

**MINUTES  
VILLAGE OF ARDSLEY  
PLANNING BOARD MEETING of  
TUESDAY, OCTOBER 10, 2017**

**I. Call to Order**

The Chair called the meeting to order at 8:01 PM

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

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

**II. Crossroad Building Corp.  
(By Patrick Kennedy, Irvington Builders, Inc.)  
Sprain Road / Cross Road / Ashford Avenue (5.8 acres)  
Application for Six Month Extension of May 8, 2017 Conditional Preliminary  
Approval of Subdivision Plat; for: Conservation / Storm Water Quality Lot;  
Two Cul-de-Sacs; Twelve One-Family Lots and One Two-Family Affordable  
Housing Lot; Seven Lots with Conservation Easements.  
Public Hearing**

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

**Also Present:** James Kennedy  
Hugh Greechan

The Chair read the Legal Notice.

**Open Public Hearing**

The Chair advised that there have been no changes in the applicable laws or in any of the site conditions.

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

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
Susan Jainchill –	aye
Bernhard Preisser –	aye
Evan Yager –	aye

### **Close Public Hearing**

The Chair moved, and Mr. Preisser seconded, that the Board grant the six-month extension of preliminary plat approval according to the terms and conditions of the Resolution.

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

Robert Pellegrino, Esq., Chair –	aye
Susan Jainchill –	aye
Bernhard Preisser –	aye
Evan Yager –	aye

### **III. Henry and Kathryn Groth (by Zappico Construction, LLC, Contract Vendee) 96 Ridge Road Application for Three New One-Family Dwellings: (a) Proposed Three-Lot Subdivision; (b) Steep Slope Permits for each Lot; (c) Site Plans, including Curb Cuts and Storm Water Pollution Prevention Plans Continuation of Public Hearing**

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

**Also Present:** Brian Zappi, Zappico Real Estate  
Jim Zappi Sr.  
Steven and Carol Swidler

The Chair noted that this is a continuation of a Public Hearing that began in August.

The Chair stated that the day after the last meeting, Hugh Greechan, on behalf of Woodward & Curran, sent the applicant comments, which have not been fully addressed in the applicant's most recent submission.

Mr. Greechan expressed concern that the first set of plans showed the driveway grade coming to the edge of the road, as a lot of water runs down Ridge Road, leaving potential for run-off to go into the garages. Mr. Greechan noted that the revised drawing showed only a slight swail in the driveway, which he thinks should be much more robust, unless they are going to put in a trough drain, which would allow breaking away at grade. Mr. Brian Zappi stated that the original intent was to put in a trough drain. Mr. Greechan and the Chair agreed that this should be reflected on the drawings. The Chair noted that there are no storm drains along Ridge Road, making this of special concern. Mr. Greechan mentioned a technicality with the steep slope application, which he will go over with Mr. Brian Zappi this week.

Mr. Greechan noted that because the site is not very accessible, and so it is preferable to see the perk test done up front, but deferred to the building inspector, Mr. Tomasso, who will require a perk test when applicant seeks a demolition permit.

Mr. Greechan also pointed out that the overflow structure from the sub-surface detention depends on the storm water calculations, which he and the Planning Board had not yet received. Mr. Greechan added that the grass swails would be fine as erosion control as long as all the rain water from the roof is put into the system. Mr. Brian Zappi stated that they show where all the gutters and drains go into the system. Mr. Greechan indicated that volume calculations are needed.

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

Mr. Steven Swidler stated the former owners of the subject property had put on topfill, which diverted storm water and caused erosion to Mr. Swidler's side yard and which is a continuing trespass. Mr. Swidler also stated that he would like applicant to screen the property. Mr. Swidler stated that he is also concerned that the proposed deck will be very close to Mr. Swidler's existing deck. The Chair advised Mr. Swidler that the proposed project also has to go to the Board of Architectural Review, and that the location of the decks is a matter that could be addressed there. The Chair stated that the Planning Board was likely to recommend that plantings be addressed after the houses are in.

Mr. Jim Zappi asked the Chair to explain that. The Chair explained that the Planning Board would not determine the required landscaping before the property is roughly graded and the houses are at least framed. Mr. Jim Zappi asked about bonding should

timing warrant it, and the Chair assured him that that portion could be bonded if needed.

Mr. Preisser asked about the steep slope. Mr. Brian Zappi explained that the proposed grading creates a steep slope in itself, so that is where the grass stabilization would be. Ms. Jainchill asked that whatever seeds are put in be native.

Mr. Brian Zappi requested, if not conditional approval, at least approval to do the demolition and the subdivision, so that they can get into the site. The Chair explained that absent approved plans, that would not be acceptable to the Planning Board.

Mr. Swidler asked about blasting. The Chair stated that that cannot be determined until borings are done.

The Chair stated that the open points in Mr. Greechan's memo were neither many nor complicated, and assuming they were addressed, as expected, Resolutions could be prepared and voted on at the next meeting.

The Public Hearing remains open.

#### **IV. Uthay and Kani Kumar**

##### **9 Augustine Road**

**Applications for New Curb Cuts, Driveway, Walkway, Garage and Front Porch Additions: (a) Proposed Curb Cut Plan Approval; (b) Special Permit for Excess Land Coverage.**

##### **Public Hearing**

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

Also Present: Uthay and Kani Kumar  
Howard Albert, architect  
Morton J. David, 44 Bramblebrook Road, Ardsley, NY

The Chair read the Legal Notice.

##### **Open Public Hearing**

Mr. Albert introduced himself and pointed out a correction that one curb cut, rather than two, was being requested. Mr. Albert explained the project which includes an additional garage, a front porch, and relocation of the driveway.

The Chair asked about the storm water retention planned, and Mr. Albert addressed that. The Chair sought confirmation that no increase of non-conformity of setbacks was proposed, and Mr. Albert so assured him.

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

Mr. David identified himself as the neighbor immediately to the North. Mr. David stated that he supports the application. Mr. David stated that he had been concerned about additional run-off from the new garage, but that Mr. Albert has privately assured him that there will be a retention basin there, and that, together with the elimination of pavement, will result in no negative impact to his property.

The Chair summarized that the floor area is below the basic permitted, and that the proposed land coverage is less than that existing, as a result of the removal of the extended driveway and relocation of the driveway entrance. The Chair stated that the driveway opening could be increased to the permitted 14 feet but that the paved area outside the property line should be removed.

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

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

Robert Pellegrino, Esq., Chair –	aye
Susan Jainchill –	aye
Bernhard Preisser –	aye
Evan Yager –	aye

### **Close Public Hearing**

The Chair moved, and Ms. Jainchill seconded, that the Board approve the special permit to increase the basic permitted gross land coverage amount to meet that set forth on the plans in connection with the proposed construction of the front porch addition, front walkway, attached garage addition, and modified driveway (including off-street parking), noting that the impervious surface would be reduced by the project, and that the request for the Special Permit as it relates to the gross land coverage is still below the maximum permitted, with the condition that the one curb cut be at fourteen feet, and that the car pad to the East of the new garage to be constructed be removed, and that an equivalent amount of impervious area may be incorporated into the existing pavement in front of the garages existing and to be constructed.

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

Robert Pellegrino, Esq., Chair –	aye
Susan Jainchill –	aye
Bernhard Preisser –	aye
Evan Yager –	aye

**V. Sunshine Elmsford Realty Corp.  
(by Mr. Sumeng Ngan)  
Saw Mill River Road / Sylvia Avenue  
Applications for New One-Family Dwelling: (a) Proposed Site Plan, including Curb  
Cut and Storm Water Pollution Prevention Plans; (b) Special Permit for Excess  
Land Coverage.  
Continuation of Public Hearing**

This matter was adjourned.

**VI. Approval of Minutes**

Approval of minutes was adjourned.

**VII. Adjournment**

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

Respectfully submitted,  
Judith B. Calder  
Recording Secretary