

**Town of Pound Ridge
Water Control Commission Minutes
Wednesday, August 14, 2024**

Attendees:

Board Members: Bill Bedford, Chair
Pete Marchetti
Betsey Miller
Deborah Tepper

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 attended the meeting via Zoom so he asked Ms. Miller to act as the Board Chair for this meeting. She introduced the Board Members and the process for the 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.

Referral from the Town Board:

The meeting began with a referral from the Town Board regarding a proposal to create a gravel driveway at the Town Park. This driveway is intended to facilitate the fireworks display preparations for the July 4th festivities, allowing transport vehicles access without damaging the terrain. Mr. Perry noted that the location at the far end of the pond closest to the road is the only safe and legal location for the fireworks. It was noted that the driveway would only be used once per year, thereby minimizing environmental disruption. The Town's highway and maintenance departments would remove top soil for about 300' from the parking lot parallel to the pond. Mr. Hayes said he had no concerns. Ms. Tepper asked if any other material was being considered. Mr. Perry said grade item 4 gravel blends in well at the Town Park and other materials are not within the Town's budget. He said the gravel can be contained and flush with the grass. Mr. Perry noted that the width of the path will be 10' and the vehicles will back into the location for the fireworks each year. Mr. Bedford asked if something can be done to restrict unauthorized use. Mr. Perry said the highway and maintenance department can secure the entrance with 2 boulders and a chain across it.

Mr. Hayes made a motion to approve the gravel driveway with a chain across the entrance, Mr. Marchetti seconded the motion. All members voted in favor of the gravel driveway. The application is approved. Ms. Miller asked Ms. Dür to prepare a memo to send to the Town Board to notify them of this approval.

Old Business:

**Pamela Vernon
94 Old Stone Hill Road
Block 10047, Lot 26.1**

Application to remove and replace the existing pool in the same location.

Zoning District: R-3A, Acres: 3.7865

Mr. Peter Julian, landscape architect, reviewed the plan to replace an existing pool. He reviewed the added measurements, distance to the house, electric and gas lines and pathway. He explained the sequence of work. Mr. Julian reviewed the 3 cultecs that will be used once a year for the drawdown an overflow as needed.

Mr. Hayes made a motion to approve the application with a \$5,000 bond, Ms. Tepper seconded the motion. All members voted in favor. The application is approved.

Be it hereby resolved that the application by Pamela Vernon, 94 Old Stone Hill Road, to remove and replace an existing pool in the same location, which is within the 150' wetland regulated area, is approved.

The application is further subject to the following conditions:

FIRST, once siltation protective measures are in place, the Building Inspector shall be notified and within 48 hours (two working days) a site inspection shall be performed. Prior to commencing work within the minimum activity setback area, all protective measures shall comply with specifications of the Building Inspector and/or Commission. The limit of any tree disturbance should be flagged in the field and noted on the plans.

SECOND, prior to removal of the siltation protective measures, it will be necessary to notify the Building Inspector at least 48 hours (2 working days) of the intent to remove the barrier so a site inspection can be performed. Said barriers shall not be removed until so authorized by the Building Inspector and/or Commission.

THIRD, interim inspections may be made by the Building Inspector and/or Commission at any time. The Building Inspector is authorized by the Commission to act in its behalf, if necessary, in any emergency.

FOURTH, this resolution of approval is not a permit to start clearing, grading or construction of the site. Upon receipt of all fees, bonds, and revised plans, if required, the construction permit will be issued by the Building Inspector.

FIFTH, if the plans and conditions as specified and approved are not fully complied with as determined by the Building inspector, said permit shall be voided. In such event, all work must cease, except for temporary mitigating procedures as may be required, and the applicant shall be required to apply to the Commission for a new hearing and reinstatement of the permit, if necessary.

SIXTH, within thirty (30) days after completion of all work allowed under said permit, as-built drawings and consultant's verification shall be submitted. An engineer, landscape architect or architect licensed by the State of New York shall verify that the work has been completed in compliance with the approved permit documents. The Commission shall be notified if there is any change in the plans.

SEVENTH, when all work allowed under a permit is deemed acceptable, the Town Engineer and/or Commission shall issue a Certificate of Completion.

EIGHTH, a \$5,000 bond is required to ensure that the work is performed in a manner that complies with the permit documents. The bond shall be posted with the Town of Pound Ridge

prior to the commencement of work. Said bond shall be processed for release once a Wetlands Activity Completion report is issued.

BASIS FOR DECISION: Applying Chapter 63-25 of the Wetland Ordinance, the Commission finds that the proposed site is the best practical alternative, that adequate safeguards for the protection and preservation of the environment will be taken to protect the wetlands and the proposed action is not averse to the general health, safety, or economic and general welfare of the residents of Pound Ridge and is in accordance with the intent of the Town's Freshwater Wetlands Ordinance. The plan provides for the state-of-the-art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

**Swan Lake Trust
128 Old Stone Hill Road
Block 10047, Lot 28**

Amend prior approval (April 12, 2023 with a \$5,000 bond) to add a wood frame pergola with wire mesh sides and roof within the chicken run courtyard to protect the chickens from hawks or other predators while using the run. Application to build an outdoor garden and chicken coop within 150' setback of wetlands, partial removal and relocation of the existing gravel driveway between the garden and existing barn and removing an existing shed. Zoning District: R-3A, Acres: 6.211

Mr. Andrew Kuzmich, engineer, reviewed the request to amend a previously approved application for a chicken run. The new proposal includes a wood frame pergola with a wire mesh on the sides and the roof to protect against predators. He explained they can use a 12" gravel trench that is 2-3' deep with a sand base for natural waste filtration. Mr. Sam Spiegel, Head Gardner noted that the area is flat and 5' above the wetlands. All members agreed the amendment improved the plan's ecological impact.

Mr. Hayes made a motion to approve the amended application, covered by the existing \$5,000 bond, Ms. Tepper seconded the motion. All members voted in favor. The Application is approved.

Be it hereby resolved that the application by Swan Lake Trust, 128 Old Stone Hill Road, which is within the 150' wetland regulated area, is approved.

The application is further subject to the following conditions:

FIRST, once siltation protective measures are in place, the Building Inspector shall be notified and within 48 hours (two working days) a site inspection shall be performed. Prior to commencing work within the minimum activity setback area, all protective measures shall comply with specifications of the Building Inspector and/or Commission. The limit of any tree disturbance should be flagged in the field and noted on the plans.

SECOND, prior to removal of the siltation protective measures, it will be necessary to notify the Building Inspector at least 48 hours (2 working days) of the intent to remove the barrier so a site inspection can be performed. Said barriers shall not be removed until so authorized by the Building Inspector and/or Commission.

THIRD, interim inspections may be made by the Building Inspector and/or Commission at any time. The Building Inspector is authorized by the Commission to act in its behalf, if necessary, in any emergency.

FOURTH, this resolution of approval is not a permit to start clearing, grading or construction of the site. Upon receipt of all fees, bonds, and revised plans, if required, the construction permit will be issued by the Building Inspector.

FIFTH, if the plans and conditions as specified and approved are not fully complied with as determined by the Building inspector, said permit shall be voided. In such event, all work must cease, except for temporary mitigating procedures as may be required, and the applicant shall be required to apply to the Commission for a new hearing and reinstatement of the permit, if necessary.

SIXTH, within thirty (30) days after completion of all work allowed under said permit, as-built drawings and consultant's verification shall be submitted. An engineer, landscape architect or architect licensed by the State of New York shall verify that the work has been completed in compliance with the approved permit documents. The Commission shall be notified if there is any change in the plans.

SEVENTH, when all work allowed under a permit is deemed acceptable, the Town Engineer and/or Commission shall issue a Certificate of Completion.

EIGHTH, the \$5,000 existing bond is required to ensure that the work is performed in a manner that complies with the permit documents. The bond shall be posted with the Town of Pound Ridge prior to the commencement of work. Said bond shall be processed for release once a Wetlands Activity Completion report is issued.

BASIS FOR DECISION: Applying Chapter 63-25 of the Wetland Ordinance, the Commission finds that the proposed site is the best practical alternative, that adequate safeguards for the protection and preservation of the environment will be taken to protect the wetlands and the proposed action is not averse to the general health, safety, or economic and general welfare of the residents of Pound Ridge and is in accordance with the intent of the Town's Freshwater Wetlands Ordinance. The plan provides for the state-of-the art wetland and ground water safeguards, which will effectively protect potable water sources, preserve the wetland function, and protect against flood pollution and disturbances to the wetlands.

Other Business:

Pound Ridge Tennis Club - 2 Major Lockwood Lane

Although not discussed at this meeting due to postponement, it was mentioned that the Pound Ridge Tennis Club was scheduled for a public hearing on September 26th during the Planning Board meeting. Community members were encouraged to attend.

Minutes Approval:

Adoption of Minutes from June 12, 2024 and July 10, 2024 Meetings

The minutes from the June 12th meeting were reviewed, and no amendments were made.

Ms. Miller made a motion to approve the minutes from June 12th meeting, Mr. Hayes seconded the motion. All members voted in favor. The Minutes as distributed were approved.

The July 10th minutes were corrected to remove Betsey Miller who did not attend that meeting.

Mr. Hayes made a motion to approve the minutes from July 10th meeting as amended, Mr. Bedford seconded the motion. All members voted in favor. The Minutes are approved.

Ms. Miller adjourned the meeting at 7:28pm.

Respectfully submitted,

Christeen CB Dür

A handwritten signature in cursive script that reads "Christeen CB Dür". The signature is written in black ink and is positioned to the right of the typed name.