

Meeting of the Planning Board of the Town of Lewisboro held at the Town Offices at Orchard Square, 20 Cross River Plaza, Lower Level, Cross River, New York on Tuesday, January 26, 2016 at 7:30 p.m.

Present: John O'Donnell, Acting Chairman
Greg La Sorsa
Tony Palmesi
Ron Tetelman
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
Joseph Cermele, AICP, Kellard Sessions Consulting, Town Engineer
Jan Johannessen, AICP, Kellard Sessions Consulting, Town Planner/Wetland Consultant
Ciorsdan Conran, Planning Board Secretary

Also in Attendance: Janet Anderson, Conservation Advisory Council (CAC).

Mr. Kerner, Chairman, was absent from the meeting. Mr. O'Donnell acted as Chairman in his place.

Mr. O'Donnell called the meeting to order at 7:30 pm and noted the exits.

I. PROJECT REVIEW

Cal# 7-15PB, Cal# 31-15WP

Fortune Home Builders – Duffy's Bridge Road, Goldens Bridge, NY, Sheet 2, Block 10516, Lot 1 (Glickenhau Bedford Development, owner of record) – Application for Wetland Activity and Stormwater Permits for the construction of a single-family residence on an undeveloped lot.

Several days prior to the meeting applicant asked to be placed on next month's agenda.

No discussion took place. Project will be on February 23, 2016 agenda.

Cal# 5-01PB

"Falcon Ridge Subdivision," Falcon Ridge Drive, Goldens Bridge, NY, Sheet 8, Block 11137, Lot 18 (Boniello Land & Realty, LTD owner or record) - Application for Reduction of Bond.

Gus Boniello, owner, was present and requested a Reduction of Bond for the Falcon Ridge Subdivision.

Mr. Cermele had no comments.

Mr. O'Donnell stated a Public Hearing for the Reduction of Bond will be held February 23, 2016 and advised the applicant to prepare for questions from the public regarding the trail. Mr. Boniello responded that the trail was completed a month ago.

Mr. Johannessen stated that Kellard Sessions has not done an inspection of the trail.

Town Board member, Dan Welsh, noted that the Open Space and Preserves Advisory Committee will work with Mr. Boniello in scheduling a field visit.

Cal# 3-13PB, 03-16WP

"Silvermine Preserve," Silvermine Drive & Lockwood Road, South Salem, NY, Sheet 48, Block 10057, Lot 15 (Ridgeview Designer Builders, Inc & Daniel Higgins, owners of record)- Applications for Subdivision, Wetland Activity and Stormwater Permits for the construction of a 12-lot subdivision.

Ed Delaney, Bibbo Associates, and Beth Evans, Evans Associates, were present on behalf of the owner and asked for referral to the Town Board for open area development approval and approval for lots in the Silvermine cluster development that do not meet the dimensional zoning requirements.

Mr. Johannessen stated that the Town Board cannot act until after the Planning Board issues a negative declaration but before the Planning Board can make a SEQRA determination the applicant must submit a preliminary mitigation plan for Silvermine Drive, Vista Fire Department review and show site line profiles on the plan.

Mr. Johannessen asked how the open space is to be accessed by the public. Mr. Delaney said the 40 acres of open space will be privately owned by the homeowners association. Mr. Johannessen described Mark and Vi Patek's GIS mapping of the trails and the proposed parking lot at the trailhead. Mr. O'Donnell inquired about the GPS map, which Mr. Johannessen has received.

Mr. O'Donnell cited page 16 of the existing mitigation plan, "recreational access by the public will be permitted within some of the open space property."

Mr. Delaney stated that the area accessible to the public would be the easterly parcel not the westerly. There was discussion about the ambiguous status of the access and the need for clarification of access and ownership, responsibility and maintenance of the open space areas.

Ms. Anderson asked for a copy of the trail system.

Mr. Cermele commented that it was too early to prepare legal documents on the maintenance of the stormwater basins.

Mr. Siebert recommended the applicant meet with the consultants prior to a public hearing. He also stated that the SEQRA determination and preliminary subdivision approval should take place before the applicant proceeds to the Town Board for a waiver and for open development area.

Mr. O'Donnell suggested that the applicant meet with the consultants and a Public Hearing could be scheduled perhaps in March.

Cal# 8-14PB, Cal# 95-14WP, Cal# 20-14SW

Goldens Bridge Village Center, NYS Route 22, Goldens Bridge, NY 10526, Sheet 4, Block 11126, Lot 07 (Stephen Cipes, owner of record) Application for Site Plan, Wetland Activity and Stormwater Permits in connection with the construction of new building, parking lot and modifications to the existing shopping center.

Robert Lauria, property manager of North County Shopping Center; Sabri Barisser, P.E., Bibbo Associates; Beth Evans, Evans Associates; Phil Greeley, Maser Consulting, P.A. and Peter Helmes, AIA, The Helmes Group were present on behalf of the owner.

Mr. Helmes gave a status report of the proposed project. He noted that the project had received approval from the Health Department for a subsurface sewage disposal system that will handle the proposed new building in the north end of the property. The New York City Department of Environmental Protection (NYC DEP) has issued a Negative Declaration with regard to SEQRA and made six minor comments that Bibbo Associates will resolve in the next two weeks. New York State Office of Children and Family Services (NYSOCFS) has approved the preliminary layout for the proposed day care facility. Goldens Bridge Fire Department had approved the site layout and turning radii. The Goldens Bridge Hamlet Organization sent a letter of support for the project and the applicant will appear before ACARC on February 10, 2016.

Mr. Helmes outlined the proposed project divided into two phases. Phase I (the north end) includes a two-story, slab-on-grade building for a daycare center (with playground) and retail/office space plus renovations to the existing shopping center, sidewalk, plaza and parking areas.

Mr. Helmes described Phase II (the south end), a future project that will include a one-story building and additional parking spaces.

Mr. Greeley reported on the traffic analysis performed and proposed improvements such as additional striping and signage, stop bars, increased width of the access road and aisles, plus installation of traffic-calming devices raised like crosswalks and speed tables (walkways raised 3 – 3 ½”). He noted that school bus turning radius and drop off area were reviewed with regard to the daycare center.

Mr. O’Donnell asked about the efficacy of removing the wheel stops in light of the accidents at the plaza. Mr. Greeley noted that new, full height curbs will be installed. Mr. La Sorsa asked if a car could fit past the southernmost planter. Mr. Greeley responded that they could reexamine that area and shift the planters. Mr. Helmes said that in front of Acme the wheel stops would also be removed and a 6” curb is proposed. He noted that it is more difficult to drive over the 6” curb than an angled, wheel stop and this will increase safety.

Ms. Evans requested a waiver of tree survey. Mr. Siebert explained that a Wetland Permit application requires a map identifying all trees greater than 8” diameter. He noted that if an applicant can show cause (in this case, many of the trees surveyed will be removed due to the new construction) the Board can waive the survey.

Ms. Anderson asked about the treatment of the walkway between the existing plaza and new building. Mr. Helmes said it would be maintained stripping.

Mr. Helmes described the proposed retaining walls around the north building and that the applicant has received a height variance from the ZBA.

Mr. O’Donnell polled the Board with regard to a public hearing for this applicant. The consensus of the Board was to schedule a public hearing on this matter March 15, 2016.

Mr. O’Donnell polled the Board as to waiving the tree survey. Mr. Tetelman did not see the need to show trees that will be cut down on the plan. Mr. LaSorsa thanked the applicant for the thorough presentation. He stated that he was hesitant to skip any step on a project this important. Mr. Palmesi agreed with Mr. Tetelman. Mr. Johannessen noted that a tree survey is required for the area within the wetland buffer. Ms. Evans counted 2-3 trees within the wetland buffer. Ms. Evans counted 32 trees greater than 8” diameter in the area of disturbance (the proposed daycare building site). Mr. Johannessen suggested that the Board would want to see the trees that will remain at the perimeter shown on the plan. Mr. Tetelman revised his opinion and requested that Ms. Evans identify the trees to be preserved.

Ms. Anderson agreed that it is important to identify the trees to be preserved.

Mr. Siebert commented that the application requirement is an identification of trees within the wetland buffer. Ms. Evans agreed that it would be relatively easy and inexpensive to show the few trees in the buffer. There was no further discussion concerning the need for a waiver.

Cal#1-16 SW, Cal#1-16 WP

Lichtman, 192 Kitchawan Road, South Salem, NY 10590, Sheet 45, Block 10300, Lot 012 (Cheryl Chess and Aaron Lichtman, owners of record) - Application for demolition and removal of existing five-bedroom house, cottage and pool house. Application for Wetland Activity Permit and Stormwater Permit for the construction of a new six-bedroom house, garage, pool house, courtyard and modified driveway.

Ralph Mackin, AIA and Jeff Contelmo, P.E., Insite Engineering were present on behalf of the owner.

Mr. Mackin reviewed the application and requested the Board make a site visit. He described demolition of the existing house, two sheds, a cottage, the pool house and proposed construction of a new house farther from the road plus a new pool house. Mr. Mackin noted the site’s grading, rock ledge and an existing stone wall limits placement of the new house but it will be adjacent to the location of the existing house in a pre-disturbed area. He noted portions of the existing paved driveway will be removed. Mr. Mackin stated that the proposed plan reduces the amount of impervious surface within the wetland buffer by 20%.

Mr. Johannessen reviewed the Kellard Sessions review memo dated January 20, 2016.

Mr. Contelmo stated that he would like to finalize the proposed house location and suggested that could be achieved through a Board site walk.

Ms. Anderson asked why there was construction in the wetland buffer and concurred that a site walk would be valuable to understand the location of the proposed house.

Mr. Tetelman suggested pivoting the house in order to pull it out of the 150' buffer. He asked if the tax lots should be merged. Mr. Mackin explained that the smaller parcel is wet and rocky.

Mr. O'Donnell suggested scheduling a site walk after the return of the chair, the Board agreed.

II. SKETCH PLAN REVIEW

Cal #10-15 PB

Wilder Balter Partners, NY State Route 22, Goldens Bridge, NY 10526, Sheet 5, Block 10776, Lots 19, 20 & 21 (Property Group Partners, LLC, owner of record) – Application for a 46 unit MF development on a ±35.4 acre parcel.

John Bainlardi, Wilder Balter Partners and Jeff Contelmo, P.E., Insite Engineering were present on behalf of the owner.

Mr. Bainlardi gave a status report of the proposed project. He noted that there was a January 16, 2016 community visit to the Wilder Balter development Bridleside in North Salem. Mr. LaSorsa along with members of the Goldens Bridge Hamlet Organization attended that site walk. Wilder Balter submitted a revised site plan (dated 1/6/16) and a revised EAF, Part I (dated 1/6/16). The Town's Housing Committee sent a letter (dated 1/25/16) of support for the project. Mr. Bainlardi said he would be presenting to the Colony Homeowners Association on January 31, 2016. He also noted that Maser Consulting had completed the traffic study and field work on the archeological assessment found no artifacts. Mr. Bainlardi stated the flora/fauna assessment, fiscal impact and water report would be submitted shortly.

Mr. Bainlardi focused on two topics the Board had raised at previous meetings: preference and funding. He stated that there could be preference for 4-5 units for First Responders (volunteer or paid); these tenants would have to meet the same income/marketing requirements as the other applicants in the development. Mr. Bainlardi said they could make this work through a tax credit.

In the area of funding, Mr. Bainlardi spoke with Norma Drummond, Westchester County's Deputy Commissioner of the Department of Planning and Kevin Plunkett, Deputy County Executive and learned that if the proposal is approved by the Planning Board funding from Westchester County would be available in the Spring. Mr. Bainlardi asked that Ms. Drummond attend the February Board meeting to explain the funding process but Board members viewed that as premature.

Mr. Contelmo gave an overview of the proposed development.

Mr. Johannessen reviewed the Kellard Sessions review memo dated January 20, 2016.

Mr. LaSorsa asked about a blasting permit. Mr. Johannessen said that would be part of the building permit.

Mr. O'Donnell asked if there are proposed sidewalks connecting the development to Route 22. Mr. Bainlardi stated they would look into adding sidewalks.

Mr. O'Donnell asked what the construction cost will be. Mr. Bainlardi estimated \$19-20 million (approx. \$400,000/unit).

Mr. O'Donnell asked about the idea of an island of affordable housing versus affordable housing units distributed throughout Lewisboro. Mr. Bainlardi responded that would be cost prohibitive to research and develop 5-6 separate locations.

The Board discussed becoming the Lead Agency for the coordinated environmental review under the State Environmental Quality Review Act.

On a motion made by Mr. Tetelman, seconded by Mr. Palmesi, the Board resolved to declare its intent to serve as Lead Agency for the coordinated environmental review of the proposed action.

In favor: Mr. LaSorsa, Mr. O'Donnell, Mr. Palmesi and Mr. Tetelman.

Absent: Mr. Kerner

The Board reiterated that Ms. Drummond attending the February meeting would be premature. Mr. Bainlardi noted that Ms. Drummond could answer the Board's question on financing. Mr. O'Donnell asked that before Ms. Drummond attended a Planning Board meeting, more of the Board's questions be answered.

Cal #11-15PB

Elegant Banquets, 1410 Route 35, South Salem, NY 10590, Sheet 39, Block 10549, Lot 17 (South Salem Owners, LLC, owner of record) – Application for Site Plan Review in connection with an addition to the existing building and modification to the existing site.

Michael Sirignano, Esq.; Timothy Cronin, P.E., Cronin Engineering were present along with the potential owner, Simon Curtis, Elegant Banquets.

Mr. Cronin described the proposed project as an approximately 6,000 sf addition which would have a banquet hall and dance floor.

Mr. Cronin noted that there are 96 existing parking spaces which are to be improved, plus 49 new spaces added and 22 spaces land banked (applied for but not installed) in an area that is currently wooded.

Mr. Cronin outlined the existing septic which received Westchester County Department of Health approval in 1975 for 14 seepage pits and a flow of 4,300 gallons per day. He noted that in 1985 or 1986 an expansion added 44 seepage pits and these pits are in good condition.

Mr. Johannessen reviewed the Kellard Sessions memo dated January 20, 2016 and asked that the applicant provide a business plan and avoid tandem parking.

Mr. Cermele had no comments. Ms. Anderson stated that the CAC had no comments.

Mr. Siebert concurred that a business plan was critical for this project.

Mr. Palmesi asked about the driveway width close to Route 35. Mr. Cronin responded that it is currently 16' and they are proposing changing that to 18'.

Mr. Palmesi asked about an elevator in the building and wheelchair access to the cocktail room. Mr. Cronin will check with the architect.

Mr. Palmesi asked about the proximity of neighboring homes on Church Tavern Road and in Connecticut. Mr. Tetelman stated that the residences should be drawn on the landscape plan. Mr. Cronin noted the wooded area between the proposed addition and Church Tavern and they will develop a site line profile for the houses closest to the proposed addition.

Mr. O'Donnell raised several concerns: visual disturbance; the impact of additional lighting; adequacy of parking, especially for business meetings when guests might each drive a vehicle; the impact on the intersection of Route 35 and 123 and the necessity for cars waiting in the entrance way to depart. He suggested a traffic study and a Board site visit (either together or individually) would be in order.

Mr. Sirignano asked for the Board's general reaction on this project's scope and siting. Mr. LaSorsa noted that he liked the general concept. Mr. Tetelman stated his concern over mitigating the large mass and that the increase in cars should be examined.

Mr. Sirignano asked for referrals to ACARC, the Zoning Board and Westchester County Planning Board. He also asked for another meeting with the consultants prior to the next submission. Mr. Johannessen suggested the applicant go to ZBA sooner than later concerning any variance or whether there is anything which might be necessary to qualify the project's status as a preexisting nonconforming use. He also suggested that after the next set of plans are prepared then go to ACARC.

Mr. Siebert concurred that applicant contact the Building Department and ZBA but hold off on ACARC until the plans are more developed.

III. REQUEST FOR EXTENSION OF TIME

Cal# 8-12PB

Rudolph Petruccelli, Oscaleta Road, South Salem, Sheet 33B, Block 11157, Lot 46 (Rudolph Petruccelli, owner of record) - Request for a 90-day Extension of Time to resolution granting Preliminary/Final Subdivision Plat, Negative Declaration Under SEQRA, dated October 21, 2014.

The owner was not present. Michael Sirignano, Esq., represented the applicant.

On a motion made by Mr. LaSorsa, seconded by Mr. Palmesi, a 90-day extension of time to resolution granting Preliminary/Final Subdivision Plat, Negative Declaration Under SEQRA, dated October 21, 2014 to Mr. Petruccelli, Oscaleta Road, South Salem was granted.

All in favor: Mr. LaSorsa, Mr. O'Donnell and Mr. Palmesi

Abstained: Mr. Tetelman

Absent: Mr. Kerner

IV. CORRESPONDENCE AND GENERAL BUSINESS

McGahren (Conant Valley Road)/Wolfson (141 Old Church Lane, Pound Ridge) lot line change

Mr. Siebert explained that this is an application before the Pound Ridge Planning Board and the Town of Lewisboro received a Public Hearing notice. There is a proposed lot line change for a 1/4 acre parcel that spans the municipal boundary line where there is pool equipment that presents a dimensional non-conformity which would be remedied by the proposed lot line change.

On the advice of its consultants, the Board agreed to take no action.

Reduced copies of plans to Planning Board members.

Mr. Johannessen cited that a number of applicants and consultants have asked if they can provide the Board with 11" x 17" or scaled copies instead of full-size prints. Mr. Tetelman noted that if the Board received applications both digitally and as 11" x 17" copies then the Board members can refer to the digital version for more detailed information.

Mr. LaSorsa commented that the Goldens Bridge Shopping Center's Powerpoint was very helpful.

Mr. O'Donnell and Ms. Anderson would like to receive full-size copies.

The matter was tabled for the Chair's return.

Attachments to Minutes

Mr. O'Donnell suggested that the Board consider attaching to its minutes items including reports or pertinent correspondence such as the Board's proposed 2016 meeting dates and recent letters to the Town Board pertaining to changes in Zoning and Income level for affordable housing.

The matter was tabled for the Chair's return.

V. MINUTES OF December 15, 2015

On a motion made by Mr. LaSorsa, seconded by Mr. Tetelman, the minutes of December 15, 2015 were adopted.

In favor: Mr. LaSorsa, Mr. O'Donnell and Mr. Tetelman.

Abstained: Mr. Palmesi

Absent: Mr. Kerner

VI. ADJOURNMENT

On a motion made by Mr. Tetelman, seconded by Mr. LaSorsa, the meeting was adjourned at 11:05 pm.

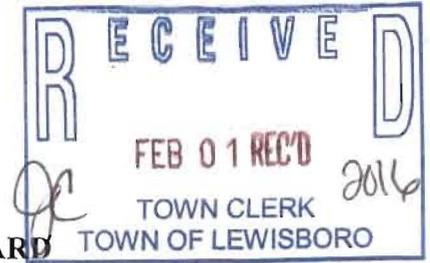
In favor: Mr. LaSorsa, Mr. O'Donnell, Mr. Palmesi and Mr. Tetelman.

Absent: Mr. Kerner

Respectfully Submitted,



Ciorsdan Conran
Planning Board Secretary



**RESOLUTION
TOWN OF LEWISBORO PLANNING BOARD**

DECLARATION OF INTENT TO BE LEAD AGENCY

**Wilder Balter Partners, Inc.
Sheet 5, Block 10776, Lot 19, 20 & 21**

January 26, 2016

WHEREAS, the subject property consists of ±35.4 acres of land and is located within the CC-20 and R-4A Zoning Districts, with the proposed buildings and supporting parking located entirely within the CC-20 Zone (“the subject property”); and

WHEREAS, Wilder Balter Partners, Inc. (“the applicant”) is proposing the development of a multifamily community consisting of 45 affordable (AFFH) residential units and a caretaker’s unit (46 units total) to be located within five (5) proposed buildings (“the proposed action”); and

WHEREAS, the proposed action is intended to include a clubhouse, recreational facilities and supporting parking and stormwater management facilities; and

WHEREAS, water service is proposed to be provided via on-site wells and wastewater will be treated via a private on-site septic system; and

WHEREAS, the following potential Involved and Interested Agencies have been identified:

POTENTIAL INVOLVED AGENCIES

1. Town of Lewisboro Planning Board
2. Town of Lewisboro Zoning Board of Appeals
3. Town of Lewisboro Building Department
4. Westchester County Department of Health
5. New York City Department of Environmental Protection
6. New York State Department of Environmental Conservation
7. New York State Department of Transportation

POTENTIAL INTERESTED AGENCIES

1. Town of Lewisboro Architecture and Community Appearance Review Council
2. Town of Lewisboro Conservation Advisory Council
3. Goldens Bridge Fire Department
4. Town of Lewisboro Housing Committee
5. Westchester County Planning Board

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617.6, the Lewisboro Planning Board concludes that it is the appropriate agency to serve as Lead Agency for the coordinated environmental review of the proposed action; and

BE IT FURTHER RESOLVED THAT, the Planning Board of the Town of Lewisboro hereby authorizes circulation of the attached Notice to the Involved and Interested Agencies indicating the Planning Board's intention to serve as Lead Agency, including circulation of a copy of the Planning Board Application, Part 1 of the Environmental Assessment Form (EAF), the preliminary site plans, and the Lead Agency Agreement, pursuant to the requirements set forth in SEQRA 6 NYCRR Part 617.

ADOPTION OF RESOLUTION

WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Town of Lewisboro as follows:

The motion was moved by: Mr. Tetelman

The motion was seconded by: Mr. Palmesi

The vote was as follows:

JEROME KERNER	<u>absent</u>
JOHN O'DONNELL	<u>aye</u>
RON TETELMAN	<u>aye</u>
GREG LASORSA	<u>aye</u>
ANTHONY PALMESI	<u>aye</u>

John O'Donnell
January 26, 2016
Acting Chair