

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD
MEETING of
WEDNESDAY, MAY 8, 2017**

I. Call to Order

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

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

**II. The NY Foundling Hospital
2 Sylvia Avenue
Proposed Amended Site Plan for Construction of One Story Dwelling
Public Hearing**

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

Also Present: Jay Diesing, RA, AIA, Mauri Architects PC,
303 Mill Street, Poughkeepsie, NY, 12601.
Lucia Chiocchio, Esq., Cuddy & Feder LLP
Hugh Greechan
Jeff Spar, 8 Sylvia
Neighbor
Neighbor

The Chair read the Legal Notice.

Open Public Hearing

Ms. Chiocchio reviewed the background of the application, stating that in the Site Plan previously approved, a new home would have been built in front of the existing home, to keep residents in the home during construction, but that this added significant costs, so under the current proposed Site Plan, the new home will replace the current home on the same site.

The Chair added that the original plan was to spare relocating residents, but that the state funding which Foundling had hoped for did not come through. The Chair noted that the new proposal sites the home in the best location from the Village's point of view.

Architect Jay Diesing stated that the current home is 3,100 square feet, and that the proposed home is 3,400 square feet and will be one story. Mr. Diesing stated that the plan pushes the parking further back and involves much less storm water management work. Mr. Diesing stated that they have prepared a landscape plan, that Badey and Watson has done the storm water analysis, and that they have discussed the storm water management work with Mr. Greechan.

Mr. Greechan advised that the Storm Water Pollution Prevention Plan is complete, that there is only thirty square feet more of impervious surface, and that the only additional drainage for roof leaders is needed.

The Chair and Mr. Preisser asked about the water and sewer lines. Mr. Diesing answered, and confirmed that they have been dealing with Suez (United).

The Chair asked if any member of the public wished to speak in favor of or in opposition to the application.

Mr. Spar stated that he thinks it is a great plan. Mr. Spar said that he has not seen the landscape plan, but that he appreciates the screening provided by the existing brush, and asked that Foundling puts in as much foliage as they remove. Mr. Diesing advised that they plan to replace some brush with blue spruce and red maple. Mr. Spar asked about the timing of the project. Mr. Diesing advised that they will start as soon as the State approves the plan, which they hope will be in three months.

The Chair requested that they apprise Mr. Tomasso before demolition, in case the Ardsley Historical Society would want to visit.

Ms. Jainchill advised that Japanese Barberry is invasive, and suggested that Foundling consults a landscape architect.

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

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

Robert Pellegrino, Esq., Chair – Aye; Altin Batska – Aye; Susan Jainchill – Aye; Bernhard Preisser – Aye.

Close Public Hearing

The Chair moved, and Ms. Jainchill seconded, that the Planning Board approve the Site Plan, subject to drainage details on the plan satisfying Mr. Greechan's final comments, and subject to applicant returning to the Planning Board with a landscape plan after the building is framed and the grade throughout the site is established.

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

Robert Pellegrino, Esq., Chair – Aye; Altin Batska – Aye; Susan Jainchill – Aye; Bernhard Preisser – Aye.

**III. Maya and Robert D. Sheehan III
5 Dellwood Lane
Proposed Site Plan for Sanitary Sewer Extension and
Two-Story Dwelling with Pool and future Pool house
Public Hearing**

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

Also Present: Maya Sheehan
Michael McGarvey, Licensed Professional Engineer
Ed Marron, Architect
Hugh Greechan
Larry Tomasso
Jayson and JoAnn Lutzky, 144 Heatherdell Road
Dr. Weinberger, 2 Dellwood Lane
Dr. Lathan, 7 Dellwood Lane
Dr. Peter, 4 Dellwood Lane
Mark Bonner, 3 Dellwood Lane
Barbara Bertenthal, 6 Dellwood Lane

The Chair read the Legal Notice.

Open Public Hearing

Mr. McGarvey described the proposed plan to tear the existing home down and to build a new home. Mr. McGarvey stated that the plans include installing a new sanitary sewer force main that will end at Heatherdell, and he confirmed that the necessary easements exist.

Mr. McGarvey gave the existing and proposed sizes of the impervious surface, and stated that they will capture the increase in storm water for a 25-year storm with either a culvert or pipe retention system, depending upon the perk rate. Mr. McGarvey advised that the consulting engineers want a storm water pollution prevention plan, that they have submitted it to Mr. Greechan and are awaiting his comments.

Mr. McGarvey stated that there is a pond that they want to protect, and that they will have soil and sediment control around the pond. Mr. McGarvey also advised that some trees will come down, some near the new sewer line, some where the new house and pool and driveway will be. Mr. McGarvey stated that any tree 6" or greater in diameter is documented. The Chair suggested that they mark the trees they want to take down and stake a line for sewer.

The Chair asked if any members of the public wished to speak in favor of or in opposition to the Site Plan, or wished to share comments or ask questions. The Chair advised the public that the purview of the Planning Board is the Site Plan, including curb cuts, grading, steep slopes, walls, land coverage, drainage, location and manner of installation of sewer and other utilities. House height and certain other architectural details are subject to zoning restrictions and review of the Board of Architectural Review. The Chair noted that in this case the land coverage (impervious surfaces) and house floor area are each well within the as-of-right figures allowed under Ardsley's code.

Mr. Lutzky

Mr. Lutzky asked if the discharge into the sewer will be pumped by an electric motor, what will happen if there is a power failure. Mr. McGarvey confirmed that the pump is electric, and that there will be an eighty-gallon well. Mr. McGarvey stated that he will ask applicant about installing a generator.

Mr. Lutzky also asked about soil erosion into pond. The Chair advised that the Village's Consulting Engineer reviews the plans. Mr. Tomasso added that the SWPPP addresses the pond, that the Consulting Engineer and the Building Inspector each conduct inspections, and that applicant would be responsible for remediating any damage caused. Mr. Lutzky asked how damage would be quantified. Mr. McGarvey replied that they are trying to prevent any damage with a fence line both behind the construction area and in front of pond, and that he will seek Mr. Greechan's recommendations. Mrs. Sheehan pointed out that they propose putting the house closer to the street, so it will be farther away from pond.

Mr. Lutzky asked how they will handle runoff. Mr. McGarvey replied that, depending on the perk rate, they will either use collect infiltrators or will do a pipe retention system that would meter water out at a rate not to exceed the current rate.

Dr. Lathan

Dr. Lathan stated her expectation that they will replace whatever foliage is replaceable, and pointed out that this was part of the original deal. Dr. Lathan stated that the area had been more densely treed, and that this is part of the character of neighborhood. Dr. Lathan also stated that she wants everyone to consider including a generator for the sewer.

The Chair asked that applicant tag the trees to come down and stake the sewer line. The Chair stated that replacing foliage is not everything in kind but in context.

Dr. Lathan asked about the time frame. Mr. McGarvey replied that they hope by the end of the summer. Mrs. Sheehan added that they first need Westchester County approval for the sewer, and that they must go to the Board of Architectural Review.

Dr. Peter

Dr. Peter asked how many trees total will come down. Mr. McGarvey replied that forty-one trees will come down, fifteen of which are on the property. Dr. Peter expressed concern that taking down trees, moving the house forward and making it a two-story home will make it more visible. The Chair stated that the zoning code dictates setbacks, and that there is an envelope in which they are permitted to build, and that they are not required to build where the house now sits. The Chair also stated that the Planning Board will be looking at the landscaping. Mrs. Sheehan added that there is a row of trees by the street that will not be touched.

Dr. Peter asked where the pool and pool house would be sited. Mr. McGarvey showed the plans, showing the twelve feet by thirty-foot pool house, and showing that there is 125 feet from the pool to the buffer zone for pond.

Dr. Weinberger

Dr. Weinberger asked if the sewer line would be available for someone to the West to tie into down the road, and Mr. McGarvey replied that it is feasible.

Mrs. Bertenthal

Mrs. Bertenthal asked the same question. Mr. McGarvey stated that where applicant's line connects to the eight-inch main becomes public. The Chair stated that this is not part of the application.

The Chair again asked applicant to tag all trees and to stake the sewer line so that one or more members of the Board would be able to see the anticipated development

The Chair stated that the Public Hearing will continue.

**IV. R. Mohring Building Corp.
81 Ridge Road
Proposed Site Plan for One-Family Dwelling
Informal Hearing**

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

Also Present: Richard Mohring
James Mulvey, Jr.
Hugh Greechan
Larry Tomasso

Mr. Mohring stated that Mr. Tomasso confirmed that the impervious coverage is as-of-right, and that a special permit for house size is needed based on the thirty percent rule.

Mr. Mohring stated that he has already provided the escrow funds.

Mr. Mohring advised that Mr. Senor is away, but stated that the sewer line will feed to Ridge Road with gravity.

**V. Crossroad Building Corp.
(by Mr. Patrick Kennedy, Irvington Builders Inc.)
Cross Road / Sprain Road / Ashford Avenue
Application for Eleven Lot Residential Subdivision.
Two Proposed Resolutions, Proposed Negative Declaration, and
Preliminary Plat Approval**

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

Also Present:

James Kennedy
Richard Blancato, Esq., Blancato Law Offices
Paul Petretti
Hugh Greechan
Larry Tomasso
Norma Scaleri, 637 Ashford Avenue
Nick Buriis, 19 Cross Road

The Chair reviewed the recent changes to the plan. The Chair noted that the Planning Board had previously asked that the plan reflect the easement areas, and had asked that the village consultant and planner prepare Resolutions for the Negative Declaration and Preliminary Subdivision Approval.

Negative Declaration

The Chair read the Negative Declaration Resolution.

The Chair moved, and Mr. Preisser seconded, that the Board approve the Negative Declaration.

Vote: 4 in favor, none opposed, none abstaining, as follows: Robert Pellegrino, Chair – aye; Altin Batska – aye; Susan Jainchill – aye; Bernhard Preisser – aye.

The Chair signed the Negative Declaration.

Preliminary Subdivision Approval

The Chair read the Resolution for Preliminary Subdivision Approval.

The Chair moved, and Mr. Preisser seconded, that the Board grant Preliminary Subdivision Approval, in accordance with the Resolution, as amended to reflect corrected minimum and maximum lot sizes.

Vote: 4 in favor, none opposed, none abstaining, as follows: Robert Pellegrino, Chair – aye; Altin Batska; Susan Jainchill – aye; Bernhard Preisser – aye.

The Chair signed the Resolution for Preliminary Subdivision Approval.

The Chair advised Mrs. Scaleri that the Planning Board had received her letter, that it is now on record, and that she is welcome to attend the Public Hearing on the Site Plan.

VI. 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.
Three Proposed Resolutions

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

Also Present: Andrew Cortese

Negative Declaration

Mr. Preisser read the Resolution for the Planning Board to designate itself Lead Agency and for Negative Declaration.

The Chair moved, and Mr. Preisser seconded, that the Board approve the Negative Declaration Resolution.

Vote: 4 in favor, none opposed, none abstaining, as follows: Robert Pellegrino, Chair – aye; Altin Batska – aye; Susan Jainchill – aye; Bernhard Preisser – aye.

The Chair signed the Negative Declaration Resolution.

Preliminary Subdivision Approval

Mr. Preisser read the Resolution for Preliminary Subdivision Approval.

The Chair moved, and Mr. Preisser seconded, that the Planning Board grant Preliminary Subdivision Approval, in accordance with the Resolution.

Vote: 4 in favor, none opposed, none abstaining, as follows: Robert Pellegrino, Chair – aye; Altin Batska – aye; Susan Jainchill – aye; Bernhard Preisser – aye.

The Chair signed the Resolution for Preliminary Subdivision Approval.

Site Plan and Steep Slope Permit

The Chair read the Resolution for Site Plan and Steep Slope Permit Approval.

The Chair moved, and Mr. Preisser seconded, that the Planning Board grant Site Plan approval and grant Steep Slope Permit approval in accord with the read Resolution.

Vote: 4 in favor, none opposed, none abstaining, as follows: Robert Pellegrino, Chair – aye; Altin Batska – aye; Susan Jainchill – aye; Bernhard Preisser – aye.

The Chair signed the Resolution for Site Plan and Steep Slope Permit Approval.

VII. Approval of Minutes

The approval of minutes was adjourned.

VIII. Adjournment

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

Respectfully submitted,
Judith B. Calder
Recording Secretary