

AGENDA
TOWN BOARD WORK SESSION

Meeting date: Thursday, May 2, 2013
Meeting Time: 5:30 PM

Town House, 179 Westchester Avenue
Pound Ridge, New York 10576

PRESENT: Supervisor: Gary David Warshauer
Deputy Supervisor: Jonathan Powers
Councilmembers: Richard Lyman
Peter Falco
Alison Boak
Daniel Paschkes

- **Presentation of Proposed Ecological Residential Cottage Community on Property with frontage on Pine Drive, Rolling Meadow Lane and Lower Trinity Pass.**

An initial presentation for the proposed Ecological Residential Cottage Community on Property with frontage on Pine Drive, Rolling Meadow Lane and Lower Trinity Pass was presented by Anthony Sblendorio. The chairs of the Water Control Commission, Conservation Board and Planning Board as well as the Building Inspector were all represented. The increased demand for smaller, greener homes is making the committees more receptive to ecologically conscious developments. The 29 acres land is being considered for such a development. A constructed wetland septic treatment system is being proposed and will differ from the typical tank and leech field system because it is a self-contained constructed wetland with rubber liner and gravel with plants growing to clean the effluent. The developers would develop the land in an ecological manner and try to prevent further soil erosion and encourage new forest growth. There would be approximately 30-40 cottage-type homes proposed and the entire development would have on-going monitoring as well as measured energy use, tracking of groundwater, social and ecological impacts and education.

Jim Perry, Building Inspector, is concerned that it will be a very big challenge to convince Westchester County to accept the proposed alternative septic plan. He feels that they should get the Health Departments approval before going any further with the application. Their Counsel Al DelBello commented that they are working with the County and will follow through with the approval before going further. The project is contingent upon the approval of the septic system. The Town Board will be lead agent for this development.

- **Discussion of letter received from the Federal Monitor, regarding the Housing Settlement Agreement.**

David Stolman, President of F.P. Clark Associates, discussed the Housing Federal Monitor Model Ordinance and some of the recommendations for Pound Ridge. Some of the issues need to be in the ordinance and some don't need to be put in. Things that are not flexible and must be in the ordinance are: Definitions of AFFH unit, eligible income requirements and calculation of housing cost; No preferences to prioritize selection of income-eligible residents; setting rent and sales prices; property restriction for

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affordability of a minimum 50 years and that the unit be the primary residence of the occupants and affirmative marketing in accordance with County marketing plan.

Reading the comments from Westchester County's letter dated May 1, 2013, Mr. Stolman pointed out that they are suggestions, not musts. The Town Board discussed the first comment: **Required affordable AFFH unit component** and where it recommends that residential developments of five to nine units be required to have at least one affordable AFFH unit, the Town Board decided not to do this and that is ok. The Town Board then discussed what they would like to do as far as rounding down or up when there are fractional components. The Town Board decided when there are 30 or less units, less than .6 will be rounded down and over .5 it would be rounded up. When there are 30+ units, it will be automatically rounded up from .1.

The second comment, Westchester County's: **Definition of eligible households** works for the Town Board. We will change our definition to read how HUD defined affordable fair housing unit-eligible households. We will eliminate §113-100. B. in our draft Local Law and then we will conform to the County's definition.

The third comment: **Calendar/agenda priority** recommends expediting the project by allowing these developments the opportunity to be first on all meeting agendas. The Town Board feels that there should be coordinated reviews where possible. The Town Board also feels that the suggestion from the County to have one more meeting a year would be a good idea. Supervisor Warshauer said that we could put it first on the agenda and do coordinated reviews where practical. Councilman Paschkes suggested putting "where practical" in the wording; not to be a requirement.

The fourth comment: **Occupancy standards** show we vary a little from the County's recommendation. Our draft allows fewer people to live in the proposed affordable AFFH units than the Model Ordinance provisions provide. The Town Board feels comfortable with our numbers and will explain the limitations because of Westchester County's Department of Health guidelines for limitations of occupants due to septic systems.

Discussion took place regarding the report card or Pound Ridge Fact Sheet sent from the County. David Stolman doesn't feel that the County was being heavy-handed in their comments. He feels their evaluation was appropriate. Mr. Stolman feels that adopting the Local Law drafted by the Town Board will go a long way with the monitors as well as the multi-family housing standards. Counsel Sullivan pointed out that some of their figures are not accurate. The total acreage of the Town is shown as 14,771 acres, but approximately 4,300 acres are the Ward Pound Ridge Reservation. Mr. Stolman said it will help to point out factual errors. We can say we are not in agreement with the fact sheet. Supervisor Warshauer will work with David Stolman on a response letter to the County monitor's letter dated March 21, 2013.

The other amendments will refer to §113-57. **Standards for "senior citizen Multi-family housing"**. The wording "senior citizen" will be changed to Multi-family. Section B. will be eliminated altogether. Lot locations were discussed and located for properties located entirely within ¼ mile of the PB-A, PB-B and PB-C zoning districts. The average dwelling units shall not exceed 2,000 square feet of habitable floor area and no individual "dwelling unit" shall contain in excess of 2,500 square feet. The existing

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section J. K. L. and O. will be eliminated. Section R. 6. will also be eliminated. Supervisor Warshauer will have David Stolman go through this Multi-family Housing section and amend it as discussed. It will be put on the June Work Session for further discussion.

RESOLUTION #: 116-13

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

RESOLVED, that the Town Board hereby authorizes David Stolman, F.P. Clark Associates, to amend the Multi-family housing section of Chapter 113-57 per discussion with a fee not to exceed \$3,000.00.

There being no further business to come before the Town Board, the meeting adjourned at 8:05 p.m.