

MINUTES OF THE JULY 10, 2014 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y. COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR RICHARD LYMAN; COUNCIL MEMBERS:  
DANIEL PASCHKES, ALISON BOAK, JONATHAN POWERS AND  
BONNIE SCHWARTZ

ALSO PRESENT: TOWN CLERK, JOANNE PACE  
DEPUTY TOWN ATTORNEY, JOHN LOVELESS

**CALL FOR EXECUTIVE SESSION:**

**Board Action:** Motion by Councilman Powers, seconded by Councilwoman Boak, all voting aye to hold an Executive Session immediately following the Town Board meeting for personnel matters.

**ANNOUNCEMENTS:** Supervisor Lyman asked for a moment of silence for Stephen O'Brien, Town Historian and member of our Historic and Landmarks District Commission who passed away last month.

Supervisor Lyman thanked all those involved with the fireworks celebration that was held on Saturday, July 5<sup>th</sup> from OEM, Police, Fire Department, Maintenance, Recreation and special thanks to Marianne Vitelli, Assistant to the Supervisor who works hard to put the event together.

**MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on June 12, 2014.**

**Board Action:** Motion by Councilman Powers, seconded by Councilwoman Schwartz, all voting aye to accept the minutes of the Town Board Meeting held on June 12, 2014.

**PUBLIC HEARING: Consider adoption of the Amendments to the Historic and Landmarks District ordinance**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to open the Public Hearing to consider adoption of the amendments to the Historic and Landmarks District ordinance.

The amendments to the Historic and Landmarks District Ordinance have been discussed over the past couple of months and one of the proposed amendments has been changed. It initially was proposed in the definition section 17.2, "[In addition, the design, arrangement and components of all fences on any Landmark Site or within any Historic District. The foregoing shall specifically](#) not be construed to extend to the color of paint used on the exterior of any improvement [nor the color or material of the roof.](#)"

\*The change is to remove the last eight words of the line and end at improvement.

## **CHAPTER 17 HISTORIC DISTRICTS**

### **Article I Purpose/ Definitions**

#### **§ 17.1 Purpose**

It is hereby declared as a matter of public policy that the protection, enhancement, perpetuation and use of improvements and districts of special character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the prosperity and welfare of the people. The purpose of this chapter is to effect and accomplish the protection, enhancement and perpetuation of such improvements and districts which represent or reflect elements of the Town's cultural, social, economic, political and architectural history; safeguard the Town's historic, aesthetic and cultural heritage, as embodied and reflected in such improvements and districts; stabilize and improve property values in such districts and the Town as a whole; foster civic pride in the beauty and noble accomplishments of the past; strengthen the economy of the Town; and encourage the designation of landmarks, landmark sites and historic districts for the education, pleasure and welfare of the people of the Town.

#### **§17.2 Definitions:**

As used in this chapter, the following terms shall have the meanings indicated:

#### **ALTERATION**

Any act or process that changes one or more of the exterior architectural features of a structure designated for preservation or any structure in a district designated for preservation.

#### **COMMISSION**

The Landmarks and Historic District Commission.

#### **EXTERIOR ARCHITECTURAL FEATURE**

The architectural style, design, general arrangement and components of all of the outer surfaces of an improvement, as distinguished from the interior surfaces enclosed by said exterior surfaces, including but not limited to the kind, and texture of the building materials and the type and style of all windows, doors, siding, trim, masonry, lights, signs and other fixtures appurtenant to such improvements. In addition, the design, arrangement and components of all fences on any Landmark Site or within any Historic District. The foregoing shall specifically not be construed to extend to the color of paint used on the exterior of any improvement nor the color or material of the roof.

#### **HISTORIC DISTRICT**

Any area which contains improvements which have a special character or special

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historical or aesthetic interest or value or which represent one or more periods or styles of architecture reflecting the history of the Town or which cause such area, by reason of such factors, to constitute a distinct section of the Town, and which area has been designated as [a "Historic District"](#) pursuant to the provisions of this chapter.

**IMPROVEMENT**

Any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

**IMPROVEMENT PARCEL**

That portion of real property which includes a physical betterment constituting an improvement and that portion of the land embracing the site thereof as may be deemed appropriate for preservation by the Commission, or an unimproved unit of real property that may be deemed appropriate for preservation. [Amended 11-5-1987 by L.L. No. 3-1987]

**LANDMARK**

Any improvement which has a special character or special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the Town, state or nation and which has been designated as a "[Landmark](#)" pursuant to the provisions of this chapter.

**LANDMARK SITE**

Any improvement parcel which has a special characteristic, [including but not limited to barns or ancillary structures](#), or special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the Town, state or nation and which has been designated as a "[Landmark Site](#)" pursuant to the provisions of this chapter.

**ORDINARY REPAIRS AND MAINTENANCE**

Any work done on any improvement or replacement of any part of an improvement, for which a permit issued by the Building Inspector is not required by law, where the purpose and effect of such work or replacement is to prevent or correct any deterioration or decay of or damage to such improvement or any part thereof and to restore the same, [particularly as to appearance](#), as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

**REPLACEMENT OF WINDOWS**

[The removal and/or replacement of exterior windows](#)

## **Article II: Landmarks and Historic District Commission**

### **§ 17.3 Creation**

There is hereby created a Landmarks and Historic District Commission, which shall consist of nine resident members to be appointed by the Town Board for terms of three years, provided that of those members first taking office three shall be appointed for one year, three for two years and three for three years. The membership shall include the Town Historian, a member of the Planning Board, one or more resident owners in an [Historic District](#) of a [Landmark](#) and, when available, one architect. All members shall serve without compensation.

### **§ 17.4 Powers & Duties**

The Commission shall have the powers and duties granted to it by Article III of this chapter.

### **§ 17.5 Officers**

The Commission shall elect from its membership a Chairman and a Vice Chairman, whose terms of office shall be fixed by the Commission.

### **§ 17.6 Commission Secretary**

The [Town Board has authorized the hiring of](#) a Secretary who shall keep a record of all resolutions and actions of the Commission. [The Secretary can be, but need not be, a member of the Commission. The Secretary shall receive compensation in an amount as determined by the Town Board.](#) The records of the Commission shall set forth every determination made by the Commission and the vote of every member participating therein and the absence of or failure to vote of every member.

### **§ 17.7 Quorum**

A majority of the Commission shall constitute a quorum for the transaction of its business or the performance of its functions, and the concurring vote of a majority of those constituting a quorum shall be necessary for the adoption of any recommendations, motions or other acts of the Commission, except that the affirmative vote of five members shall be necessary for issuance of a certificate of appropriateness.

## **Article III: Designation of [Historic](#) Districts, Landmarks and [Landmark](#) Sites.**

### **§ 17.8 Investigation of [Potential Sites; Consultation with Neighboring Property Owners](#)**

- A. The Commission shall investigate, pursuant to requests from property owners or on its own motion, possible improvements or areas to be designated as a [Landmark, Landmark Site or Historic District](#). The Commission shall poll the owners of the property in the proposed [District](#) or of the proposed [or Landmark Site](#) and shall not create the [Landmark, Landmark Site or Historic District](#) without the approving vote of 70% of the owners of the affected properties.
- B. For the purpose of this section, the owner or owners of each separately assessed parcel shall be entitled to but one vote, notwithstanding that title may be held in joint ownership or tenancy in common or similar multiple-party ownership.

#### **§ 17.9 Hearing**

[Amended 11-5-1987 by L.L. No. 3-1987] If the Commission shall deem an improvement parcel appropriate for the designation as a [Landmark, Landmark Site or Historic District](#) and if the owner of the improvement parcel concurs in accordance with the required poll, the Commission shall then call a public hearing which shall be advertised in the official Town newspaper at least 15 days prior to the date of such hearing. A written notice of such hearing shall be sent to the owner or owners of any property proposed to be designated as a [Landmark or Landmark Site](#) or placed within an [Historic District](#). In addition, all owners of property adjoining the proposed [Historic District, Landmark or Landmark Site](#) shall also be notified.

#### **§ 17.10 Designation on Official Map**

[Amended 11-5-1987 by L.L. No. 3-1987] Within twenty (20) days following the adoption of a resolution establishing a [Landmark, Landmark Site or Historic District](#), such site or area shall be so designated on the Official Map of the Town and will indicate the portions of the land, if any, embracing the [Landmark, Landmark Site or Historic District](#).

#### **§ 17.11 Amendments to [Designation](#)**

A [Landmark, Landmark Site or Historic District](#) may be amended or rescinded in the same manner as the original designation was made.

#### **§ 17.12 When [Designation Takes Effect](#)**

Any designation made under this chapter shall be in full force and effect from and after the date of adoption.

#### **Article IV: [Construction](#), Alterations, Demolitions**

#### **§17.13 Commission [Approval Required; Certificate of Appropriateness](#)**

No Improvement shall be erected, altered, restored, moved or demolished on a Landmark Site or within an Historic District until after an Application for a Certificate of Appropriateness as to the impact of said action(s) upon exterior architectural features has been submitted to the Commission and approved by said Commission. Furthermore, no Landmark shall be altered, restored, moved or demolished until after an Application for a Certificate of Appropriateness as to the impact of said action(s) upon Exterior Architectural Features has been submitted to the Commission and approved by said Commission. Requirement for a Certificate of Appropriateness shall apply only to those changes or improvements that are viewable from a public roadway or right-of-way. It is the responsibility of the property owner to apply for the Certificate of Appropriateness. Furthermore, the owner shall be responsible for complying with all instructions that are part of the Application for a Certificate of Appropriateness, including, but not limited to, notification of adjacent property owners. Said notification shall be verified by the owner's submission of an Affidavit of Mailing.

**§ 17.14 Limitation on Commission Actions**

In its deliberations, the Commission shall not consider the arrangement or use of the interior of any improvement and shall take no action except for the purpose of preventing the erection, alteration, restoration, removal or demolition of Exterior Architectural Improvements obviously incongruous with, or having an explicit deleterious effect upon, the historic aspects of the Landmark, Landmark Site or Historic District.

**§ 17.15 Exemption for Ordinary Repairs**

Nothing shall be construed to prevent Ordinary Repairs & Maintenance or repair of any existing Exterior Architectural Feature or an improvement that does not involve a change of design thereof. Replacement of entire Windows shall not constitute an ordinary repair under the foregoing.

**§ 17.16 Application for Certificate; Hearing; Approval or Disapproval**

[Amended 11-5-1987 by L.L. No. 3-1987] The Landmarks and Historic District Commission shall hold a public hearing upon each Application for a Certificate of Appropriateness. Notice of the time and place of said hearing shall be given by the Commission by publication in form of a legal advertisement in the official Town newspaper 15 days before such hearing. Within not more than 60 days after the filing of an application, the Commission shall make a decision upon such application and shall give written notice of its decision to the applicant, including its reasons for approval or disapproval. Evidence of approval shall be by Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within said 60 days shall constitute approval, and no other evidence of approval shall be needed. The Commission shall keep a record of all applications for Certificates of Appropriateness and of all its actions.

**§ 17.17 Standards for Determination of Appropriateness**

If the Commission determines that the proposed erection, alteration, restoration, removal or demolition will be appropriate, it shall issue a Certificate of Appropriateness. In passing upon appropriateness, the Commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design, arrangement, texture and material of the architectural features involved as well as the relationship thereof to the exterior architectural style and pertinent features of other improvements in the immediate neighborhood if relevant. A Certificate of Appropriateness may be refused for any building or structure, the erection, alteration, restoration, removal or demolition of which, in the opinion of the Commission, would be detrimental to the interest of the Landmark, Landmark Site or Historic District.

**Article V: Administration and Enforcement.**

**§ 17.18 Property Maintenance**

Every owner of a Landmark or a Landmark Site or property within a Historic District shall maintain the property and improvement in good order and repair.

**§ 17.19 Compliance Required; Informal Conferences**

It is the intent of this chapter that the objectives thereof will best be achieved by way of voluntary compliance and cooperation between the owner of an affected parcel and the Commission. The Commission shall, in the event of a dispute as to compliance with the terms and provisions of this chapter, invite the attendance of the owner to an informal conference for adjustment of any such dispute.

**§ 17.20 Specification of Violations; Time Period for Compliance**

In any case where the Commission deems an owner to be in violation of the provisions of this Chapter, it shall submit to the owner and Zoning Code Enforcement Officer a specification of the violations and appropriate instructions to remedy the same and shall set a time to allow the owner to comply with the directions of the Commission. The period of time shall be determined in light of the magnitude of the directions and the ability of owner to comply but shall remain under the authority of the Commission. If the owner fails to comply with said directions, this shall constitute a Violation under the Code. In such event, the Building Inspector shall, upon written request by the Commission, issue a Notice of Violation and serve same upon the owner in any manner provided by law.

**§ 17.21 Final Notice; Injunctive Relief**

In the event of a violation which remains uncorrected for ninety (90) days after the issuance of a Notice of Violation, and subject to the right of owner to appeal as herein

provided, upon authorization by a majority vote of the Town Board the Commission may seek an injunction in a civil court of competent jurisdiction, but no proceedings penal in nature shall be commenced, and a violation of this [Chapter](#) shall in no case be deemed to be a crime or [criminal offense. The Town shall provide representation to the Commission in any such proceeding when authorized by the Town Board.](#)

**Article VI: Appeals.**

**§ 17.23 Court [Review](#)**

Any person or persons aggrieved by any decision, resolution or determination of the Commission, [or against whom a Notice of Violation has been issued](#), may have the determination reviewed by a [court of competent jurisdiction](#) in the manner provided by Article 78 of the [New York](#) Civil Practice Law and Rules, provided that the proceeding is commenced within [thirty \(30\) days](#) after the filing of the [decision, resolution or determination of the Commission](#) in the office of the [Town Board, or within thirty \(30\) days after issuance of a Notice of Violation. The Town shall provide representation to the Commission in any such proceeding.](#)

Councilman Paschkes mentioned a typo in §17.23 where it states “filing of the [decision, resolution or determination of the Commission](#) in the office of the [Town Board](#).”  
\*The correction is to say “in the office of the Town Clerk.

Mr. Wechsler, 9 Salem Road, commented on the new roof material that will be used on his neighbor’s house and wanted to know if the Landmarks decision to let it happen can be redacted. Supervisor Lyman said that this meeting was not the place to bring this matter up as the Town Board was simply amending a local law. The particulars of the law were not a matter for the Town Board discussion and he was told he could file an Article 78 if he wanted to dispute the decision.

**Board Action:** Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to close the Public Hearing to consider adoption of the Amendments to the Historic and Landmarks District ordinance.

**RESOLUTION #: 122-14**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby adopt the amendments to the Historic and Landmarks District ordinance as proposed taking into consideration the corrections noted above in §17.2 and §17.23

**NEW BUSINESS:**

- **Call for Public Hearing for- August on proposed local law regarding residency for Deputy Town Attorney**

**Board Action:** Motion by Councilwoman Boak, seconded by Councilman Paschkes, all voting aye to hold a Public Hearing to consider adoption of a local law regarding the residency of Deputy Town Attorney on Thursday, August 7, 2014.

- **Golf Course monitoring plan removal of filtration system or bottle water**

This was tabled until the Town Board meeting in September.

- **Auditors Report for year ending 2013**

Susan Barosi and Leslie Tillotson of O'Connor Davies, LLP explained that the financial statements are the responsibility of the Town's management. Ms. Barosi said that the Town has five funds: General Fund, Highway Fund, Capitol Fund, Parking Fund and Special Purpose Fund or Trust and Agency Fund. Tonight they focused on the General Fund which is the operational fund. The auditor's express no opinions on these basic financial statements based on the audit. They briefly went through stating that the financials contain reasonable estimates, no significant audit adjustments, no disagreements and no major accounting, auditing or reporting issues. The financial statements present fairly the respective financial position of the governmental activities with accounting principles generally accepted in the United States of America.

They prepared a Management Letter which discusses the strength and weaknesses in the internal control and suggestions for any operating deficiencies. At the end of the audit process, the Town of Pound Ridge received an unmodified opinion which is the best opinion that any municipality can get. Susan Barosi briefly went through the Summary of Communications of Internal Control Matters and there were no material errors, frauds or illegal acts or weakness identified. All accounting policies appeared appropriate. There was nothing to report.

Supervisor Lyman thanked Steve Conti, Director of Finance, along with O'Connor Davies, LLP for all their work for helping keeping Pound Ridge financially secure. The Department heads were also thanked for keeping spending within the budget. The Financial Statements are available in the Town Clerk's office. The Town Board will pass a resolution of acceptance when the final statement is available.

- **The Kitchen Table-Special Use Permit for outdoor seating**

Daphne Everett, owner of The Kitchen Table in Scotts Corners, submitted a Special Use Permit Application to allow outdoor seating at her restaurant.

**RESOLUTION #: 123 -14**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the Special Use Permit Application from The Kitchen Table, 71 Westchester Avenue, Pound Ridge, NY 10576 and allows the outdoor seating during the months of April through November. The seating will be limited to 12 seats and be contained by fencing or potted shrubbery.

- **Inn at Pound Ridge-amendment to the original Special Permit**

The proposed amendments to the Special Use Permit is shown below and was presented by Neil Alexander, Cuddy & Feder, representing KKPR, LLC, the property owner of the Inn at Pound Ridge and Robert Aiello, PE, Associate John Meyer Consulting, PC. The first comment was from Councilman Paschkes stating that he is still uncomfortable with the first paragraph because it doesn't address the fact that if there are going to be any changes in the offsite parking arrangements, the applicant must come before the Town Board for approval. It does say "Should the total of off-site parking fall below 55 spaces, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board." That sentence just doesn't address it correctly. The other complaint from the Town Board is that they never received a management plan narrative or written parking plan as requested. Counsel Alexander said that there was a plan given to the Planning Board dated April 17, 2014 but the Town Board has not seen a written sketch of the additional parking spaces. Notes were taken and the comments will be addressed at a future Town Board meeting.

A resident Connie Doyle, 261 Westchester Avenue spoke on behalf of herself and Diane Fulves saying that the noise level is out of control and nothing has been done to address this. There is no plan in effect for after hour noise control. She feels sound monitors should be placed around the parking lot to prove her point. This has been noted on the record and the applicant will try to address it. She also mentioned that there has been parking allowed at the Samuel Parker Deli lot at night and this is very disturbing. The Town Board was not aware of this parking agreement and asked Counsel Alexander to supply the Town Board with all parking agreements. There are some that are temporary parking spaces for the Inn (Samuel Parker Deli and Conant Hall) but that should be

included in the plan for the Town Board and marked as temporary. It should also indicate that once the approved parking plans are in effect, they will be restricted.

Councilman Paschkes disclosed for the record that Mr. Gosh, owner of Samuel Parker Deli is a former client of his.

Mr. Wechsler, 9 Salem Road, commented that there have been many traffic situations in front of the Inn at Pound Ridge at the ingress and egress. There is also a blind spot because trees and shrubs have been planted obstructing the view of on coming traffic.

Councilman Powers found a typo in paragraph 5 where it says an eight foot high fence along the *northerly* property line; it should be the *southerly* property line.

Diane Fulves, 256 Westchester Avenue, stated that there is still an awful lot of noise after 11:30 p.m. and food delivery trucks continue to deliver between 6:00 – 6:30 a.m. Unfortunately, the Town does not have an ordinance for delivery trucks, only refuse pick up. This will be addressed in the Special Use Permit. Ms. Fulves also asked that the ingress and egress of cars in front of the restaurant be reversed because the lights shine right through her bedroom window. This will be addressed through additional landscaping.

Councilman Paschkes suggested that paragraph 4 be separate paragraphs keeping refuse pick up as a single condition. Another change should be in paragraph 1 requiring notification to the Town Board within one week instead of 30 days of change notice to off-site parking arrangements.

Another suggestion that Supervisor Lyman mentioned is that the recycling of bottles should be left until the morning instead of after hours when the noise level is exaggerated.

Discussion and follow up will be put on the Town Board's August 7, 2014 meeting agenda.

Amended Special Use Permit

258 Westchester Avenue  
Pound Ridge, New York 10576

This permit is issued pursuant to Chapter 113-28 of the Zoning Code of the Town of Pound Ridge.

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On \_\_\_\_\_, 2014, the Town Board of the Town of Pound Ridge approved the issuance of a Special Use Permit (the Original Special Use Permit) to KKPR, LLC (fee owner) and Jean-Georges of Pound Ridge, LLC (the operator), collectively referred to herein as the "Applicant", to operate a commercial restaurant/catering facility at 258 Westchester Avenue, Pound Ridge, NY subject to the terms and conditions set forth therein.

Following issuance of the Original Special Use Permit, issues relating to off-site parking, noise and related operational issues arose. Town officials notified the Applicant of the issues which prompted the Applicant to seek an Amended Special Use Permit to address same.

On \_\_\_\_\_, 2014, the Applicant's proposed Amended Special Use Permit application (the "Application") was filed with the Town Board and referred to the Town Planning Board for review, public comment and recommendation to the Town Board.

Thereafter, the Town Board reviewed the Planning Board's recommendation and conducted a public hearing on the Application on June \_\_\_\_, 2014.

Having considered the Application, and the comments of the public and Planning Board recommendation, the Town Board hereby grants an Amended Special Use Permit to the Applicant on the following terms and conditions:

1. All vehicle parking for the patrons and other invitees of the Applicant as well as its employees shall occur in accordance with the Amended Site Plan drawing set prepared by John Meyer Consulting, PC, last revised May 8, 2014 as well as the Valet Parking Management Plan Narrative prepared by John Meyer Consulting, PC, dated April 17, 2014, collectively detailing the on-site parking at the Premises and the off-site parking jointly at the Pound Ridge Nursery and Bedford Central School District. The Applicants are required to notify the Town Board within 30 days of their receipt of written notice of any change to the off-site parking arrangements at the Pound Ridge Nursery and adjacent Bedford Central School District property reducing the total off-site parking below 55 spaces. Should the total of off-site parking fall below 55 spaces, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board. The Applicants also will operate on the Premises in accordance with Chapter 100 (Vehicles and Traffic) and its penalties for offenses set forth in Sections 100-13, 100-15 and 100-27. Until off-site parking is secured, the Town Board reserves its right to limit Applicant's operation based upon existing available off-site parking.
2. The Applicant will offer dinner and lunch seven days per week at the Premises.

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3. Kitchen service at the Premises will be available until no later than 11:30 PM each day.
4. All dining services will be indoors, and all music or other forms of entertainment will be conducted indoors. Likewise, all refuse pick-up will occur between 7:00 a.m. and 7:00 p.m. in accordance with Chapter 90 (Solid Waste) and its penalties for offenses set forth in Section 90-4B.
5. The outdoor patio and contiguous lawn and garden area may be used on a limited basis to conduct wedding vows, photographs, and similar activities. Such outdoor spaces may also be used for limited cocktail/hors d'oeuvres services offered in connection with the wedding ceremony or similar limited activities. Such outdoor spaces may also be used for limited appropriate musical accompaniment for wedding vows and similar activities. The outdoor spaces may not be used for sit down dinner service. In all events, use of the outdoor spaces for any patron services shall terminate no later than one-half of one hour after sun down. All activities at the Premises regardless of whether they occur indoors or outdoors must comply with Chapter 75 (Noise) and its penalties for offenses set forth in Section 75-9. Notwithstanding Section 75-9 allowing for issuance of a warning citation on a first offense conviction, the Applicants waive their rights to such a reduced first offense conviction penalty and acquiesce to any first offense conviction being treated as a second offense upon conviction. The Applicants will attach courtesy signs to the 8 foot high fence along the northerly property line adjacent to those parking spaces reminding patrons that the restaurant is located in a residential area.
6. All music and/or other entertainment activities shall cease at the Premises no later than 12:00 a.m., except that such activities may continue until 2:00 a.m. on New Year's Day, all in accordance with Chapter 49 (Curfew, Restaurant and Cabaret) and its penalties for offenses set forth in Section 49-2.
7. At all times, the Applicant shall possess and maintain all necessary municipal, county, and state licenses, permits, certificates and approvals required to conduct the contemplated lawful activities at the Premises. In addition, at all times, the Applicant shall, consistent with its representations, operate the permitted restaurant/catering and related activities giving due regard to the rights of its residential neighbors to peaceful and quiet enjoyment of their property. Further, the Applicant shall undertake quarterly review and training in order to ensure that that the employees know and abide by the above-conditions.
8. This Amended Special Use Permit is granted to the Applicant and does not run with the land, nor shall this Amended Special Use Permit be assigned or

- transferred to any other individual or entity without the prior written approval of the Town Board of the Town of Pound Ridge.
9. Should the Applicant desire to engage in any other activities not specifically permitted hereby, the Applicant must request the Town Board of the Town of Pound Ridge to amend or modify this Special Use Permit.
  10. Violation of any of the terms or conditions of the Special Use Permit or of any applicable provision(s) of the Town Code may cause the Town Board of the Town of Pound Ridge to amend, modify or revoke this Special Use Permit.
  11. Unless otherwise amended by this Amended Special Use Permit, all terms of the Original Special Use Permit remain in place and are in full force and effect.
  12. As requested by the Applicant, this Special Use Permit is being issued to KKPR, LLC as fee owner and Jean-Georges of Pound Ridge, LLC as the operating entity of the business and activities hereby permitted.

- **“Pound Ridge Go Green Day”- debriefing the Town Board**

Santo Borsellino and Peter Avellino, members of the Pound Ridge Environmental Steering Committee, gave an update on the outcome of the Go Green Day event this past April. Numerous vendors/exhibitors shared information and demonstrations about energy solutions, sustainable home design, sustainable landscaping and gardening and land stewardship. The goal and mission of the Committee is to educate our community about their natural environment and empower them to make environmentally responsible choices for a more sustainable future. They are hoping to continue this event next year. This will be discussed at the Work Session on August 7, 2014.

- **Pound Ridge Library – requesting approval to post signs on its location**

Pound Ridge Library would like to increase the Library’s visibility and are requesting approval from the Town to install Library Street Signs with the ALA logo and a directional arrow in the following areas: 1) Coming from New Canaan in the vicinity of Scotts Corner; 2) Coming from Stamford at the intersection of High Ridge and Route 124; 3) Coming from Bedford at the intersection of Route 172 and Route 137; 4) Coming from South Salem on Route 124; and possibly, 5) on Route 137 at the Town Park. The Library will purchase the signs to be installed. The Town Board mentioned that the roads they are speaking of are State roads and they delegate who can put signs and where.

Marilyn Tinter, Librarian, will get in touch with the State on this matter and the Town Board will continue this discussion at the August 7, 2014 Work Session.

- **Highway Department-authorization to sell old equipment**

Vinnie Duffield, Highway Superintendent, is requesting permission to sell old equipment on the Auctions International website. The equipment for sale is as follows:

1996 Chevy dump w/plow  
1992 International dump  
1998 International dump w/plow  
2000 Chevy pickup w/plow  
Used 8 1/2 foot snowplow set up

**RESOLUTION #: 124 -14**

**Board Action:** Motion by Councilman Powers, seconded by Councilwoman Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Vinnie Duffield, Highway Superintendent, to sell the following old equipment on the Auctions International website: 1996 Chevy dump w/plow; 1992 International dump; 1998 International dump w/plow; 2000 Chevy pickup w/plow and a used 8 ½ foot snowplow set up.

**FINANCIAL MATTERS:**

- **Recreation Department – authorization to refund deposit for Day Camp withdrawal**

**RESOLUTION #: 125-14**

**Board Action:** Motion by Councilwoman Schwartz, seconded by Councilman , all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the following refunds:

Keri Dezell 15 Park View Place	\$1500.00 from A2001	Withdrawal of child from teen travel camp
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Christina Lehner      \$65.00 from A2002      Refund of specialty camp fee  
PO Box 183      due to schedule conflict  
Pound Ridge, NY 10576

Joanne Ramjuttan      \$200.00 from A2015      Refund of pool membership  
56 Indian Hill Rd.      due to membership in PRFD  
Pound Ridge, NY 10576

- **Receiver of Taxes- approval for refunds for 2014 SCARS**

**RESOLUTION #: 126 -14**

**Board Action:** Motion by Councilman Powers, seconded by Councilman Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the following refunds for 2014 SCARS:

<u>Block/Lot</u>	<u>Name</u>	<u>Reduced from</u>	<u>Reduced to</u>	<u>Difference</u>
9317-72	Shattan	\$5,218.58	\$4,453.18	\$765.40
9320-100	Smith	\$2,721.03	\$2,512.29	\$208.74
9820-13	Eldred	\$2,435.34	\$2,129.18	\$306.16
9821-2	Barber	\$5,566.48	\$5,348.00	\$218.48
9828-3.9	Payner	\$9,045.53	\$8,001.82	\$1,043.71
10047-40.9	Mitchell	\$9,810.92	\$8,238.46	\$1,572.46
10051-20	Stutz	\$1,614.28	\$1,593.40	\$20.88
10263-12	Bellhouse	\$2,964.15	\$2,804.11	\$160.04

**Monthly Reports**

The monthly reports have been received from the various departments for June and are on file with the Town Clerk's office.

**Pay Bills**

**RESOLUTION #: 127-14**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilman Powers, Board polled, motion passing 4-0 with Councilwoman Schwartz abstaining, to authorize payment of bills:

WHEREAS, Councilwoman Schwartz has audited claims for payment and has reported that same could be paid subject to obtaining additional documents or department head signatures to approve them, Now, Therefore, Be It

RESOLVED, that the Supervisor be and is hereby authorized to pay the following claims for payment provided there are sufficient funds in the account to which a claim may be charged:

<b>GENERAL FUND</b>	<b>G</b>		<b>\$152,725.47</b>
<b>HIGHWAY FUND</b>	<b>D</b>		<b>\$ 5613.93</b>
<b>TRUST AND AGENCY</b>	<b>T</b>		<b>\$103,850.95</b>
<b>CAPITAL</b>	<b>H</b>		

**ADJOURNMENT:** There being no further business to come before the Board Supervisor Lyman adjourned the regular meeting at 10:30 p.m.

**RECONVENE AS THE PARKING DISTRICT COMMISSION**

- **Pound Ridge Parking District discussion of “traffic redirection”**

Supervisor Lyman said that there was some discussion of traffic redirection between La Familia Restaurant and the wine store. The traffic flow should be reversed as a safety measure and this has been mentioned to the team on the TEP Committee. It may take roughly 3 years if it becomes part of the TEP project so the Town Board feels that a quick solution should be pursued. Discussion will continue.

- **Pay Bills**

**RESOLUTION #: 128 -14**

**Board Action:** Motion by Councilman Powers, seconded by Councilman Paschkes, motion carried 4-0 with Councilwoman Schwartz abstaining on the following:

WHEREAS, Councilwoman Schwartz has audited claims for payment and has reported that same could be paid, Now, Therefore, Be It

RESOLVED, that the Supervisor be and is hereby authorized to pay the following claims for payment provided there are sufficient funds in the account to which a claim may be charged:

<b>PARKING DISTRICT</b>	<b>ST</b>		<b>\$70.00</b>
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MINUTES OF THE MEETING OF THE TOWN BOARD  
TOWN OF POUND RIDGE  
POUND RIDGE, NY  
July 10, 2014

**ADJOURNMENT**

Supervisor Lyman adjourned the regular meeting at 10:35 p.m.

Joanne Pace, Town Clerk  
Dated at Pound Ridge, New York  
July 11, 2014