

**DRAFT**  
**TOWN OF POUND RIDGE PLANNING BOARD**  
**MINUTES OF THE MEETING**  
**Thursday, May 27, 2010**

**Board Members Present:**    *Clay Fowler, Chairman*  
  *Peter Efremenko*  
  *Judy Kennedy*  
  *Steve Kushner*  
  *Samuel Mlynar*

**Also present:**                    *Joe Barbagallo, Town Engineer*  
  *James Perry, Building Inspector*  
  *Karen Taft, Administrator*

**Not present:**                    *John Bria*  
  *Andrew Brodnick*

**Adoption of Minutes from the Meeting of April 22, 2010**

Mr. Kushner made a motion to adopt the minutes from the meeting of April 22, 2010, and Ms. Kennedy seconded. All Board members present voted in favor.

**Kensho and Tushita Trust**, 126-128 Old Stone Hill Road, Block 10047, Lots 29 and 28. Site plan review to construct new horse paddock, new screening/landscaping, fencing and violation resolution.

Previous meeting dates: 10/30/07, 11/29/07, 11/19/09

Board walked property: 11/03/07

Mr. Ed Delaney, Bibbo Associates and Mr. Steve Marino, Wetlands Scientist, Tim Miller Associates were present on behalf of the applicant. Mr. Delaney said that the plan that was recently submitted was similar to the plan submitted last October. He said that the Board had requested that a wetlands expert analyze the drainage onsite and offsite. In addition, they were asked to identify the species and height of trees, the number of trees removed and to design a bio-retention area so that runoff from the horse paddock field would be filtered into a planting peat/sand mixture.

Mr. Delaney said that the only change since last October was the insertion of the bio-retention area for the plantings and the relocation of the paddock areas to prevent the horses from entering that area. He said that the Wetland Connectivity Report and the Wetland Onsite – Offsite Report, as prepared by Tim Miller Associates, had been distributed to the Board members.

Mr. Marino had been asked to prepare a wetlands assessment. He explained that their delay in reappearing before the Board was caused by the need to evaluate the open field in the growing season after the snow melt. Mr. Marino noted that last year they had done an original delineation of the wetlands in compliance with the Town Code. Wetlands

were flagged, and the area was determined to be 9,500 sq. ft. which is smaller than the Code requires. The other issue was to see how connected or unconnected the two wetlands upstream and downstream were. Mr. Marino presented a GIS that indicated the wetland on the property and another wetland southeast of the property. He demonstrated that there is no direct hydrologic connection for most of the year between the two wetlands. Mr. Marino made the conclusion that the wetland is isolated with the exception of limited times during storm events or snow melt.

Mr. Marino said that 25 trees were cut down from within the wetland. He said that removing the cover from the wetland induces cattails to grow. Mr. Kushner asked what else happens over time when vegetative cover is removed. Mr. Marino said that over time, the area will become wetter than it was previously. He said that the area is becoming an open meadow type wetland. Eventually seeds will create some shrubs.

Mr. Fowler asked the condition at present. Mr. Marino said that it is considered a wet meadow. In the spring it is spongy, but by July or August it will dry out. He said that in November and December it will start to get wet again.

Mr. Perry noted that the wetland was not delineated on the plan. He said that the 150' wetland setback boundaries, including offsite, should be indicated as well as any 250' setback boundaries as required for horse property. If anything is proposed within the setbacks, water control permits are required. Mr. Delaney said that the regulations would alter the plan slightly, and the paddock fence would be moved.

Mr. Marino said that he will get his best estimate without having to go on the neighbor's property and plot the boundary on the plan. Mr. Perry said that they could appear before the Water Control Commission with an application and return to the Planning Board.

Mr. Fowler asked if the applicant proposed mitigation. Mr. Delaney said that mitigation would be the replanting of the trees and the bio retention filter.

Mr. Barbagallo said that he was comfortable with the storm water aspect that was proposed. Mr. Fowler commented that they did what was asked by the Board.

Mr. Kushner asked about the delineation of the wetlands 2 ½ years ago. Mr. Marino said that because of the disturbance of the tree cutting, a significant part of his delineation was to look at the soil. He said that this was discussed in his report.

Mr. Fowler advised the applicant to appear before the Water Control Commission. Mr. Perry said that if the paddock fences could be moved outside the setbacks, it would not be necessary to appear before the Commission. Mr. Delaney said that they will make that decision.

Mr. Fowler said that the mitigation proposed is not specifically for the potentially damaged wetlands. He said that on the report, some trees were named that were likely to be replanted. Mr. Delaney said that 53 Norway Spruces with a height of 6' – 8' did not appear on the plan that was submitted.

Mr. Kushner said that resolution of the violation hadn't been addressed. He said that whether the trees were in the wetlands or not, it was not permitted to have them removed. Mr. Fowler said that it is not resolved, and the matter will be discussed at the next meeting.

The applicant will return to the Planning Board after determining whether they will revise the plan or appear before the Water Control Commission.

**Cohen**, Joshua Hobby Lane, Block 9317, Lot 21.9-4. Residential site plan review for new construction of a single family residence that would exceed the maximum building coverage threshold for an R-3A zoning district. The property consists of 3.08 acres. This is an amended site plan for a previously approved site plan on May 28, 2009 for Kimmel (current owner of the property).

Previous meeting dates: 04/22/10 (informal)

Mr. John Watson, Insite Engineering, and Mr. Barry Cohen, prospective purchaser of the property, were present at the meeting. Mr. Fowler requested that the applicant demonstrate how the new plan differs from the previously approved plan. Mr. Watson said that the Kimmel house had 20-25% more square footage, the pool was 20% bigger, the pool house is the same size, and the driveway is shorter on the new plan. In addition, Mr. Watson said that the limit of disturbance has decreased, the septic is in the same location and the storm water management is the same despite the smaller house. The new plan requires less tree removal.

Comparing the statistics of the old plan versus the new, Mr. Watson said that the principal dwelling was reduced from 5,136 to 4,607 sq. ft. Other buildings remain the same. The driveway went from 4,424 to 3,455 sq. ft., reflecting a 25% reduction. Other structures, including the pool were reduced from 1,164 to 800 sq. ft. Patio, decks and walls were reduced from 2,754 to 2,088 sq. ft. Total lot coverage went from 14,007 to 11,331 sq. ft., reflecting a 22% reduction.

Mr. Fowler noted that the current plan is much lower key. He said that neither the drainage or the septic has changed. He did not have a problem with the proposal.

Mr. John Nathan, neighbor, 155 Upper Shad Rd., was concerned with storm water runoff across the road into Basin 2 or 3. He said that when the former Kimmel plan was reviewed, they were directed to install a swale for treatment before the water reached the basin. Mr. Nathan asked if this approval will be the same. Mr. Watson said that a structure will be installed on the property to hold back water onsite. The runoff will drain slowly through the pipe. Pre-treatment will also be provided on the lot. Mr. Fowler said that the drainage is the same as what was approved previously, with less impact.

Mr. Fowler asked about lighting on the property. Mr. Watson said there are two lights on the pool shed, five on the driveway, ten around the pool, and one over the garage entrance directed downward. Mr. Mlynar asked if the driveway lights would be on 24 hours. Mr. Cohen said he had no problem putting the lights on a sensor.

By consensus of the Board, the plan was approved. A resolution of approval will be prepared for next month.

**O'Neil**, 20 Rock Hill Way, Block 9031, Lots 165. Residential site plan review to construct additions to the east and west sides of the existing house, alterations to the parking area in front of the house, relocation of swimming pool, construction of a three-car detached garage with pool house on the second floor and expansion or replacement of the septic system. The proposed construction will exceed the maximum building and lot coverage thresholds for an R-3A zoning district. The property consists of 8.99 acres

Previous meeting dates: 04/22/10

Board walked property: 04/24/10

Mr. Patrick Croke, Architect, and Mr. Stone, owner of the property, were present before the Board. He had met with the Health Department. In order to do the bedroom changes, they will require a new septic.

In lieu of relocating the pool, they proposed to renovate the existing pool and use the space where the new pool was proposed as the septic area. The deep hole and perk testing had been done by the Health Department and was approved.

Mr. Kushner asked how the changes affected the coverage. Mr. Croke said that it was almost similar because the existing pool is larger than the proposed pool would have been. Mr. Kushner asked if the tennis court was necessary since the lot is so far over coverage. Mr. Stone said that his children played tennis, and he did not want to remove it. He planned to update it with a coating.

Mr. Croke said that the overage in lot coverage was 6.4%. Mr. Perry noted that they are not at the maximum 10% that would permit the Board to reject the proposal. Mr. Kushner said that he was troubled by a lot that is three times over coverage, but felt that the project was well done. Mr. Fowler said that the purpose of the threshold review law is to give the Board a tool to mitigate the activity. He noted that the O'Neil's lot is large. Mr. Efremenko said that the house is in keeping with the neighborhood.

Mr. Barbagallo said that he will look into some storm water mitigation around the tennis court. Mr. Fowler asked for clarification of a SPEDS permit for this application. Mr. Barbagallo said that it triggers the threshold of one acre of disturbance. Mr. Fowler asked what would be involved. Mr. Barbagallo said that they need to make sure that there is not an increase in runoff coming off the site. Mr. Croke will refine the plan to make the disturbance under one acre.

A resolution of approval will be prepared for the next meeting.

**Casarella**, 264 Salem Road, Block 10047, Lot 67.1. Residential site plan review for the addition of a driveway loop to the existing driveway on the property that would exceed the maximum lot coverage threshold for an R-2A zoning district. The property consists of 2.073 acres.

Previous meeting dates: New application

Mr. and Ms. Casarella and Mr. Ralph Mastromonaco, Engineer, were present at the meeting. Mr. Mastromonaco said that the owners want to loop their driveway to provide better access for their elderly relatives. Mr. Fowler noted that the proposed driveway would create a lot of road. Ms. Kennedy asked if the garage was on a lower level. Mr. Mastromonaco said it is the same level as the house. Mr. Casarella said that entry from the garage would not be possible because of the steps. Mr. Mlynar said that he would like to walk the property.

Mr. Mastromonaco said that there are no trees in the area of the proposed construction. Board members will walk the property on Wednesday, June 2, 2010 at 6:30 p.m.

**Walker**, 240 Stone Hill Road, Block 9816, Lot 79. Residential site plan review for a new accessory structure on the property to be used as a dining and entertaining pavilion that would exceed the maximum lot and building coverage thresholds for an R-3A zoning district. The property consists of 11.648 acres.

Previous meeting dates: New application

Mr. Patrick Croke, Architect, was present on behalf of the application. He noted that the Water Control Commission had approved the application the previous evening, subject to the Planning Board's approval.

Mr. Croke explained the proposed plan. He said that there would not be a kitchen or a bathroom in the proposed pavilion.

Board members will walk the property on Wednesday, June 2<sup>nd</sup>.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Karen B. Taft, Administrator  
Planning Board