed out that if the road were private, it would still have to be built with frontage.

The Chair stated that the Planning Board would like to see plans with the enhanced conservation buffer and with the cul-de-sac with driveways, and asked Mr. Petretti to get the plans to Messrs. Cleary and Greechan as soon as possible. The Chair also asked applicant to address the SEQRA issues raised by Mr. Cleary, and to address the impacts provided in the last Negative Declaration.

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

## **VI. Approval of Minutes**

The approval of minutes was adjourned.

## **VII. Adjournment**

There being no other business before the Planning Board, the meeting was adjourned at 9:08 PM.

Respectfully submitted,  
Judith B. Calder  
Recording Secretary