

DRAFT
TOWN OF POUND RIDGE PLANNING BOARD
MINUTES OF THE MEETING
Thursday, September 23, 2010

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

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

Absent: *Andrew Brodnick*

Adoption of Minutes from the Meeting of July 22, 2010

Mr. Efremenko made a motion to adopt the minutes from the meeting of July 22, 2010 as amended, and Mr. Bria seconded the motion. All Board members present voted in favor.

Santos, 3 Joshua Hobby Lane, Block 9317, Lot 21.9-3. Review and ratification of Resolution of Approval for residential site plan for a proposed pool and patio that would exceed the maximum lot coverage threshold for an R-3A zoning district. The property consists of 4.593 acres.

Previous meeting dates: 06/24/10, 07/22/10

Board walked property: 07/15/10

At the previous meeting, the Board had requested an enclosure around the pool equipment to reduce the noise level. The applicant had submitted a plan subject to review by Mr. Barbagallo. Mr. Barbagallo had no problem with the proposal.

Ms. Kennedy made a motion to approve the resolution, and Mr. Bria seconded the motion. All Board members present voted in favor.

Twin Lakes Drive and Pine Brook Road, Bedford, NY (subdivision approved in August, 1996). Approval for release of \$35,000 performance bond currently held by the Town for improvements for a 100' portion of access road in Pound Ridge.

Mr. Barbagallo explained that the Twin Lakes subdivision was approved in 1996 by the Town of Bedford. A \$35,000 performance bond had been posted for the 100' portion of access road that is in the Town of Pound Ridge. Mr. Barbagallo said that the road improvements had been completed, verified by his office, and accepted by the Superintendent of Highways. He had submitted a memo dated September 17, 2010 recommending release of the bond.

Mr. Kushner made a motion to approve release of the \$35,000 performance bond, and Mr. Efremenko seconded the motion. All Board members present voted in favor. A memo will be sent to the Town Board requesting that the matter be placed on their agenda for approval.

Continued Informal Hearing:

Oceanus Navigation Corp., Ltd., High Ridge Road, Block 9320, Lot 13. Proposed residential subdivision of a 102-acre property.

Previous meeting dates: 06/24/10

Mr. Jim Ryan, John Meyer Consulting, was present before the Board. He said that at the previous meeting, he had introduced the two proposed plans – conventional and conservation. Since that meeting, they met with Mr. Michael Landler who confirmed that all the dimensional bulk requirements have been met on the conventional plan. Additionally, he met with Mr. Barbagallo and Mr. Perry relating to the specifics of the engineering. Additional information had been added to the plan regarding grading provisions for storm water, septic areas and wells. Mr. Ryan said that the conventional plan had been demonstrated to be a buildable plan. The proposed lots are large and allow for flexibility for the location of the wells.

Regarding the soils, Mr. Ryan said that they had looked at them preliminarily. The testing proved out to be reasonable in terms of soil types. On Lot #10, the septic is in an area that is somewhat poorly drained. Mr. Ryan said that there are other opportunities on that lot that would allow the septic to be out of that soil range. He said that these analyses proved that there are 11 legitimate lots on the proposed conventional plan.

Mr. Kushner asked if the plan was buildable with regards to contiguous dry land and steep slopes. Mr. Ryan said that it had been confirmed by Mr. Landler.

Mr. Ryan spoke about the “preferred plan” which is the conservation subdivision plan. He explained that this would involve some modifications of some of the bulk requirements in order to cluster the buildings closer together and yield some open space on the property. The plan provides for smaller lots. Septic areas and bulk requirements would also apply to the conservation subdivision. Mr. Ryan said that he had spoken to Mr. Perry about the roadway. Mr. Perry said that the roadway requirements would still continue to apply in the conservation subdivision for the purpose of emergency vehicle access.

Mr. Ryan noted that the conservation plan provides the opportunity for reduction in overall disturbances. He presented both plans side by side and noted the advantages of the conservation subdivision:

- approximately 3 acres of decreased disturbances
- driveways and roadways could be tightened up
- reduction of wetland impact
- 2 acres less disturbance of overall buffer area
- reduction of roadway reduces requirements for storm water runoff (1,000 linear feet less of roadway)

Mr. Ryan stated that under the Town code, a Town Board action is required to enable the Planning Board to consider the conservation plan. He requested the Board's assistance in securing the approval. The plan would allow 40-50 acres on the western side of the property and another 20 acres on the upper eastern portion of the property for open space.

Mr. Mlynar said that the proposed houses on the conservation plan appeared to be closer together. He asked if there would be a level of privacy. Mr. Ryan said that it depends upon the placement of the houses. He noted that the closest distance between houses would be 80' apart. Mr. Kushner said that from his perspective, the proposed group of houses are relatively isolated from existing surrounding houses. Mr. Efremenko said that the subdivision is off of Rolling Meadow Road where the houses are relatively close together. In addition, the conservation subdivision offers an opportunity to have open space and would lessen the impervious surface. Mr. Efremenko said that he is not in favor of cluster zoning, but in this case he is open to it.

Mr. Mlynar asked the size of the proposed houses. Mr. Ryan said that the footprint would be approximately 4,000+ square feet. Mr. Mlynar said that if they pursued the conservation subdivision, he hoped that the authorization will state that this does not set a precedent for any other subdivision, noting that the parcel is unique.

Ms. Kennedy asked the size of the lots. Mr. Ryan replied that they average about 2 acres each.

Mr. Fowler said that the conservation subdivision is self evident in terms of visual representation and an offer of large amounts of contiguous open space that can be added to other preserves in the area. The cluster would accomplish a lot of goals sought by the Town. In addition, there is an opportunity with the cooperation of the neighboring parties on the 29-acre parcel for a potential appropriate siting of a cell tower on the upper right hand open space parcel. Mr. Fowler recommended that they continue to pursue the conservation subdivision. He said that a recommendation would be made to the Town Board, and the Planning Board would continue to review the subdivision.

Ms. Ruth Roth, Cuddy & Feder, stated that because there is nothing in the zoning ordinance that authorizes the Planning Board to look at a cluster subdivision, the Town Board must delegate to the Planning Board for consideration in conjunction with their authority to consider it. She recommended that the request be made.

Ms. Rachel Weismann, 39 Rolling Meadow Road, asked the location of the pre-existing contiguous homes. Mr. Ryan demonstrated those locations on both subdivisions. Ms. Weismann asked the location of a possible cell tower. She had a sense that because of the need for a cell tower, it could influence the accommodations made. Mr. Fowler said that their review will not be less rigorous with or without the cell tower. In addition, the site had been identified for a long time as a possible cell tower site. The reasons for a cluster subdivision stand on their own, without consideration for a cell tower. Mr. Kushner said that they are considering each and every impact of the cell tower.

Mr. Lawrence Baschkin, 5 High Ridge Road, asked if the larger houses will affect his taxes. Mr. Fowler said they would only be affected as a decrease. He said that the subdivision is in a preliminary discussion. There is a process they will go through, namely, SEQR, which is a detailed study on the impacts of the development.

Mr. John Owen, 39 Rolling Meadow Road, asked the distance from the top two houses in the conservation subdivision to the perimeter of the open space. Mr. Ryan replied over 1,000 feet.

Mr. Himoff, 18 High Cliff Terrace, asked how the proposal would affect his house. Mr. Fowler said that High Cliff Terrace was a distance from the property and wouldn't affect him.

Mr. Kushner explained to the public that there will be multiple meetings on the application. Mr. Fowler asked for a motion to send the request to the Town Board that they consider a cluster subdivision. Mr. Efremenko made a motion to recommend to the Town Board that they consider the Oceanus Navigation property for a Section 281 cluster subdivision. Mr. Kushner seconded the motion, and all Board members present voted in favor.

Altman, 25 Eastwoods Road, Block 9821, Lot 9. Residential site plan review to construct a 2-car garage that would exceed the maximum building threshold for an R-3A zoning district. The property consists of 4.95 acres.

Previous meeting dates: New application

Mr. David Dunn, architect for the applicant was present at the meeting. He explained that the proposal involved a 2-car garage measuring 680 feet. Mr. Dunn presented the plan to the Board that included locations of adjacent structures and lighting.

Mr. Fowler said that the garage was slightly over the maximum threshold and will be mitigated by reducing some of the driveway on the property. Mr. Dunn noted that F.P. Clark had incorrectly listed the additional square footage of building coverage as 860 sq. ft. instead of 680 sq. ft.

Board members will walk the property on Monday, September 27th at 6:00 p.m.

US Summit Co/Eastwoods LLC (Pound Ridge Golf Club), High Ridge Road.
Application for amended site plan review for construction of a permanent clubhouse on the premises.

Previous meeting dates: New application
Clubhouse relocation approved: 11/30/06

Ms. Geraldine Tortorella, attorney, Mr. David Session, engineer, Mr. Richard Granoff, Mr. Ken Anderson and Mr. Robert Brehm, architects from Richard Granoff Architects were present at the meeting. Mr. Tortorella said that in 2003, they received the original site plan approval that included approval for the clubhouse. At that time the clubhouse was a little over 23,000 sq. ft. Subsequent to that, a decision was made to pull the cart facilities out of the clubhouse and put them in a separate building, thus reducing the size of the clubhouse. In 2007-2008 they were not in a position to build the clubhouse and proposed a temporary clubhouse that was approved by the Planning Board. Since that time, the clubhouse was redesigned with the same amenities as the original clubhouse, utilizing the existing parking.

Mr. Granoff explained that excavation and rock removal had previously been done. The clubhouse is proposed in the same location as previously approved. Mr. Granoff requested that the temporary clubhouse be kept and used as a pro shop. He noted that the proposed facility is a little smaller. The main floor would consist of 8,000 feet and 8,000 feet on the lower level. The terrace portion has increased, but the dining seating would be less. Mr. Granoff presented the floor plan. He said that the dining area would seat 75 and an additional 75 seats would be outside, under cover, for a total accommodation of 150 people with the glass doors opened. (The approved clubhouse had seating for 180 people.) In addition, there is a lounge area leading out to a side terrace. Another public space proposed is a boardroom that could be a private dining room or meeting space. The lower level would contain a locker room, mechanical room and storage. Mr. Granoff said that the plan was for a one-level building, but a two-story space. Mr. Granoff presented renderings of the proposed clubhouse.

Mr. John Maddocks, 20 Clearwater Lane, stated that he is one of the closest neighbors to the Golf Club. He asked the height of the building, questioning the visibility from his home. Mr. Ryan said that he can produce the view from Mr. Maddock's home.

Mr. Fowler asked for a comparison between the approved and proposed clubhouse. He believed that it was smaller and lower. Mr. Sessions presented the approved clubhouse footprint and stated that the proposed is a smaller footprint, although the circulation pattern is a little different. Regarding impervious surface, the proposed plan has approximately 2500 sq. ft. additional, as a result of the detailed walkways, patio and outdoor space. The approved clubhouse did not have detailed walkways.

Ms. Tortorella said that the previously approved clubhouse was a 2-story building as compared with the proposed that is 1½ stories. Mr. Fowler requested a volume study that demonstrates the size difference between the two buildings. Mr. Sessions said that he could provide that information.

Mr. Fowler stated that this is a modification of what was already approved. Since it is less in size, height and volume, it should have less impact. Mr. Sessions reiterated that in 2003 overall site plan approval was granted. In 2007, they proposed a modified clubhouse area site plan that was approved. Ms. Tortorella noted that a full EIS had been done that included the clubhouse.

Mr. Maddocks asked if there would be live music associated with any events at the Clubhouse. Mr. Fowler said that there will be discussions on what is and what is not allowed. Ms. Tortorella said that there will not be amplified music or loud speakers outside. Music will be within the enclosed section. Mr. Fowler said that the previous restrictions will be provided for the next meeting.

Mr. Efremenko said that the new design appears to blend in more with the environment. Mr. Granoff said that they will be using natural materials. Ms. Kennedy said that aesthetically the building is more pleasing.

Regarding the temporary clubhouse, Mr. Granoff said that currently the building is the pro shop, retail store, restaurant and bar. In addition, there is an outdoor terrace. Mr. Granoff asked to keep the building for purposes of a pro shop and retail store, but will not provide food or beverage in the building. He said that the covered porch would be renovated to become restrooms. The trailers would be removed.

Mr. Fowler suggested walking the area at the golf club. Mr. Kushner asked for a comparison of elevations of the approved and proposed clubhouses. Mr. Maddocks asked that the Board view the site from his house. Mr. Fowler believed there would not be a visual impact.

Mr. Lawrence Bashkin, 5 High Ridge Road, said that he is an avid golfer, but did not support the application because of the pesticides that had affected his well water. He felt that some health problems were a cause of this. Mr. Bashkin asked that applicant treat the community with more respect.

Mr. Perry said that there are some building and fire code issues that need to be addressed that will affect somewhat the interior layout of the structure. He requested a set of plans for review.

Board members will walk the property on Monday, September 27th at 5:30 p.m.

Informal Hearing:

Kagan, 39 Old Stone Hill Road, Block 9817, Lot 20. Proposed two lot subdivision of a 32.93 acre parcel in an R-3A zoning district.

Mr. David Sessions, engineer, Mr. Brad Schwartz, attorney with Zarin and Steinmetz, and Ms. Kagan were present before the Board. Mr. Sessions noted that the property was formerly owned by Judge Leonard Sands. He said there is an existing house on the property with a detached garage and a driveway accessing the house. The wetlands were delineated and were indicated on the plan. Some of the wetlands are not regulated by the Town because they don't meet the size criteria. An offsite wetland is also indicated

that also does not meet the criteria. Steep slopes were also indicated on the plan. Percolation testing had been performed for potential septic systems.

Mr. Sessions said that the proposal was for a 2-lot subdivision. Approximately 4.4 acres would include the existing house, and the remaining 28.5 acres would be the second lot. The 4.4 acre lot had to be increased to allow for the expansion area.

Mr. Sessions said that the driveway was configured to provide the best sight distance, but since it is close to the existing wetlands, Water Control Commission approval would be necessary. An area for a potential pool and pool house were indicated on the plan as well as two septic areas where only one will eventually be used. Mr. Sessions explained that considerable grading would be necessary for the driveway. A second driveway alternative was proposed that would continue closer to the wetland for a longer stretch, but would create less disturbance.

Mr. Sessions said that the engineering will be reviewed by Mr. Barbagallo, including grading and drainage. An architect will be on board to determine a more realistic footprint for the residence.

Board members decided to walk the property at a later date, after a formal application is submitted.

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, 05/27/10, 06/24/10, 07/22/10 Board walked property: 11/03/07

A resolution of approval had been prepared by Mr. Landler. Mr. Perry commented that the wetland reference should be removed from the resolution because the engineers determined that work had not been performed in the wetlands. In addition, he recommended that the statement referring to plantings not taking place within 150 feet of the wetlands buffer area be removed. Mr. Perry said that plantings are allowed in the buffer area.

Mr. Kushner suggested that the Whereas at the top of page 2 be revised to state, "the Applicant shall restrict horses from going within 250 feet of the on-site and off-site wetlands". Mr. Fowler suggested a change in the wording of the third to last Whereas to state "the Applicant has adhered to the Town's requirements and shall make a \$25,000 payment to the Town, to be used for purposes deemed suitable by the Town Board".

In addition, item 3.b. was removed and 3.d. (now 3.c.) was revised to read "The Applicant shall pay all applicable fees, fines, including payments as referenced herein."

Mr. Efremenko made a motion to approve the resolution of approval, as revised, and Mr. Kushner seconded the motion. All Board members present voted in favor with the exception of Mr. Mlynar who voted nay.

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Karen B. Taft, Administrator
Planning Board