



**TOWN OF LEWISBORO
TOWN BOARD WORK SESSION
AGENDA
TOWN HOUSE
FEBRUARY 8, 2016
7:30 P.M.**

PUBLIC COMMENT

COMMUNICATIONS

**PUBLIC HEARING Regarding an Amendment to Chapters 220-2, 220-10(A), 220-10(E),
220-32B(2) and Article V**

PUBLIC HEARING Regarding a Rezoning Request by Visnor Realty, LLC

CONSENT AGENDA

- **Approval of Minutes of January 25, 2016**
- **Monthly Reports January 2016**
 - **Building Department**
 - **Police Department**

NEW BUSINESS

- **Resolution to Approve Shard Service Agreement with NYS DOT**
- **Resolution to Approve ALS TDI Tri-State Trek Ride to Travel Through Lewisboro
on June 26, 2016**
- **Discussion Regarding Zoning Options for Commercial Development**

APPROVAL OF CLAIM

POLLING OF THE BOARD

ANNOUNCEMENTS

- **Town Board Meeting February 22, 2016 at 7:30 p.m. at the Town House, 11 Main
Street, South Salem.**

MOTION TO GO INTO EXECUTIVE SESSION

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.

TOWN OF LEWISBORO

LOCAL LAW NUMBER __-2016 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTIONS 220-2, 220-10(A), 220-32B(2), and Article V
OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1.

Chapter 220, Section 220-2, entitled "Definitions and word usage," is hereby amended to modify the definition of the terms "BUILDING, ACCESSORY" and "USE, ACCESSORY":

BUILDING, ACCESSORY: A subordinate building, the use of which is customarily incidental to that of a main building ~~on the same lot~~, and the height of which does not exceed 20 feet.

USE, ACCESSORY: A use which is customarily incidental and subordinate to the principal use ~~on a lot, and located on the same lot therewith.~~

Section 2.

Chapter 220, Section 220-10(A), entitled "Building lots," is hereby amended to read as follows:

- A. Every building and structure hereafter erected, and every use hereafter established, shall be located on a lot as defined herein. Unless a Special Use Permit is granted in accordance with Article V of this Chapter, accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, and no lot shall be created that has an accessory building, structure or use without a principal use.

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Section 3.

Chapter 220, Section 220-32B(2) of the Zoning Code is hereby amended to add the following subsection:

B(2)(g): Construction or placement of an accessory building on a lot located across the street from a principal building.

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Section 4:

Chapter 220, Article V, entitled "Supplemental Regulations," is hereby amended to add the following section:

§220-43.4. Construction or placement of an accessory building on a lot located across the street

from a principal building.

A. Purpose. The purpose and intent of this Section is to allow an accessory building, specifically a private garage or shed, to be constructed or placed on a lot located across the street from the principal building to which it shall serve. This section is intended to provide some relief to homeowner's when it is determined that the principal building lot cannot reasonably accommodate an accessory building.

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B. The construction or placement of an accessory building on a lot located across the street from a principal building shall require a special use permit and shall only be authorized when all of the following conditions are satisfied:

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(1) The principal and accessory building lots shall be in the same ownership and shall be accompanied with a deed restriction establishing that the accessory building lot can only be conveyed with the parcel on which the principal building is located.

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(2) The accessory building lot shall be located immediately opposite and across the street from the principal building lot. For the purposes of this section, immediately opposite shall mean that a straight or diagonal line can be drawn through the street line of both lots without intersecting another lot, other than that associated with the street right-of-way.

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(3) Both the accessory building lot and the principal building lot shall be located within a residential district.

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(4) The construction or placement of an accessory building on a lot located across the street from the principal building shall only be permitted when it is demonstrated that the principal building lot does not presently contain or cannot reasonably accommodate the accessory building.

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(5) Accessory buildings authorized under this section shall be limited to private garages and sheds, subject to §220-23D, "Permitted accessory uses," of this Chapter.

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(6) A maximum of one (1) accessory building shall be allowed on the accessory building lot.

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(7) The accessory building and accessory building lot shall be suitably developed to complement the principal building and principal building lot.

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(8) The use of the accessory building shall be clearly incidental to and customarily found in conjunction with the primary residential building to which it serves. The use of the accessory building shall not include any activity commonly conducted for gain, with the exception of home occupation, subject to §220-23D(1).

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(9) The outdoor storage of vehicles, trailers, boats, campers, motor homes, equipment, materials, or refuse shall be prohibited on the accessory building lot; all matter shall be

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stored within a fully enclosed building.

(10) In cases of private garages intended for the indoor parking of vehicles, no garage shall be approved where the vehicle must back-out into a street to exit; provisions shall be made so that the vehicle can turnaround on the accessory building lot before exiting the lot.

(11) The accessory building shall not contain a bathroom nor shall it contain plumbing facilities; the accessory building lot shall not contain a well that is subject to Westchester County Department of Health rules and regulations.

(12) All proposed utilities serving the accessory building shall be installed underground.

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Section 5. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 6. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2016

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK

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ALTERNATE VERSION -
SEE YELLOW

TOWN OF LEWISBORO

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Section 3.

Chapter 220, Section 220-32B(2) of the Zoning Code is hereby amended to add the following subsection:

B(2)(g): Construction or placement of an accessory building on a lot located proximate to or across the street from a principal building.

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Section 4:

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§220-43.4. Construction or placement of an accessory building on a lot located proximate to or

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across the street from a principal building.

A. Purpose. The purpose and intent of this Section is to allow an accessory building, specifically a private garage or shed, to be constructed or placed on a lot located proximate to or across the street from the principal building to which it shall serve. This section is intended to provide some relief to homeowner's when it is determined that the principal building lot cannot reasonably accommodate an accessory building.

B. The construction or placement of an accessory building on a lot located proximate to or across the street from a principal building shall require a special use permit and shall only be authorized when all of the following conditions are satisfied:

(1) The principal and accessory building lots shall be in the same ownership and shall be accompanied with a deed restriction establishing that the accessory building lot can only be conveyed with the parcel on which the principal building is located.

(2) The location of the accessory building lot shall meet one (1) of the following criteria:

a) The accessory building lot shall be located immediately opposite and across the street from the principal building lot. For the purposes of this section, immediately opposite shall mean that a straight or diagonal line can be drawn through the street line of both lots without intersecting another lot, other than that associated with the street right-of-way.

b) The accessory building lot shall be located not more than 20 feet from the principal building lot. This provision shall only apply when the two (2) building lots are separated by one or more lots that are under different ownership and therefore cannot be merged.

3) Both the accessory building lot and the principal building lot shall be located within a residential district.

4) The construction or placement of an accessory building on a lot located proximate to or across the street from the principal building shall only be permitted when it is demonstrated that the principal building lot does not presently contain or cannot reasonably accommodate the accessory building.

5) Accessory buildings authorized under this section shall be limited to private garages and sheds, subject to §220-23D, "Permitted accessory uses," of this Chapter.

6) A maximum of one (1) accessory building shall be allowed on the accessory building lot.

7) The accessory building and accessory building lot shall be suitably developed to complement the principal building and principal building lot.

8) The use of the accessory building shall be clearly incidental to and customarily found in

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conjunction with the primary residential building to which it serves. The use of the accessory building shall not include any activity commonly conducted for gain, with the exception of home occupation, subject to §220-23D(1).

9) The outdoor storage of vehicles, trailers, boats, campers, motor homes, equipment, materials, or refuse shall be prohibited on the accessory building lot; all matter shall be stored within a fully enclosed building.

10) In cases of private garages intended for the indoor parking of vehicles, no garage shall be approved where the vehicle must back-out into a street to exit; provisions shall be made so that the vehicle can turnaround on the accessory building lot before exiting the lot.

11) The accessory building shall not contain a bathroom nor shall it contain plumbing facilities; the accessory building lot shall not contain a well that is subject to Westchester County Department of Health rules and regulations.

12) All proposed utilities serving the accessory building shall be installed underground.

Section 5. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 6. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2016

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK

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TOWN OF LEWISBORO

LOCAL LAW NUMBER __-2016 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTION 220-10(E)
OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Chapter 220, Section 220-10(E), entitled "Parts of lots not counted toward minimum area requirements," is hereby amended to read as follows:

§ 220-10. Building lots.

E. Parts of lots not counted toward minimum area requirements.

(1) For any new lot created by subdivision, filed on or after November 1, 2004, no part of such lot less in width than 1/3 of the required minimum lot width for the district in which it is located shall be counted as part of the required minimum lot area.

(2) Buildable area.

(a) The area of any new lot created by subdivision, filed on or after November 1, 2004, must be documented to contain a portion of the basic required minimum lot area as specified in § 220-23 or 220-24 which consists of land likely to be buildable. Such portion of land shall not include land under water, land meeting the definition of "wetlands and watercourses," "one-hundred-year floodplain," or land with slope of or greater than 15% over a horizontal distance of 25 feet or more in the direction of the slope.

- (b) Said portion of the basic required minimum lot area of any new lot created by subdivision, filed on or after November 1, 2004, must be a contiguous segment of each lot having a minimum width of 50 feet between opposing limits of said contiguous buildable area (refer to Figure B below). Any portion of a lot less in width than 1/3 of the required minimum lot width shall not be included.

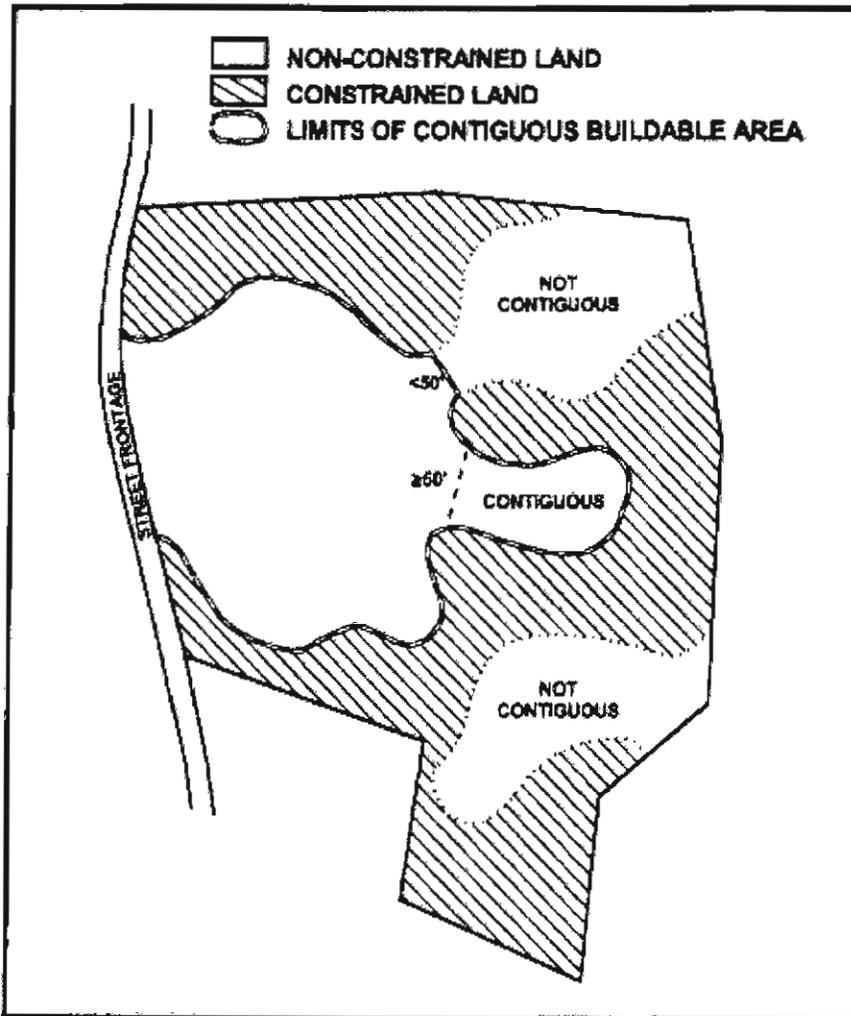


Figure B
Contiguous Buildable Area

- (c) The portion of the basic required minimum lot area for any new lot created by subdivision, filed on or after November 1, 2004, shall be as follows:

Zoning District	Required Minimum Contiguous Area Consisting of Land Likely to be Buildable (square feet)
R-4A	50,000
R-2A	40,000
R-1A	35,000
R-1/2A	20,000
R-1/4A	10,000
R-2F-10	9,300
R-2F-7.5	7,125
R-MF	No regulation

- (d) The principal building and sewage disposal system (not including centralized sewer systems) for any new lot created by subdivision, filed on or after November 1, 2004, shall be constructed in the contiguous buildable area.

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2016

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK

2/9/16

TOWN OF LEWISBORO
Westchester County, New York



Planning Board
PO Box 725
Cross River, New York 10518

Tel: (914) 763-5592
Fax: (914) 763-3637
Email: planning@lewisborogov.com
Website: www.lewisborogov.com

December 22, 2015

Honorable Peter Parsons
Supervisor
Town of Lewisboro
Town House
11 Main Street
South Salem, New York 10590

Re: Petition for Zoning Map Amendment -
Visnor Property, LLC

Dear Supervisor Parsons:

I submit this letter on behalf of the Planning Board in response to the referral of a Petition for a Zoning Map Amendment dated November 16, 2015 submitted to the Town Board by Visnor Property, LLC ("Visnor").

This is the second Petition submitted by Visnor seeking a rezoning of three (3) tax parcels, which are identified as Sheet 53, Block 9834, Lots 32, 33 and 34. This Petition seeks a reclassification of (1) Lots 32 and 34 from Retail Business (RB) to General Business (GB) and (2) Lot 33 from Retail Business (RB) and Residential (R-1A) to General Business (GB) and Residential (R-1A). The Petition previously submitted by Visnor sought a rezoning of all three parcels to General Business (GB) use. The Petition dated November 16, 2015 mirrors the prior request, except that it proposes maintaining the easterly portion of Lot 33 as R-1A to provide a buffer area to nearby residences.

The Planning Board considered this Petition at its December 17, 2015 meeting.

As with the prior Petition, the Planning Board recommends that the zoning of the tax lots referenced in the Petition remain unchanged. As before, the Planning Board finds Visnor has not articulated nor demonstrated a compelling basis for allowing General Business (GB) uses on all or a portion of any of the three parcels. The Planning Board has considered the current zoning classification of this property and determined a wide range of appropriate, and commercially viable, uses can be made of the parcels under the Retail Business (RB) zoning regulations. The requested change to General Business (GB) zoning would add motor vehicle sales, landscape nurseries, storage and sale of building materials, commercial kennels, fast food establishments, manufacturing, fabrication, finishing of products and research laboratories as potential uses on these parcels. These types of uses are inconsistent with the hamlet setting contemplated in the Town Master Plan for this site and its environs. Furthermore, the Planning Board cannot fully assess the manner in which the requested zoning reclassification would affect the current character and zoning scheme of the area surrounding these parcels because no definite plan of

**TOWN OF LEWISBORO
ZONING BOARD OF
APPEALS**

Memo

To: Honorable Peter Parsons, Supervisor
& Members of the Town Board

From: Robin Price, Chairman & *RP/amb*
Members of the Zoning Board of Appeals

Date: January 7, 2016

Re: Amendments to Chapter 220-10

At the request of Anthony Molé dated October 21, 2015, the members of the Zoning Board of Appeals briefly discussed the proposed amendments to Sections 220-10(A) and 220-10(E)(2) of the Zoning Ordinance of the Town of Lewisboro at the November 18, 2015 meeting. It was the general consensus that the proposed changes to the ordinance were a measure to clean up the wording.

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, January 25, 2016, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia, *Frank Kelly, John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - None

Also attending was the Attorney for the Town Anthony Mole', Police Chief Frank Secret and Facilities Maintenance Manager Joel Smith.

Mr. Parsons called the meeting to order at 7:34 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

PUBLIC HEARING – Chapter 220, Section 220-2, Middle Income Families

Supervisor Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached). Mr. Parsons called for comments from the public.

The local law would be to amend the property income to a yearly income of 2% of the fair market value of the investment which shall be included in the family's aggregate income, as opposed to the current 8%.

There were no comments from the public.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- Kelly	(1)

RESOLUTION

RESOLVED, that the public hearing for Chapter 220, Section 220-2, Middle Income Families, is now closed.

TOWN CODE – Chapter 220, Section 220-2, Middle Income Families

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- Kelly	(1)

RESOLVED, that the Town Board adopted Local Law 1-2016 to read as follows:

TOWN OF LEWISBORO
 LOCAL LAW NUMBER 1-2016 OF THE TOWN OF LEWISBORO
 AMENDMENT TO CHAPTER 220, SECTIONS 220-2(B)
 OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Chapter 220, Section 220-2(B), entitled “Definitions and word usage,” is hereby amended to amend the definition of Middle Income Families” to read as follows:

§ 220-2. Definitions and word usage.

- B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

MIDDLE INCOME FAMILIES –

- (1) Families whose aggregate income, including the total of all current annual income of all family members from any source whatsoever at the time of application, but excluding the earnings of working minors (under 21 years of age) attending school full-time, shall not exceed the following multiple of the median annual Town-paid wages of all full-time employees of the Town of Lewisboro during the preceding calendar year:

Size of Family (persons)	Multiple of Median Annual Town-paid wages
1	0.9
2	1.1
3	1.3
4	1.4

5	1.6
6	1.7
7	1.9
8 or more	2.0

- (2) Property income. For property or other investments which are not returning dividends, rents or other measureable income (excluding normal household personal possessions), a yearly income of 2% of the fair market value of the investment shall be included in the family's aggregate income.

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

*Frank Kelly arrives at 7:36 p.m.

COMMUNICATIONS

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to approve meeting minutes and to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the January 4, 2016 Town Board meeting were approved.

THE VOTE: Yes - Parsons, DeLucia, Kelly, Pappalardo, Welsh (5)
 No - None (0)
 Absent - None (0)

REPORTS – Monthly Reports

On the above motion and second, the December 2015 and year end report from the Police Department were received and filed.

PUBLIC HEARING – Date Set for Amendment to Zoning Map for 469 and 471 Smith Ridge Rd.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Parsons, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro, will hold a public hearing on February 8, 2016, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to the amendment of the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB).

VISTA FIRE DEPARTMENT 75TH ANNIVERSARY PARTY – Request the Use of Onatru Farm

Mr. Parsons stated that the Vista Fire Department will be celebrating their 75th Anniversary this year and they were asking if they could use Onatru Farm Park for the celebration on Saturday, September 17, 2016.

The Board suggested that we find out some specifics; where specifically in the park they are looking at holding the event, how many people, the hours of the celebration, etc. The Board is fine with them using the park, but they also feel that any type of recreational games (soccer, etc.) should not be disrupted.

Mr. Parsons will speak with them to get a better of sense of what they are looking for.

SUPERVISOR’S BUSINESS AND TOURISM COMMITTEE – Discussion

Mr. Parsons stated that he is working on getting a Business Advisory group together which initially consists of the following business owners in town:

- Bruce Capua of Stillwell Stair Builders in Goldens Bridge
- Peter Cipriano of Copia Garden Center in Vista
- Tom Gossett of Gossett Brothers in South Salem
- Guy Hodges, The Bee Guy from Kitchawan
- Mike Novak of Cross River Wines
- Scott Roveto of Little Feet Child Care of Goldens Bridge
- Bill Swartfager of AIA in Cross River
- Chuck Tator of Tator’s Garage in South Salem.

Mr. Parsons asked these business owners to feel free to invite other business owners that they know from town. Mr. Parsons stated that he plans to hold the first meeting in either the second or fourth week of February on a Tuesday or Thursday evening.

Mr. Parsons expressed to the business owners that his objective is to find ways that Town Government can contribute to a more business friendly environment in our Town.

Mr. DeLucia stated he thought there should be a tourism side to it as well. Mr. DeLucia suggested including an attorney, a real-estate person (Ken Sobel was mentioned), and a restaurateur (Sue Vales of the Horse and Hound was mentioned). Mr. DeLucia suggested possibly having a restaurant week and reiterated that he would like to see improved signage promoting businesses in our town.

Mr. Parsons will reach out to the individuals mentioned tonight to see if they are interested.

GOLDEN’S BRIDGE COMMUNITY HOUSE PRIVACY FENCE – Discussion

Mr. Parsons stated that a neighbor of the Golden’s Bridge Community House inquired if the town would be willing to put up a privacy fence on one side of the building and they would split the cost with the town. Mr. Parsons stated that the quote that Mr. Smith received from the homeowner was \$8,000 – \$10,000. The Board discussed this and said that they would take it under advisement in an upcoming budget.

SEPTIC ORDINANCE – Discussion Re Correction

Back in 2011, Local Law 4-2011 was passed which amended the Code of the Town of Lewisboro to include a new chapter entitled “Maintenance of Separate Sewage Disposal Systems/On-site Wastewater Systems”.

When debating the law, there were two versions that were drawn up and the incorrect version was submitted to the Secretary of State and to General Code. The wording of the current ordinance states that it applies only to parts of the town that lie in the watershed, however, the version which should have been submitted should have stated that the ordinance applies to the entire town.

The town attorney stated that he will send in the correct version of Local Law 4-2011 to the Secretary of State, along with the minutes of the January 25, 2016 town board meeting noting the Town Board discussion. He will then direct the Town Clerk when to send in the corrected version to General Code, to place on the website. The resolution and corrected version of law is as follows:

On motion by Mr. Welsh, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Parsons, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board does authorize and direct that a corrected local law filing be sent to the New York Secretary of State, for Local Law 4 of 2011, in which the incorrect version

of the local law was sent to the Secretary of State for filing rather than the version that was actually adopted by the Town Board.

Correct Version of Local Law 4-2011 – Septic Ordinance

Section 1. A new Chapter --- to be entitled "Maintenance of Separate Sewage Disposal Systems/On-site Wastewater Systems" is hereby added to the Town Code of the Town of Lewisboro to read as follows:

§ ---1. Purpose and Intent.

The Town of Lewisboro hereby finds that it is necessary to the health, safety and welfare of the residents of the Town of Lewisboro that separate sewage disposal systems operate and be maintained in a manner that will prevent, to the extent possible, hazards to the public health and to protect the drinking water supply of the Town of Lewisboro and drinking water supplies which pass through the Town of Lewisboro.

This local law is intended to implement the provisions of Part IX.A.3.b of the New York State Department of Environmental Conservation, SPDES General Permit GP-0-10-002 ("Permit") for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) effective May 1, 2010, which require that the Town implement and enforce a program to ensure that separate sewage disposal systems/on-site wastewater treatment systems are inspected and, where necessary, maintained or rehabilitated as required by Part LX.A.3.b of the Permit and/or similar provisions in successor Permits.

§ ---2. Definitions.

SEPARATE SEWAGE DISPOSAL SYSTEM/ON-SITE WASTEWATER TREATMENT SYSTEM - a system or facilities or means for the treatment or modification or ultimate disposal of waterborne sewage or domestic wastes or trade wastes or offensive material, regardless of location with respect to any building or structure or premises thereby served, including but not limited to septic tanks. Such system shall include, but shall not be limited to, facilities for the treatment or modification or required control of harmful or deleterious substance, as defined in 5873.721 of the Westchester County Sanitary Code, before subsurface discharge.

SEPTAGE COLLECTOR - an individual or entity licensed by the Westchester County Commissioner of Health who engages in the performance of any one (1) or more of the following services, or who offers to provide any one (1) or more of the following services for a fee, in Westchester County, with respect to separate sewage disposal systems: evacuation, removal, collection or transportation of septage.

SEPTAGE - the contents of a septic tank or other Separate Sewage Disposal System/On-site Wastewater Treatment System which receives sanitary sewage waste.

INSPECTION - the evacuation and removal of septage from a Separate Sewage Disposal System/On-site Wastewater Treatment System and subsequent reporting by a Septage Collector

that is licensed by the Westchester County Department of Health pursuant to §5873.722, §873.724 and §873.726 of the Westchester County Sanitary Code.

APPEALS AUTHORITY - the Building Inspector.

§ ---3. Inspection requirements.

- A. Beginning on May 1, 2011, the owner of any parcel of land located within the Town of Lewisboro which relies upon a Separate Sewage Disposal System/On-site Wastewater Treatment System for the treatment or modification or ultimate disposal of waterborne sewage or domestic wastes or trade wastes or offensive material, with respect to any building or structure thereon, shall cause an inspection to be performed on said Separate Sewage Disposal System/On-site Wastewater Treatment System at a minimum frequency of once every five (5) years.
- B. Upon the completion of any inspection, every owner shall maintain a copy of the record of such inspection as required by Section 873.724 of the Westchester County Sanitary Code, which will be provided to the owner by the Septage Collector, for a minimum of six (6) years.

§ --- 4. Waivers Variance.

The Appeals Authority shall not grant a waiver or exemption from any of the requirements of this local law provided, however, that the Appeals Authority may vary the time requirements as referenced within this local law, upon the submission and consideration of evidence which may necessitate an extension of time to comply with all aspects of this local law. Such extension shall not exceed one hundred eighty (180) days.

§ --- 5. Enforcement and penalties.

Any owner of a parcel of land which is located within the Town of Lewisboro serviced by a Separate Sewage Disposal System/On-site Wastewater Treatment System that violates the provision of this local law, shall be guilty of a violation, and shall be subject to a penalty as follows:

- (1) The Building Inspector shall first issue a written notice of violation to the owner informing the owner of the anticipated imposition of penalties if the violation is not corrected within 30 days.
- (2) If the violation is not remedied within 30 days, the owner shall be subject to a fine not to exceed \$200.00 for each violation. Thereafter, beginning on the 31st day of the continuing violation, the owner shall be subject to a fine in the amount of \$200.00 for each fourteen (14) day period until the violation is remedied and can be verified in writing by the Building Inspector.

§ --- 6. Compliance With Other Laws.

Compliance with this local law shall not be deemed compliance or approval of the municipality under any other rules, regulations, codes or laws including, but not limited to, Article VIII of the Westchester County Sanitary Code.

§ --- 7. Severability.

In the event of that any provision of this local law shall be held unconstitutional or unlawful, the remaining provisions in this local law shall remain in full force and effect.

Section 2. This local law shall take effect immediately upon its adoption and filing in the office of the Secretary of State.

ROAD DEDICATION AND PERFORMANCE SECURITY REDUCTION - Falcon Ridge (7:53 – 7:57 pm)

The developer of the Falcon Ridge subdivision off Route 138 in Goldens Bridge is seeking to have the Town Board accept dedication of Falcon Ridge Drive and the open space parcels. They also requested the Town Board and Planning Board for a reduction in the performance security. They asked that the amount on deposit for the Town’s benefit be reduced to \$181,112.30.

The Town Attorney did verify that all improvements associated with Falcon Ridge Drive and the infrastructure for the Subdivision have been fully completed in accordance with the Town’s requirements.

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Parsons, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board does authorize the reduction in the Falcon Ridge Subdivision performance security to \$181,112.30, pending the Planning Board approval.

LENGYEL HOUSE (A-HOME) ENERGY UPDATE – Authorization for Westchester County to Reserve Federal QECB Subsidy

The Lengyel House (A-Home) which is located at the intersection of Route 123 and Elmwood Road will get a significant upgrade which it needs.

Mr. Parsons did disclose that he is on the Board of Directors of the Energize Improvement Corporation.

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Parsons, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board does authorize the Westchester County to reserve \$72,850.00 of the County’s Qualified Energy Conservation Bonds (QECB) for an energy update to Lengyel House and be it further

RESOLVED that the Town Board does authorize the formal transfer of the \$72,850.00 in the federal subsidy to the energy improvement corporation to act on behalf of the town in supervising this transaction.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, February 8, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

CLAIMS – Authorized for Payment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 5-0 to authorize payment of the Town’s bills in the amount of \$375,249.61.

POLLING OF THE BOARD –

SUSTAINABILITY – Movie Night

Mr. Welsh reported that the Sustainability movie night at the library was successful.

GOLDENS BRIDGE HAMLET ORGANIZATION – Thank You

Mr. Welsh also mentioned that they have identified a person in town with significant planning skills that is a professional within the industry and they are starting a discussion about the potential of this person helping with the Goldens Bridge work. Mr. Welsh stated that if they contracted with a planning firm it would cost the town several thousand dollars. Mr. Welsh would like to draft out a scope that makes sense for both parties concerned and pay this person a stipend, for example \$4,000.

Mr. Parsons would like Mr. Welsh to continue his discussions with this individual providing that they have their own insurance within the planning profession.

Mr. Pappalardo wanted to thank the Goldens Bridge Hamlet Organization (Jonathan Monti and his group) for all of their significant input.

INTERN – Law Offices

Mr. Pappalardo has someone that approached him who is interested in interning with the town attorney’s law office or with the town justices. Mr. Mole’ will get in touch with Mr. Pappalardo to discuss the details.

LEWISBORO LIONS CLUB – Fundraiser

Mr. Parsons announced the Lions Club Fundraiser which will be held at the Lake Katonah Clubhouse on Saturday, January 30, 2016 from 7-10 p.m.

EXECUTIVE SESSION – To Discuss Appointments, Litigation and Real Estate Transactions

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to go into executive session at 8:08 p.m. to discuss appointments, litigation and real estate transactions.

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to come out of executive session at 9:15 p.m.

CONSERVATION ADVISORY COUNCIL – Appointment of Member

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that John Wolff hereby appointed as members of the Conservation Advisory Council (CAC) for a two-year term expiring December 31, 2017.

SUSTAINABILITY COMMITTEE – Appointment of Member

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that Michele “Mimi” Cassidy hereby is appointed Member of the Sustainability Committee for a two-year term expiring December 31, 2017.

LEWISBORO POLICE DEPARTMENT – Consultant Hired

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does authorize the Lewisboro Police Department to hire Jared Harwayne-Gidansky as a consultant to the Lewisboro Police Department at a rate of \$20/hour with a maximum annual payment of \$5,000 per year.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to adjourn at 9:17 p.m.

Janet L. Donohue
Town Clerk

TOWN OF LEWISBORO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on January 25, 2016 at 7:30 p.m., or soon thereafter as time permits at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to a proposed local law to amend Chapter 220, Section 220-2, Middle Income Families, to amend the property income to a yearly income of 2% of the fair market value of the investment which shall be included in the family's aggregate income. At said hearing all interested persons are invited to attend and will be heard. The Town of Lewisboro is committed to equal access for all. Anyone needing accommodation to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance.

BY ORDER OF THE TOWN BOARD
TOWN OF LEWISBORO
JANET L. DONOHUE
TOWN CLERK

Dated at South Salem, New York
This 16th day of December, 2015

MONTHLY REPORT JANUARY 2016

Quantity	Bld Permit	Permit	CC/CO	RM	EQ
14	Res Minor Work	\$ 2,190.00	\$ 800.00	\$ 28.00	\$ 100.00
1	Res ADD	180.00	80.00	2.00	0.00
1	Res Acc Str	850.00	750.00	2.00	0.00
3	Res Alt	5180.00	4880.00	6.00	100.00
0	Res New	0.00	0.00	0.00	0.00
0	Res Renew	0.00	0.00	0.00	0.00
1	Comm Alt/Add	180.00	0.00	0.00	0.00
2	Comm Minor	900.00	700.00	4.00	0.00
9	ZBA/ACARC	900.00	0.00	18.00	0.00
0	Other Permits	0.00	0.00	0.00	0.00
2	220-76C	0.00	200.00	4.00	0.00
10	Wetlands/EQ	1050.00	300.00	0.00	300.00
1	Civil Penalty	250.00	0.00	0.00	0.00
49	Copies	12.25	0.00	0.00	0.00
0	Misc	0.00	0.00	0.00	0.00

Total	\$ 11,692.25	\$ 7,710.00	\$ 64.00	\$ 500.00
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Total Receipts :	\$ 19,966.25
Total Deposits:	\$ 19,966.25

Bldg Insp: Robert Bunt
 Date: 2/2/16

Total: \$ 19,966.25

19966.25 Difference

<u>Res. MW</u>	<u>BP</u>	<u>CC</u>	<u>RM</u>	<u>EQ</u>	<u>Residential Add</u>	<u>BP</u>	<u>CO</u>	<u>RM</u>	<u>EQ</u>	
Bowen	200	100	2	0	Prockter		180	80	2	0
Brooks	120	20	2	50						
Janover	120	20	2	50						
Schuhow	170	70	2	0						
Handler	140	40	2	0						
Fideler/Styles	200	100	2	0						
Bates	210	110	2	0						
Lombardi	130	30	2	0						
Owen	120	20	2	0						
Brahmst	130	30	2	0						
Westlake	190	90	2	0						
Weingarten	210	110	2	0						
Cohlan	110	20	2	0						
Blum	140	40	2	0						
Column Total							180	80	2	0
Subtotal							262			
Comm. MW					BP	CO	RM	EQ		
EKCR-Kempo							400	300	2	0
EKCR-Chase							500	400	2	0
Column Total							900	700	4	0
Subtotal							1604			
Res. Alt					BP	CO	RM	EQ		
Sandler							1650	1550	2	50
Grossman							3350	3250	2	0
Oakridge Condos							180	80	2	50
Column Total							5180	4880	6	100
Subtotal							10166			
Res. New					BP	CO	RM	EQ		
Column Total							0	0	0	0
Subtotal							0			
220-76C					BP	CO	RM	EQ		
106 Mead St, LLC								100	2	0
Prockter								100	2	0

Column Total	0	200	4	0
Subtotal	204			

Res Renewal	BP	CO	RM	EQ
Column Total	0	0	0	0
Subtotal	0			

Wetland	W/P	S/W	EQ
Mezzo	0	0	50
McMahon	150	0	
Furo	0	0	50
Lichtman	0	0	50
Van Tam, LLC	0	0	50
Michel	750	0	0
Michel	0	300	0
WPL, Inc.	0	0	50
Mezzo	150	0	0
Sandler	0	0	50

Column Total	2190	800	28	100
Subtotal	\$ 3,118.00			

Column Total	1050	300	300
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Civil Penalty	CP
Procter	250

Subtotal	1650
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Subtotal	250
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Other Permits	BP	CC	RM	EQ
Column Total	0	0	0	0
Subtotal	0			

Comm. Add/Alt	BP	CO/CC	RM	EQ
EKCR/Kempo	180			
Column Total	180	0	0	0
Subtotal	180			

ZBA / ACARC	Permit Application	RM
Wishner	250	2
Goodman	100	2
Rotondi	250	2
South Salem Deli	25	2

Misc	BP	CO/CC	RM	EQ
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Stevens Memorial	25	2
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					American Water	100		2	
					EK Cross River	100		2	
					EKCR- Kempo	25		2	
					Katonah Art Cntr	25		2	
Column Total	0	0	0	0	Column Total	900	0	18	0
Subtotal	0	0	0	0	Subtotal	918	0	18	0
Cash					Res. A/S		BP	CO	RM EQ
Photocopies	12.25				Michel	850		750	2 0
					Column Total	850		750	2 0
Subtotal	12.25	0	0	0	Subtotal	1602	0	18	0



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Acting Regional Director

February 1, 2016

Town of Lewisboro
Town House
11 Main Street
P. O. Box 500
South Salem, N.Y. 10590
Attention: Peter Parsons

Mr. Parsons :

I've been asked to progress a Shared Services Agreement between NYSDOT and your agency to facilitate disaster assistance as the need arises. This agreement would allow us to share resources during an event that does not warrant, or in the absence of, a Governor's Emergency Declaration.

Attached please find a Shared Services Agreement for your review. If you're interested in participating in this agreement, please sign, date, and return to my office. Please do not make any revisions to the Agreement as written.

If you'd like to discuss this further, or if you're not interested in participating, please let me know.

Thank you.

Edward J. Goff, PE
New York State Department of Transportation
Resident Engineer – N. Westchester County
85 Route 100
Katonah, New York 10536

(914) 232-3060
ED.GOFF@dot.ny.gov

SHARED SERVICES AGREEMENT
Between
NYSDOT and _____

THIS AGREEMENT, dated _____, 201_, is between the People of the State of New York, hereinafter referred to as "State" or "NYSDOT" and the _____, hereinafter referred to as "Municipality." Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources. Shared Services shall mean any service provided by one party (Provider) to another party (Recipient). The State and the Municipality agree to share services as follows:

1. Description and Cost of Services, Materials or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed ten thousand dollars (\$10,000.00). If applicable, indicate that the return exchange will be determined at a later date.
2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Workers Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.
4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement.
5. The term of this Agreement shall be for one (1) year. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

NYSDOT -- Region ___

MUNICIPALITY

By: _____ Date: _____

Resident Engineer Northern Westchester County

By: _____ Date: _____

_____ Highway Superintendent

NYSDOT Region 8

By: _____ Date: _____

Regional Director of Operations

SCHEDULE A

NYSDOT

Description of services, materials, or equipment (Check All that apply) to be shared:

Emergency assistance, including snow and ice control pursuant to Highway Law Section 55, as may be needed and agreed to by the Department of Transportation.

Estimated Cost/Value of Service Equipment Materials (Check All that apply):

Total NYSDOT Cost/Value: _____

MUNICIPALITY

Description of services, materials, or equipment (Check All that apply) to be shared:

To be determined based on services and materials provided by the Department of Transportation.

Estimated Cost/Value of Service Equipment Materials (Check All that apply):

Total MUNICIPALITY Cost/Value: _____



Town of Lewisboro
Town Supervisor, Peter Parsons
11 Main Street, P.O. Box 500
Lewisboro, NY 10590

January 29, 2016

Dear Mr. Parsons,

On **Sunday, June 26, 2016**, 200 cyclists will travel through your town on their way from Boston to Greenwich, CT in the 14th annual ALS TDI Tri-State Trek. The event benefits the ALS Therapy Development Institute, a nonprofit biotechnology company based in Cambridge, Massachusetts.

Amyotrophic Lateral Sclerosis (ALS), Lou Gehrig's disease, is a neurodegenerative disorder that paralyzes the body but leaves the mind intact. Patients, on average, live between two to five years. There are currently no effective therapeutics to slow or stop the disease. The ALS Therapy Development Institute is driven by a single, profoundly important goal – to discover viable treatments for ALS as quickly as possible.

Enclosed is a proposed route with the specific date and times that we anticipate to be in your location. Please forward this along to the proper channels. If applicable, we have indicated any rest areas that we are planning to stop at in your town. We have a comprehensive insurance policy for the event that recognizes your town as additionally insured under ALS TDI's insurance. The necessary insurance certificate is attached. Please forward along any permit applications to the address below. You can return these forms via e-mail, fax or regular mail. All my contact is below.

Thank you so much for your time. If you have any questions or concerns please feel free to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "D. Virden".

David Virden
Sr. Development Manager
ALS Therapy Development Institute
300 Technology Square, Suite 400
Cambridge, MA 02139
P: 617.441.7240
F: 707-760-4429
E: dvirden@als.net

ALS Therapy Development Institute
300 Technology Square
Suite 400
Cambridge, MA 02139
www.als.net



Town Approval Form

Date: _____

I, _____, acknowledge that the ALS TDI Tri-State Trek will be utilizing our roads between June 24th and 26th, 2016, for the purpose of a charity bicycle ride, benefiting the ALS Therapy Development Institute. The town of _____ has approved the ALS TDI Tri-State Trek's proposed route.

TOWN: _____

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PLEASE FAX THIS FORM TO 707-760-4429 (NO COVER LETTER REQUIRED)

OR SCAN AND EMAIL TO tristatetrek@als.net



ALS TDI • Tri-State Trek
Cambridge, MA 02139
www.TriStateTrek.com
(P) 617.441.7211



ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/20/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 470 Atlantic Avenue Boston, MA 02210	CONTACT NAME:		
	PHONE (A/C, No, Ext):	617 261-6700	FAX (A/C, No): 617-646-0400
E-MAIL ADDRESS:			
INSURER(S) AFFORDING COVERAGE			NAIC #
INSURER A: Continental Casualty Company			20443
INSURER B:			
INSURER C:			
INSURER D:			
INSURER E:			
INSURER F:			

INSURED **ALS Therapy Development Foundation Inc.**
300 Technology Square
Suite 400
Cambridge, MA 02139

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			5094788568	12/12/2015	12/12/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$EXCLUDED \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate Holder is included as an Additional Insured on the General Liability policy as per the written contract between ALS Therapy Development Foundation, Inc. and the Town of Lewisboro.

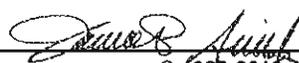
CERTIFICATE HOLDER

Town of Lewisboro
Attn: Township Supervisor
11 Main Street
P.O. Box 500
Lewisboro, NY 10590

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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26-Jun	Lewisboro	Straight	Traffic Light	Rte. 35 South		
26-Jun	Lewisboro	Straight	Traffic Light	Jct. Rte. 121 North (stay on Rte. 35)		55.5
26-Jun	Lewisboro	Left	at the stone bench	Rte. 121 South (Cross River Rd. / Old Post Rd.)	Turn comes up fast. 1/4 mile climb coming up.	56.1

>
> From: Jan Johannessen
> Sent: Tuesday, June 23, 2015 10:50 AM
> To: supervisor@lewisborogov.com<<mailto:supervisor@lewisborogov.com>>
> Cc: am <am@herodesmole.com<<mailto:am@herodesmole.com>>>; Dave Sessions
> <dsessions@kelses.com<<mailto:dsessions@kelses.com>>>
> Subject: Zoning

>
> Peter,

>
> Following up on our phone conversation, I was thinking last night about
> zoning options that would allow the Town to incorporate some commercial or
> tax positive development into its residential zones, where appropriate, and
> how we could safeguard portions of Town where this type of development would
> not be favorable; particularly when you do not have a specific location of
> use in mind but want to be proactive to allow for tax positive development.

>
> While I'm not sure how it would be perceived in Lewisboro, one option would
> be to amend the zoning code to allow for what is called Incentive Zoning.
> Incentive Zoning is permissible in NYS and is provided for under Section
> 261-b of the NYS Town Law. Incentive zoning is a system by which specific
> incentives or bonuses are granted on condition that specific physical,
> social or cultural benefits or amenities be provided for the community, in
> advancement of the Town's plans and goals; it basically establishes a legal
> mechanism for a quid pro quo relationship between the municipality and the
> developer, allowing an "incentive" in exchange for an "amenity."

>
> For example, an "incentive" granted by the municipality (the Town Board)
> could be an increase in development density, changes in height, lot or bulk
> zoning regulations, or allowing uses that are otherwise not permitted in the
> underlying zone. An "amenity" that could be provided by the developer in
> exchange could be open space, donation of land, recreational amenities
> beyond those otherwise required, capital improvements, affordable housing,
> or financial contributions to be used for capital improvements or land
> acquisition; all amenities would be in addition to mitigation already
> required by the Planning Board.

>
> Incentive zoning allows the Town and developer to be creative and gets back
> to my theory that the developer will come to you with projects and ask you
> to work on how to facilitate them; incentive zoning could be that mechanism.
> The law could be drafted a thousand different ways to meet your objective
> while safeguarding the community. Also, provisions could be included in the
> law that could allow the amenities and incentives to be somewhat
> discretionary by the Town Board and the Town Board could approve, deny, or

> approve with modifications any proposal at its sole discretion and for any
> purpose; meaning the applicant would not have any perceived or inherent
> rights. The process would also include the Planning Board and, as an
> example, could follow the following process:
>
>
> 1. Pre-application meeting with Supervisor, Planning Board Chair and
> Town Consultants, to discuss the project conceptually.
>
> 2. Applicant submit a conceptual application the Town Board, which
> provides a preliminary/concept site plan, the requested incentive, the
> proposed amenity, and narrative describing the project, its benefits to the
> Town, consistency with Master Plan, etc.
>
> 3. Conceptual Review and conceptual decision by Town Board - Town Board
> could turn down the project for any reason at its sole discretion.
>
> 4. If project is deemed worthy of further review and consideration, the
> project would be referred to the Planning Board for review.
>
> 5. Project is reviewed by Planning Board and Planning Board renders its
> decision with respect to applications before it (site plan, subdivision,
> etc.), subject to final Town Board approval.
>
> 6. Application goes back before the Town Board for final
> approval....The Town Board could, at its discretion, approve, deny or
> approve the application with modifications.
>
> I've attached an incentive zoning law that was adopted in Putnam Valley
> (Putnam County) in 2010 as an example, of course, it can be modified to
> suite your needs.
>
> I'm not advocating for Incentive Zoning, but it would allow a mechanism for
> the Town to legally allow flexibility in its zoning while keeping the Town
> in complete control....meaning you can allow uses and development that is
> otherwise not permitted while discarding any applications that are submitted
> under its provisions that are not viewed favorably.
>
> We can speak more about this next week if you'd like.
>
> Regards,
>
> Jan
>

>

>

> Jan K. Johannessen, AICP

> Kellard Sessions Consulting, P.C.

> 500 Main Street | Armonk, New York 10504

> T: 914.273.2323

> F: 914.273.2329

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