

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, May 8, 2024**

Attendees:

Board Members: Bill Bedford, Chair
Chris Hayes
Betsey Miller
Pete Marchetti

Advisors: John Loveless, Esq., Counsel
Jim Perry, Building Inspector

Town Board Liaison: Dan Paschkes

Conservation Board Liaison: Andrew Karpowich

Administrator: Christeen CB Dür

The meeting began at 7pm. Mr. Bedford introduced the Board Members. Deborah Tepper was not able to attend this meeting. Each applicant presents their proposed sequence of work and site plan. The Board Members will ask questions and anyone attending the meeting is welcome to ask questions as well.

Old Business:

Greensky Real Estate, LLC

76 Cross Pond Road, Block 10263, Lot 43

Application for interior renovations, updating a deck and landscaping.

Zoning District: R-2A, Acres: 3.449

Mr. Waled Haredy, contractor, reviewed the interior renovations and said the deck will be removed and rebuilt. Mr. Bedford said a detailed sequence of work and where the materials will be stored need to be noted on the site plan. Ms. Miller agreed and said the site plan also needs a note about the hand dug foundation. Mr. Haredy asked why he needed to apply to the Water Control Commission if the work is interior. Mr. John Loveless, counsel, explained that the property has wetlands and there is proposed work within a regulated area- the Commission is following our Town Code. He explained that he needs to describe how and where the work will be done. Mr. Bedford added that dimensions and more details are needed- everything has to be on the drawing since that is what is being approved. Ms. Miller explained that construction details are needed. Mr. Perry added that any place where sheetrock is being removed needs to be identified. Mr. Bedford said the Commission is not opposed to the proposed work they are just looking for more information. Mr. Haredy asked if he could remove some of the existing areas in order to determine what needs to be done. Mr. Perry said the applicant did receive a stop work order but the Commission can give him permission to remove materials as part of his investigation on what needs to be done but you will need a wetlands permit to gut the house. Mr. Bedford said investigative removal of materials is ok. Mr. Haredy said he will come back to the next meeting.

New Business:

Justin Schlacks

160 Barnegat Road, Block 9456, Lot 37

Application to add a chimney, a covered porch and patio with a hot tub off of the north side of the existing home.

Zoning District: R-2A, Acres: 2.011

Other Boards: Zoning Board, Landmarks

Mr. Richard Vail, architect, reviewed the plan to build a porch and patio with a hot tub and a chimney. He noted they have already received approval from the Landmarks Commission and the Zoning Board. Mr. Bedford asked for construction details and the locations for the dumpster and materials storage to be noted on the site plan. Mr. Vail said he will return with more information.

Nicholas Goldberg

26 Laurel Road, Block 9822, Lot 16

Application to remove brush (thorns, vines) and 11 dead trees.

Zoning District: R-2A, Acres: 3.32

Mr. Graham Goldberg, the owner's son, said they did not know they needed a permit to remove trees and brush. He said they removed 2 large trees and 9 small trees. He is not sure how many exceeded 6" in width. Mr. Perry said you can remove dead or dying trees without a permit but these trees were within the wetlands and heavy equipment was used. Mr. Perry agreed with his tree count. Mr. Goldberg said he understands the violation and they did use machinery. He said they watched the trees for over a year and they did not have any growth so they decided to remove them. They removed brush in order to have better access to the dead trees. Mr. Goldberg confirmed they have no intention in using the cleared area and he has read the Town Code to make sure he does not have any violations in the future. He said he read the Town Code about what materials can be added to his property. Mr. Bedford said they need to see the wetland setback line and dimensions to the site plan. Mr. Perry said he can come to the Building Department and check the property file for a survey. Mr. Bedford asked the applicant to return with a site plan, with a wetland setback line, the area of disturbance and any notes about the area's use or materials to be added. Mr. Goldberg said he will return with that information.

Mr. Tom Anderson, a neighbor, submitted a letter of concern which is attached. Mr. Anderson said he is concerned about the negative impact to the birds of any wetland area that is cleared. He explained there are birds that are habitat generalist and others that are habitat specific. He requested the applicant be required to submit a restorative plan. Mr. Goldberg said he is happy to restore the area and asked to work with his neighbor on such a plan. Mr. Anderson said the representatives at the Mianus River Gorge can help as well with a plan that is good for birds. Mr. Bedford said it is definitely worth investigating a mitigation plan. Mr. Goldberg said he will visit the Building Department for the survey and work with his neighbor on a restorative plan and then return to the next meeting.

Minutes Approval:

Adoption of Minutes from April 10, 2024

Ms. Miller made a motion to approve the Minutes from the April 10, 2024 meeting, Mr. Marchetti seconded the motion. All members voted to approve the Minutes as distributed, the Minutes are approved.

Mr. Bedford adjourned the meeting at 7:59pm.

Respectfully submitted,



Christeen CB Dür

Christeen Dur

From: Jim Perry
Sent: Tuesday, April 2, 2024 11:39 AM
To: Christeen Dur
Subject: FW: Laurel Road wetlands clear-cut

From: Tom Andersen <tandersen54@optonline.net>
Sent: Sunday, March 31, 2024 11:38 AM
To: Jim Perry <jperry@townofpoundridge.com>
Cc: Daniel Paschkes <dpaschkes@townofpoundridge.com>; Chris Hayes <clhayes1110@gmail.com>
Subject: Laurel Road wetlands clear-cut

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Hi Jim,

I was out birdwatching this morning and discovered that a significant margin of a wetland on Laurel Road had been clearcut since last summer. I looked back through about a dozen Water Control Commission agendas and did not see anything about it (there was one other Laurel Road application but for a building addition on a different property).

It is a relatively small area in the scheme of things but until it was clear-cut it contained a kind of habitat that many birds require and which is increasingly rare in town and beyond — a wet thicket of briar, goldenrod, asters, alders, with some multiflora rose and barberry mixed in, with a thin canopy of large and small trees. Many bird species will nest only in thickets like that or very young forests — yellow warblers, American redstarts, gray catbirds, all of which I've seen there. Baltimore orioles, warbling vireos and yellow-throated vireos nest there. Because of the seeds and berries it produced (past tense), it was an oasis for birds during migration. The thicket provided cover for the marshy pond itself; mallards, wood ducks, great blue herons, green herons, and red-winged blackbirds can all be found there. I started birding there in 2020 because it was close to home, and in about 4 years recorded 52 species.

To make things worse, wood chips, which smother the soil and change its pH, have been scattered throughout.

The town's GIS webpage is down this morning so I can't tell you section, block and lot. But I believe the property is part of the first house on the left after you pass the wetland. I've included a couple of photos, below.

If this clear cut was done without a permit, a comprehensive wetland restoration is in order. If it received a permit, I'd love to know why a clear cut was allowed in a wetland.

Look forward to hearing from you. Best wishes,

Tom Andersen

PS I've cc'd Dan Paschkes as Town Board liaison, and commission member Chris Hayes because he's a friend; I'd have included Bill Bedford but I no longer seem to have his email address.