

MINUTES
VILLAGE OF ARDSLEY - PLANNING BOARD
MEETING of MONDAY, JULY 13, 2015

I. Call to Order

The Session was called to order at 8:10 p.m.

Board Members in Attendance: Robert Pellegrino, Chair
 Art Hunter
 Jerome Parnes
 Bernhard Preisser

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

II. Approval of Minutes

The Chair moved, and Mr. Preisser seconded, that the Board approve the minutes of the meeting of June 8, 2015. VOTE: 3 in favor, none opposed, 1 abstention (Mr. Hunter abstained, not having been present at the June meeting).

III. Robert & Cynthia Powers (by Richard Mohring, contract vendee), Ridge Road For Proposed Single Family Residence: steep slope and wetlands permits; proposed site plan, including stormwater pollution prevention and driveway curb cuts. Public Hearing

The Chair read the Legal Notice on this matter.

***PLEASE TAKE NOTICE** that the Planning Board of the Village of Ardsley will conduct a Public Hearing at **8:00 PM, Monday, July 13, 2015**, in the Boardroom of the Municipal Building, 507 Ashford Avenue, Ardsley, NY, to consider an application of Robert F. Powers Jr. and Cynthia J. Powers (by Richard Mohring, Contract Vendee) for steep slope and wetlands permits, pursuant to Section 200-93 of the Code of the Village of Ardsley, and approval of a site plan, including stormwater pollution prevention and driveway curb cut plans (Village Code, Chapters 36, 167, 171 and 173), for proposed construction of a single family residence at the premises known as **___ Ridge Road, Ardsley, New York**, designated in an R-3 One-Family Residential District as Section 6.70, Block 53, Lot 3 on local tax maps.*

Open Public Hearing

Mr. Eliot Senor, P.E., P.L.S., President of Gabriel E. Senor, P.C, addressed the issues raised to Stephen Anderson of his firm at the June meeting of the Planning Board. Mr. Senor provided the Board a copy of a letter from Michael Bontje, President of B. Laing Associates (environmental consulting firm), which stated, in relevant part, *“On July 9, 2015, B. Laing Associates, Inc. conducted its field investigation at the subject [Ridge Road] property and determined, once again, it did not contain any wetlands.”*

Mr. Senor reported that they redid the storm water report, and had today received a letter from Mr. Hugh Greechan, P.E. of Woodard & Curran (engineering firm). Mr. Senor also provided proof of delivery of several Certified Mail items, in the form of emails¹ from the United States Postal Service, which he reports no longer provide “green cards” for delivery confirmation.

Mr. Senor advised that they were resubmitting the drainage report, which provided for a one hundred year site plan. Mr. Greechan reported that the storm water infiltration system was not going to be connected to the overflow, and stated that DEC standards now call for a 9-1/4” pipe (instead of 7-1/2”). Mr. Senor said they plan to connect to the sewer across the street to the South of the subject property, in the driveway so as not to cross the water main. The Chair pointed out that the driveway is in the right of way. Mr. Greechan advised that the connection is eight to ten feet up the driveway, not on Village property. He confirmed that 18” inch clearance is required between the pipes. The Chair advised that if the connection was under the driveway, cash security would be required.

Mr. Mohring stated that deep tests were done in the front and back of the house in 2005 or 2006. Mr. Pellegrino stated his opinion that perk tests ought to be conducted at this point to support the drainage design, and due to the rock outcroppings on the property.

Mr. Parnes asked about the back of the property. Mr. Senor reported that there also would be a detention system in the back of the house, where the property is not greater than a fifteen percent slope. Mr. Greechan said that roof leaders will feed a swale from the left and right sides of the house. Mr. Senor said there would be no pumps, but they could put drywells under the footing drains. He said that the house would have a basement, five feet below street level.

The Chair pointed out that drainage is part of the steep slope analysis, and that simply directing drainage around the building and into the street is not workable, pointing out that the road is narrow, and also noting that currently the property captures water and no water drains offsite because of the pit. The Chair stated that the Board should make another site visit.

Ms. Susan Porcino, of 84 Ridge Road, Ardsley, NY, addressed the Board. Ms. Porcino stated that there was an 8 inch outfall, and that there had been complaints by residents below the property whose properties had been drowned by run-off from the road. Ms.

¹

Porcino noted that debris on the Village property to the West of the subject property may impair its serving as outfall.

The Chair reminded the applicant that approval requires not only site plan review, including curb cut, steep slope and wetlands permits, but also a special permit for floor area. Mr. Mohring stated that the approximately 3,700 sf planned is less than the square footage requested on the material previously submitted. The Chair pointed out that it is still in excess of the approximately 3,540 sf allowed as of right. He suggested that the applicant check with Mr. Tomasso about the specific calculations.

The matter will remain open and will be resumed next month.

**IV. Crossroad Building Corp. (by Irvington Builders, Inc.)
Sprain and Cross Roads / Ashford Avenue
For Proposed Subdivision to develop site (“Sprain Brook Manor at Ardsley”):
proposed preliminary subdivision plat.
Legal Agency Declaration and Public Hearing**

The Chair stated that the Public Hearing on this matter had been opened at the June meeting of the Planning Board.

Mr. Patrick Cleary of Cleary Consulting (planning and environmental services) provided the Planning Board a Proposed Resolution that the Planning Board of the Village of Ardsley confirm its designation as the SEQRA Lead Agency for the “Sprain Brook Manor at Ardsley” subdivision for property located off Cross Road, known and designated as Section 6.120, Block 103, Lot 1 (formerly known and designated as Section 18, Sheet 8B, Block 0, Lot P79D).

The Chair asked if the eleven-lot subdivision under current review now differed in any what from the original proposal. Mr. Paul Petretti (civil engineer and land surveyor) stated that the only change was the location of the water main. Mr. Greechan added that a stream permit was needed from the County, and that the original location of the water main had been a “deal breaker” for United Water.

The Chair asked about the process and timing expected of the Department of Environmental Conservation (“DEC”). Mr. Cleary said that the DEC has thirty days to declare an application “complete,” and that as soon as the Notice of Intent is filed, it will go to Albany.

Mr. Petretti reported that the alteration of the stream was the basis of the “Negative Declaration,” and added that they expect a favorable response from the DEC. He said that the stream has not changed, except for a neighboring property owner compensating for erosion of his embankment.

Mr. Petretti further reported that everyone has been notified, and that there have been no responses. Mr. Petretti produced six Certified Mail receipts, all postmarked May 12, 2015, and six corresponding “green card” delivery receipts, to the following agencies:

- Town of Greenburgh Department of Community Development & Conservation & Planning Board
- Westchester County Department of Health
- Westchester County Department of Planning
- Westchester County Department of Public Works
- New York State Department of Environmental Conservation, and
- United States Army Corp of Engineers – Environmental Assessment Section.

The Chair inquired about what was specifically required from the County. Mr. Cleary responded that the stream control law requires only assurance of unimpeded flow and does not involve other environmental review.

The Chair asked Mr. Petretti to explain again how the stream alteration would affect stream flow, and Mr. Petretti responded that the alteration would slow the flow beneficially. Mr. Petretti explained that the channel geometry will change, the level will go down, and the Cross Road culvert will have less tendency to back up. Mr. Greechan noted that currently one cell is clogged, so only one cell is flowing. Mr. Petretti added that because the design of the development adds a detention system, there will be no overloading at the intersection.

The Chair stated that the Planning Board can return to the reissuance of a Negative Declaration for the Ashford Avenue lot at the time development of that lot is further along. In the meantime, the Planning Board would focus on the lots reachable from the planned Cross Road cul de sac, and the application should be amended accordingly. Mr. Cleary reminded Mr. Petretti that the proposed multi-family dwelling are in a Single-Family zone, and will need a zoning variance along with a separate site plan.

The Chair indicated that the Planning Board would at a later point likely make a recommendation to the Village of Ardsley Zoning Board of Appeals (“ZBA”) as to the location and number of dwellings for the Ashford Avenue lot, but noted that the Planning Board cannot direct approval by the ZBA, nor can the ZBA approve anything without a site plan.

Based upon this recommendation, the Resolution was revised. The Chair then read the revised Resolution for Confirmation of SEQRA Lead Agency designation for the Sprain Brook Manor at Ardsley subdivision, for property located off Cross Road, known and designated as Section 6.120, Block 103, Lot 1 (formerly known and designated as Section 18, Sheet 8B, Block 0, Lot P79D), as follows:

***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 separate lot for possible future development, 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, the 10 residential lots being accessed via a new cul-de-sac off Cross Road and the one single lot being accessed via Ashford Avenue; and

WHEREAS on April 13, 2015, in accordance with the provisions of 6 NYCRR Part 617, the Planning Board of the Village of Ardsley adopted a resolution designating its intention to serve as Lead Agency for the SEQRA Review of this Unlisted Action; and

WHEREAS this Notice of Intent to Serve as Lead Agency resolution, along with Part 1 of the Environmental Assessment Form was circulated to all Involved Agencies in conformance with §617.6 (b) (3) (i); and

WHEREAS the statutory 30 day circulation period has been satisfied; and

WHEREAS no objections to the Planning Board serving as Lead Agency for the SEQRA review of this action have been received,

NOW THEREFORE, BE IT RESOLVED that the Planning Board of the Village of Ardsley hereby confirms its designation as Lead Agency for the SEQRA Coordinated Review of this action,

AND BE IT FURTHER RESOLVED that the Lead Agency will determine the significance of the proposed action, in accordance with §617.7,

AND BE IT FINALLY RESOLVED that this resolution shall have an effective date of July 13, 2015.

Mr. Pellegrino moved, and Mr. Parnes seconded, that the Planning Board adopt the Resolution as read. VOTE: 4 in favor, none opposed, none abstaining.

V. Adjournment

There being no other business, the meeting of the Planning Board was adjourned at 9:02 PM.

Respectfully submitted,

Judith B. Calder
Recording Secretary

