

Meeting of the Planning Board of the Town of Lewisboro held via the videoconferencing application Zoom (Meeting ID: 930 5528 9269) on Tuesday, January 19, 2021 at 7:30 p.m. The audio recording of this meeting is 210119\_001 and the YouTube link is [https://www.youtube.com/watch?v=gkEPRD5h6-c&ab\\_channel=LewisboroTV](https://www.youtube.com/watch?v=gkEPRD5h6-c&ab_channel=LewisboroTV)

Present: Janet Andersen, Chair  
Charlene Indelicato  
Jerome Kerner  
Greg La Sorsa  
Maureen Maguire \*arrived at 8:01 p.m.  
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel  
Jan Johannessen, AICP, Kellard Sessions Consulting, Town Planner/Wetland Consultant  
Ciorsdan Conran, Planning Board Administrator  
John Wolff, Conservation Advisory Council

Approximately 22 participants were logged into the Zoom meeting and 2 viewers on YouTube.

Ms. Andersen called the meeting to order at 7:30 p.m.

Janet Andersen: Welcome everyone to 2021. I'm Janet Andersen and I call to the order the Town of Lewisboro Planning Board meeting for Tuesday, January 19, 2021 at 7:30 p.m. I've confirmed that Ciorsdan has started recording this meeting. The meeting is happening via Zoom with live streaming to YouTube on the Lewisboro TV channel and the public can view the meeting in either place, at Zoom or YouTube. We have confirmed that the feed to YouTube is active and working and just to put on record, that in accord with the Governor's Executive Orders, no one is at our usual meeting location at 79 Bouton and this meeting has been confirmed with Ciorsdan that that the meeting has been duly noticed and legal notice requirements have been fulfilled.

All right, joining me on this Zoom conference from the Town of Lewisboro are first of all our newly appointed member Charlene Indelicato, welcome Charlene and thank you for joining us. Also, on the planning board are, here from the planning board are Jerome Kerner, Greg La Sorsa and I have not yet seen Maureen [Maguire] come in. So, but we do have four members on so we do have a quorum and, thus, we can vote on any matters that come before the board. Also, with us, I see Jan Johannessen is just coming on and joining us and counsel Jud Siebert are here, the planning board administrator Ciorsdan Conran and CAC chair John Wolff.

Okay, again, this Governor's Executive Order 202.1 which has been renewed enables the Planning Board to meet remotely and electronically to function on behalf of the Town. In accord with the Executive Order, we intend to post both the recording and later a transcript of this meeting to the town website and a recording will be available on the town's YouTube channel. We do have a public hearing scheduled for tonight, that's the only time we expect to take public comments, and I will describe the process before we begin that hearing in just a few minutes. And so we ask anyone who is not currently engaging in dialogue to mute their lines, this will help everyone here over in the inevitable background noises. And as we go, to ease the recording of our votes, I will poll the board members individually. Okay. So, with that, let's get started.

## **I. EXTENSION OF TIME REQUESTS**

**[Cal# 8-14PB, Cal# 95-14WP, Cal# 20-14SW**  
(3:00 – 13:51)

**Goldens Bridge Village Centre, NYS Route 22, Goldens Bridge, NY 10526, Sheet 4, Block 11126, Lot 07**

**(Stephen Cipes, owner of record) - Request for Extension of Site Development Plan, Wetland and Stormwater Permit Approvals.**

Robert Lauria, property manager of North County Shopping Centre; and Peter Helmes, AIA, The Helmes Group; were present on behalf of the owner.]

Janet Andersen: The first item on our agenda is a request for extension of time. Cal# 8-14PB, Cal# 95-14WP, Cal# 20-14SW and this is the Goldens Bridge Village Centre, NYS Route 22, Goldens Bridge in New York, and it's the request for an extension of the site development plan wetland and stormwater permit approvals. This was first approved in 2016, they reapplied with the same plans in January of 2020 and I think Jud, you might want to tell us what we can do now that the law has changed a little bit on this.

Jud Siebert: Thank you Janet. So, the current operative approval Resolution was adopted a year ago in at our January 2020 meeting. It, it was, it is a standalone Resolution, but if the the board will recall, it basically just recast a Resolution that had been previously approved and expired, because at that time, the Town Code really handcuffed the planning board in terms of the amount of extensions of a site development plan approval it could, it could issue. So, hitting that kind of wall, in terms of being unable to just simply extend, a new resolution was introduced, it was adopted, it's now at the one-year point and needs to be extended. In the intervening time as Jan[et] mentioned the Town Board did amend the zoning code so that now the board has the ability to grant one-year extensions to these approvals without limitation and that is the request that is being made by the applicant this evening.

Janet Andersen: Now perhaps I'll ask, I think, someone's on, Bob Lauria is on from the applicant can perhaps tell us a little bit where this stands now, as let's see if we make sure you're unmuted. If you....

Peter Helmes: Bob, you have to take your mic off and unmute yourself....

Janet Andersen: I don't think we....

Robert Lauria: Okay.

Peter Helmes: There you go.

Janet Andersen: Now we can hear you. Yes.

Robert Lauria: We ran into the pandemic right after we got our extension and it just, it's been dead. Our shopping center has lost two tenants; we replaced one. The parking lot across the street from us has been physically closed by Metro North and there's no more than 20 cars in that lot on the other side of the street on any given day. So there's no traffic, our tenants are really starving. I've had to reduce rents and I'm still trying to lease a new building, but it's, it's an impossibility right now. So that's, that's why, I'm supposed to file for a building permit this, actually tomorrow or within the next couple days, but it doesn't seem fair. I mean, I just need that year, when, when the market comes back.

Janet Andersen: Okay, I'm. So, I know this has been, I know you did some work, you you took out some of the ledge that was there and it's now been sort of sitting there waiting for a while. I'm, since it doesn't look like things will turn around really quickly, I was wondering if there's something that can be done to make it look a little bit less like a construction site, to put put some, maybe some covering over, I think Jan had said there's there's something that I don't know a lot about like hydromulch that would go down. I mean, I'd really like to see if....

Robert Lauria: I would too, by the way. Definitely. I'd like to get rid of, everything stabilized up there, there's no wash out, there's no, maybe one corner where the sand is washing out a little. But everything stabilized, what we have to do, if we can, if Jan will allow us to do it, is get rid of all those silt fences, clean it up, plant grass. Okay, and then just, let's wait.

Jan Johannessen: If I can make a recommendation, sorry I don't have video tonight. If I can meet Bob or his representatives up at the site, I'd be happy to and, and we can discuss the condition of the site and removing the erosion sediment controls, if that's appropriate and any equipment that's up there can be removed, stockpiles, that sort of thing. It'd be nice to to kind of, like you said, clean it up in the interim, so I'd be happy to work with you, Bob, if we could meet up.

Robert Lauria: Thank you Jan, where you hiding over there? I can't see you.

Jan Johannessen: I'm incognito tonight.

Janet Andersen: I see Jerome, you have your hand up.

Jerome Kerner: Yeah, I'd like to make a motion that we extend this approval for one year on the basis of the explanation of the applicant, the economy and COVID has really made it difficult to move ahead. That would be my motion.

Gregory La Sorsa: And let me just, if I can just ask a question before we do that, Jud?

Jud Siebert: Yes.

Gregory La Sorsa: When we had the various Executive Orders that was, that were tolling statutes of limitations and other types of things, does that apply here?

Jud Siebert: Unfortunately, Greg, no, it was like one, I think that was one oversight of a number of those Executive Orders, that let these types of things slide so. Yeah.

Gregory La Sorsa: Because otherwise, I mean, we might not even need this and my other question is, given the change in the amendment, do we even have to vote on this? I mean, I mean, is this something we can vote, is this something that we can't vote no on?

Jud Siebert: Well, you're, you're, you're, you're free to vote no on if you know if there's, you know, if you have reason to believe it shouldn't be granted. I mean the the Resolution from last January was a unanimous vote. Yeah, I mean, I've just been so I don't know, you know, I don't think there's been any change in condition on the site and..

Gregory La Sorsa: Just yeah.

Jud Siebert: Yeah.

Jerome Kerner: I think I'd like to ask for a second. And if there's any...

Gregory La Sorsa: I'll second the motion.

Janet Andersen: Okay, okay, it was made by Jerome and second by Greg. What do you think about asking that this the site be, you know, cleaned up, improved visually a little bit to maybe make it a little more

welcoming to the people who do go to the center. Is that something you all, it sounds like, it sounds like actually Bob is willing and Jan is willing, so.....

Jerome Kerner: Sounds like we have agreement on that. Yeah.

Gregory La Sorsa: Well I, I wouldn't impose that upon the center unless they wanted to do that.

Jerome Kerner: Yeah, it wouldn't be a condition. I wouldn't make it a condition. I didn't mention it.

Robert Lauria: I'd like to get rid of those orange, you know, messy silt fences that are blowing in the wind and I need Jan to do that. So if he can meet me up there one day, we'll just say tell me what to do Jan, and I'll do it.

Jan Johannessen: Yeah, let's let's set something up, give me a ring tomorrow and we'll put in the calendar.

Robert Lauria: Okay. Great.

Janet Andersen: Okay. So, so you did not want to make it a condition of that it is just a motion for a one-year renewal. But it sounds like both the applicant and and you know is the applicant and I think the board would, well, at least I would rather see that get done, so that's good. So, I guess is there any other further discussion.

Robert Lauria: Can I ask one question? The one year is just an extension on my three years, correct?

Janet Andersen: Well,....

Robert Lauria: Have right now I'm supposed to be filing for a building permit and I have two years to complete. The one-year was a predecessor year, which you guys approved as an extension, however, again, COVID popped in right after the approval. So, I'd like to year back and just leave everything as it is.

Jud Siebert: Well, no, but if the motion is to extend that the approval period by one year. That's the initial conditional period, you'll have one year to get your building permit and then everything else will fall into line from that point.

Robert Lauria: That's what I meant. Yeah.

Janet Andersen: Okay, um, so no, any further discussion on that. Okay, I'm going to poll the board, Charlene?

Charlene Indelicato: Although I haven't been privy to the whole project, obviously this is just an extension of time and given COVID and reading the documentation given by Jud and Jan I would say yes.

Janet Andersen: Okay, Greg?

Gregory La Sorsa: Yes.

Janet Andersen: Jerome?

Jerome Kerner: Yes.

Janet Andersen: And I also vote yes to approve, so the motion carries. And I have not seen Maureen come on yet. So, the motion carries and it is extended for a year. So, we'll get that resolution out to you. Thank you and I'm delighted to know that you will work to get the site a little cleaned up. Thank you very much for doing that, Bob.

Robert Lauria: You're welcome. What happened to Peter? Where's my architect?

Peter Helmes: He lost his internet service.

Robert Lauria: He's on my phone.

Janet Andersen: Trying to get to you. Okay, so good. All right. Thank you.

Robert Lauria: Thank you very much, all of you.

Janet Andersen: We're gonna.....

Robert Lauria: Do I just bow out here?

Janet Andersen: You can bow out.

[On a motion made by Mr. Kerner, seconded by Mr. La Sorsa, the Board granted a one-year extension to the Resolution, dated January 21, 2020, to the Goldens Bridge Village Centre, NYS Route 22, Goldens Bridge, granting Site Development Plan Approval and Town Stormwater Permit; the new expiration date is January 21, 2022.

In favor: Ms. Andersen, Ms. Indelicato, Mr. Kerner, and Mr. La Sorsa. Absent: Ms. Maguire.]

## II. PUBLIC HEARING, CONTINUATION

### Cal #03-20PB, Cal #37-20WP

(13:52 – 21:05)

**Gossett Brothers Nursery, 1202 Route 35, South Salem, NY 10590, Sheet 31 Block 10805 Lot 46 (Thomas Gossett for T. Gossett Revocable Trust – owner of record) - Application for Site Development Plan Approval and Wetland Activity Permit Approval for an existing nursery.**

Thomas and William Gossett, owners, John Vuolo, South Salem Winery; Tim Cronin, Cronin Engineering; and Michael Sirignano, Esq.; were present.]

Janet Andersen: And we're gonna move on to the public hearing. And so this is a continuation of a public hearing that was a for Gossett Brothers Nursery, that was opened in December and continued to tonight. This is Cal #03-20PB and Cal #37-20WP for Gossett Brothers Nursery, 1202 Route 35, South Salem, New York. It's an application for site development plan approval and wetland activity permit approval for an existing nursery. We did get an updated EAF Part 2 for this, which I believe was necessary for the Neg. Dec. and I think you all recall we have to approve a Neg. Dec., so that the ZBA can really look at the application before them. So, and we did get a Neg. Dec. and a resolution for the Neg. Dec. this this afternoon so are there any other comments that anybody wants to make on this? Oh, I'm sorry, public public hearing. Sorry. We will now start the public hearing and the purpose of the public hearing is for the board to hear the concerns and comments of the public. The comments should be addressed to the planning board, not to the applicant. A public hearing is not meant to be a long dialogue and in general,

the board will not respond to comments of the public hearing. The board will of course, take public input into consideration as we continue to review the application. Again, for the record, because of Executive Order 202.10 we are not meeting at a common location we are holding the public hearing via video and telephone in accordance with Executive Order 202.15. We have invited public comments by email before the meeting and the public can comment during the hearing by sending an email to [planning@lewisborogov.com](mailto:planning@lewisborogov.com). And in addition, the public can speak at the meeting, to speak at the at this hearing you can raise your Zoom hand by clicking on the raise hand icon at the bottom of the screen. If you are on a phone, I don't believe anybody is, you can press \*9. Okay, so we ask the speakers for your name and address and we'll ask that the comments be kept short. So, um, I think, and I see a note from Ciorsdan that the only public hearing comment received to date was the McCues' letter that we reviewed last month on on our on our call and our meeting last month. So with that, I guess, I would see, is there any any other discussion that needs to be held on this the Gossett Brothers Nursery? We have a, I think our task tonight is really to approve the resolution for the Neg. Dec. Were there any questions about the Neg. Dec. that anyone wants to address to Jan or anyone else?

Jan Johannessen: And just to clarify, it's an unlisted action under SEQRA. The board did initiate a coordinator review given the involvement of the ZBA and the health department and others. So the planning board is acting as lead agency. The applicant submitted the short environmental assessment for Parts 1 and 2 and we prepared, at your request, the Negative Declaration of Significance.

Jerome Kerner: Janet? Are we obligated to keep the public hearing open until the ZBA opines or can we close the hearing?

Jud Siebert: My recommendation is just to keep it open in the event anything occurs with regard to the plan as a result of the ZBA Review, but the public hearing's been open now for several sessions and I think we'll find in February, that, you know, a reaction very similar to tonight, but I would keep it open.

Janet Andersen: Thank you, Jud. Yes, I, I don't think we have to, but I think it's wiser, just in case something changes, so we don't have to renote it and the applicant wouldn't have to renote it and get it all out again. Okay, so, and I'm just confirming I'm not seeing any raised hands are any indication that anyone wants to make a public comment at this time. Again, if someone is on YouTube, we cannot see the chat any chats there, you have to either send an email to [planning@lewisborogov.com](mailto:planning@lewisborogov.com) or jump onto Zoom and raise your hand here. But since I don't see any comments, I would look for a motion to approve the resolution on the Neg. Dec.

Jerome Kerner: Yeah. So moved.

Janet Andersen: And Charlene seconded. Okay. Any further discussion on this? I'm seeing none, I will poll the board Charlene? Yes, that's , she nodded her head. Gregory?

Gregory La Sorsa: Yes.

Charlene Indelicato: Yes, sorry.

Janet Andersen: Jerome?

Jerome Kerner: Yes.

Janet Andersen: And I also say yes. So the motion carries. And we can, I believe this enables, this is all that is necessary to allow Gossett Brothers to go to the ZBA. Michael, do you have an appointment for the ZBA, do you know?

Michael Sirignano: Not as yet. It's not confirmed.

Janet Andersen: Okay. Well, good luck. I think at this point we will look to carry this over to February and hope that we will have some news in February, and I think we have already asked that the resolution be prepared for February. So, I don't think there's anything more that we need to do at this point. Is that correct?

Jud Siebert: Yeah.

Janet Andersen: Okay, so thank you all.

Michael Sirignano: Thank you.

Billy Gossett: Thank you.

John Vuolo: Thank you, everybody.

Various voices: Good night.

Janet Andersen: As the Hollywood Squares change.

[On a motion by Mr. Kerner, seconded by Ms. Indelicato, the resolution dated January 19, 2021 granting a Negative Declaration under the State Environmental Quality Review Act to the Gossett Brothers Nursery, 1202 Route 35, South Salem, was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Ms. Indelicato, Mr. Kerner, and Mr. La Sorsa. Absent: Ms. Maguire.]

### III. SKETCH PLAN REVIEWS

#### **[Cal #01-18PB**

(21:06 - 43:51)

**Apex Personal Training, 20 North Salem Road, Cross River NY 10518, Sheet 17, Block 10533, Lot 89 (EK Cross River, owner of record) - Application for Change of Use/Waiver of Site Development Plan Procedures.**

Skaz Gecaj and John Swertfager, Apex Person Training, and Stephen Helmes, Helmes Group Architects, were present.]

Janet Andersen: Okay, the next item on our agenda is a sketch plan review. This is Cal #01-18PB Apex Personal Training, 20 North Salem Road, Cross River, New York and this is an application for change of use, or waiver of site and a waiver of site development plan procedures. Who is here to speak for Apex?

Steven Helmes: If you can hear me. I'm Stephen Helmes with the Helmes Group Architects representing Apex. I have both owners hopefully on tonight Skaz and his partner John Swertfager and if I can you allow me to present Madam Chair and members of the board. This is the project, we were involved with about three years ago for taking starting their operation there and they have an opportunity now to expand towards the back of their building. This is at the lower level in the Cross River shopping center and we're asking for, I trust you all received the application, the letter the cover letter, and I could share my screen

as well in a moment. But they really, because of COVID and so forth and they want to maintain their membership, they really looking for more space to spread out their machines and give a comfort level to their members and that's why they have an opportunity, that the space is vacant, it is a permitted to use in the shopping center and if I could, I'd like to just see if I can share my screen.

Janet Andersen: Yes, go ahead.

Steven Helmes: If I can figure that out. Let's see. Ciorsdan, you don't have the drawings, by chance, would you if I...

Jerome Kerner: We do have it in the packet.

Ciorsdan Conran: It'll take me a minute.

Steven Helmes: For some reason I just, it will not share.

Jerome Kerner: You have to have permission.

Steven Helmes: I got there we go. Okay, it should allow us.

Janet Andersen: There we go.

Steven Helmes: It should come up. Okay. There we go. Okay, so there's two drawings that were submitted with this application.

Jerome Kerner: We haven't got it yet Steve.

Steven Helmes: You don't have it?

Skaz Gecaj: Nothing's up.

Jerome Kerner: No, it's a blank screen.

Steven Helmes: Okay, I'm sorry about that confusion. Again, this application doesn't involve any exterior changes with respect to the building, ie signage, entrance, parking, lighting. We're essentially just, where the green areas, the yellow is our current space and the light green represents the space that they would like to take over. It is contiguous, there are two exits in the building here, there's a fire stair to the south and their main entrance is to the to the west, and I just want to see if I can jump to the next drawing if I can. This is another drawing, drawing two, which basically shows their current operation in yellow, depicted in yellow and the green is their proposed space that they would like to take over. There was a corridor there, a fire corridor that they will be abolished, because it's not needed anymore and the tenant that it was serving, that they don't have the square foot that were required two exits. So, I like to see if I could have a Skaz and John inject the reason for their John, feel free to chime in, in and Skaz.

John Swertfager: Hi guys, how you doing? You know, we're just, we're looking to expand, you know, COVID kind of forced us to grow. We need the business to keep rolling and, you know, the more space we have the safer everyone's gonna feel. Um, and that's kind of where we're at with everything right now.

Steven Helmes: Yeah, just so I can inject there's no plumbing changes, the facilities are going to stay intact. So, there's with this expansion. So, and we do have a letter that was submitted, along with the package from the Cross River Meadows for the excess water usage discharge that was approved by them

and submitted. So, the bathrooms are over here and they're going to stay intact. So, it's again, it's vacant space, it's, it's, there is a deficiency as a result of this have some parking spaces. However, there's 56 parking spaces provided on the lower lot and that doesn't count the the upper lot, which if they need it in the they have peak hours and so forth, and they haven't had a problem with parking, correct me if I'm wrong John or Skaz.

John Swertfager: There's so many spaces back here. No one's ever come close to using...

Skaz Gecaj: There's about 30 am at peak hours about 30 empty spaces back here. So, like we've pretty much able, we we've been able to withstand COVID. Our protocols were pretty, were fantastic, we are only accepting Lewisboro members. So right off the get go all our Ridgefield business we ended up contacting canceling them out. We're at a point where we're only operating with 12 people at any given hour that's less than 22%. We feel like anything over that people just get really uncomfortable. Cuomo, Governor Cuomo, set the guideline at 25% maximum CO. Our CO is for 79 people we don't think we could fit 30 people or 25 people here in one shot and have everyone be comfortable. We're at a point where, because of people canceling their memberships in the city, canceling their membership to the Saw Mill, large fitness facilities that when we were allowed to open we saw a pretty good bump on the membership side. And now the number one concern we're getting is, when we get an influx of our college kids back and now it's summer that there's too many people here at any given time, and it really hinders our business opportunity when we can only fit 12 people because every we're comfortable with that number. Um, like I said, we're, our hand is being forced to grow. We believe it's a great opportunity not only for the new supermarket up top, in drawing traffic, but also for the plaza itself. There's this place has been vacant since we went to high school. So, it's, I'm 30 years old, it's been a while, you know, and we're we're throwing some major improvements in the infrastructure. You know it, we're bringing the building up to code, the space is very neglected, and you know with hard work and some elbow grease and some financial money, you know, we'll bring the building up to code.

Janet Andersen: How many people do you think, you said right now....

Skaz Gecaj: As for parking, there's never been, excuse me, lost you there.

Janet Andersen: Okay, today you say you can get 12 people in the in the yellow area. If you add the green, how many people will be able to be in at a time comfortably?

Skaz Gecaj: Double, 30 we would say comfortably 30 - 35 would at least eight feet of separation between each client or member. Um, you know, our age HVAC system, you know, we understand there are some things that we need to upgrade and you know it's unfortunate that our hand is being forced to grow, but we did pick this back here so we can expand down the road. It's about two, three years too early, but I, timing is perfect for everything else, the community really did, it outdid itself. You know, we had amazing support. And you know we're honored to be able to not only John Jay alumni, but we've been living here a whole lifetime of the opportunity to grow this business and take it to the next level, you know, is it sweet, you know, it's we've been here a whole lives. It's great that it's finally you know it's working out and we can open up a business and it's really paid off. It's really paid off. Yeah.

Janet Andersen: Jerome has a question.

Jerome Kerner: Steve, could you bring it up that second plan, the blow up.

Steven Helmes; Yes. Yep. Yep.

Jerome Kerner: I'm just wondering, the yellow area is the existing and but it does show the treadmills and

I guess in the front, those are bikes.

Steven Helmes: Yeah, you could see how jammed up they are that was....

Jerome Kerner: That's not that's not the proposed layout. That's the existing.

Steven Helmes: No, that's how it sits that was what was pretty much follow the layout that we had submitted in 2018. That's why we want to demonstrate that we need that we need the floor area to get create the distance between the machines.

Jerome Kerner: But you haven't, you haven't provided a revised plan. Not that it's our purview.

Skaz Gecaj: So what we did is.....

Jerome Kerner: Just let me finish one sec. I mean, you know, what we are concerned about is obviously parking and there is a surplus, as you say, I think, but if you so, I just want to be sure that you're planning to spread out this equipment and not use that green space for some other use for like for team sports practice, soccer practice, lacrosse, things of that nature.

John Swertfager: No, we already have all that business in here and we're just uncomfortable to come in and we're training four kids at a time. You know, like we just need that space and they're not even, they don't even drive over here, they walk over here. That's why we never, were so far away from the max ever, spaces being used back here, 10 to 12, max.

Jan Johannessen: It would be appropriate to provide a floor plan of how you intend to use the...

John Swertfager: Sure, we can do that.

Janet Andersen: Okay, I think also have you referred this yet to the Westchester County Department of Health, I believe it should go there.

Skaz Gecaj: So, we got approved, the only thing that we got from the health department was the water for the waste approval, the water treatment, that's about it.

Jan Johannessen: Sounds right. If that wasn't submitted, please provide that.

John Swertfager: It is. It's right there.

Skaz Gecaj: Yeah, it's so yeah that's submitted. It's the Scalzio report, that been submitted to the health department and they they confirm.

Jan Johannessen: We'll need their, I believe they....

Steven Helmes: The confirmation from the health department to document.

Skaz Gecaj: Yeah, we have that.

Steven Helmes: There's a cleaner letter and the package that was submitted. That's a little grainy for some reason.

Charlene Indelicato: May I ask a question? On post COVID, you're right about the parking back there,

there's, you know, there's plenty of parking. Post COVID, how many people will you be able to accommodate?

John Swertfager: There will never, we'll never have more from our flow hour to hour, we'll never have more than 25-30 people here. It's not going to happen. Our hours, you know, are plenty spaced out, people have their set times and we always had a nice flow before COVID and we have a good flow now, and I don't ever see that change and we don't, we're not trying to jam pack, listen when we pull from Lewisboro, we're not pulling from 30-mile radius. So, our....

Steven Helmes: You also schedule your training. Where people have....

Charlene Indelicato: You know, truthfully as many clients as you can get, that's great. I'm just a little concerned about the the Meadows and the available water and sewer. That's, that's why I asked.

John Swertfager: Yeah, so be sure they already approved us for the Meadows and they approved you health department approved us for additional usage. Yeah.

Charlene Indelicato: Okay, thank you.

Steven Helmes: This is all predicated on that, so...

John Swertfager: We try to get most of the ducks in order for the, for the first meeting, you know.

Charlene Indelicato: So, you have approval for any overage post COVID?

John Swertfager: We're all set on that.

Gregory La Sorsa: You guys don't have a shower installed there, do you? I don't see it on the....

John Swertfager: Yeah, we have four showers, two showers in each, that's not changing, we're not adding any plumbing, just open gym space.

Skaz Gecaj: We're actually getting rid of the kitchen in the back.

John Swertfager: We're getting we're getting rid of one kitchen I think was in the town area. That's just getting capped off.

Steven Helmes: Here. So, no increase in plumbing fixtures.

Gregory La Sorsa: And there's nobody else back there, right? It's just you guys?

John Swertfager: That's where the town and the court were I believe.

Gregory La Sorsa: I know, but that's empty now right and so we could, we could probably address the parking issue and maybe make some sort of stipulation in the event that anything goes back there and there's, there are changes to COVID COVID COVID situations, improve we can probably address that parking issue if it needs to be done at a later time, but right now it seems to be fine.

Janet Andersen: I think they are actually below the regulated limit but the way the Planning Board has done dealt with that in the past as by saying, you know the multiple different uses or potential uses the that are down there have different hours, you know, and we've we've allowed them to use each other

spaces in the past, and, and I think we could do that again if that's, since it since, in actuality, what we observed down there is is lots of empty spaces.

Gregory La Sorsa: And there's no there's nobody there and there's no real anybody on the horizon. So, I mean,...

Skaz Gecaj: To give you perspective, our peak hours pre COVID was 6 am to like 9:30 and then it was like 6 pm to like nine at night where we probably were close to 20-25 people those any given, middle of the day, you know, it most of the rest of the people are walking up from the school or the rest of people are walking up from the Meadows. So we've never that's, we actually picked back here because we knew we would never take up too much parking like it's just unfeasibly and we would have to have 1,000 members to fit 50 people in here to take up 50 parking spaces and we're not getting 1,000 members in Lewisboro.

Jerome Kerner: Yeah. The only point being made here is that we don't see a revised plan, either for COVID or post COVID, we're just seeing the existing plan and then the additional space left vacant.

John Swertfager: That's fine. It's just open gym space to space out some of the machines.

Jerome Kerner: Well, that's what that's what we'd like to see. So, there's plan that's approved would be a designated for equipment and not for some kind of team sport or some place where it'd be larger groups that could gather there that's that's all we're saying.

Skaz Gecaj: Oh yeah, we can we can provide that. It's just, yeah that's that's that's no problem. I mean, what we currently do is like let's say the cardio area. It's in every other one, so like that's we pretty much unplug one two of the treadmills, we unplug three of the ellipticals and it's every other one and that means so you know at least eight feet in between each. And that's the number one used machine, you know, equipment in the gym is cardio equipment and we went from having 20 pieces that are operable to under five.

Jerome Kerner: So, there's, you know, there's no argument or dispute of that, it just needs to be on the plan so....

Steven Helmes: We can show an equipment layout, as requested.

Jerome Kerner: Yeah, so the plan we approved that goes to the Building Inspector, you know, would designate that as an expansion of the equipment layout. That's all.

Janet Andersen: So, we probably should refer the layout of this just to the Building Inspector, just to confirm the, you know, distance from exits or anything he might want to look at.

Steven Helmes: Joe isn't on the line tonight is he? Mr. Angiello?

Janet Andersen: No.

Steven Helmes: Okay. We had a conversation with him back in early December on this with Mr. Johannessen and for this project. So we have no problem going back referring to him for his critique. We'd like to keep the project moving forward, just so we don't lose too much time.

[Maureen Maguire joined the meeting at 8:01 p.m.]

Janet Andersen: That's exactly it. I think the other thing that I will bring up this that I did ask Jan earlier. We had, since we approve this in 2018, have there been any you know indicated problems or anything and he confirmed to me that, you know, no, we haven't had any complaints anything come up that's been an issue. So, I think, I think we have actually, could I ask you to stop sharing screen so I can see people, and then and I will note that Maureen has joined. Hello Maureen. So, I think that by consensus, we usually refer this to the Building Inspector and I'm I guess I'm looking for agreement to do that. Yes, that's nods all around. Yes. Okay, good. So that looks like, yes. And the second thing, I don't know if we want to this, this would seem to be in in a situation where we could agree to waive the public hearing and grant a waiver of some of the more onerous site development plan aspects, so I would look to see whether people feel like it is would be all right to waive the public hearing on this.

Jerome Kerner: Aye.

Janet Andersen: So, is that a motion Jerome?

Jerome Kerner: No, I I think you want consensus right?

Janet Andersen: Yeah, I don't...

Charlene Indelicato: Can they be subject to the Building Inspector's findings?

Janet Andersen: Yeah, okay. Yep. So, in that case, if, if we have that the question would be, do we want to ask Jan to prepare a is it, is it too early to ask him to prepare a resolution for February or do we want to do that and then we can look at the revised plans and ask, see if we get a Building Inspector feedback by then.

Various voices: Sure. Okay, sure.

Janet Andersen: Okay. Jan you've got some more work, if you would prepare the the resolution on this. I'm sort of, okay is there, are there any other questions or comments? So, we're looking for, I think you're saying that we do have something from Westchester County Department of Health and from the Meadows that agree on that. We, I think have kind of agreed that the parking situation is not, is something that we're comfortable with and and we're going to just refer this to the Building Inspector and get and we're looking for the new layout of equipment, as it would be in the, assuming you get this, you know, once you get this background the, the back portion of the....

Steven Helmes: Yeah, we'll update our front my out as well to incorporate that, so you see a master plan.

Janet Andersen: That would be great.

Steven Helmes: How the equipment falls out, and so forth.

Janet Andersen: Exactly. Great. Okay.

Skaz Gecaj: So, quick, quick question. If everything checks out with the building department and he gives us the nod, can we apply for a demo permit.

Jan Johannessen: That is up to the Building Inspector.

Jud Siebert: That's a Building Inspector call. Yeah.

Janet Andersen: Yeah, the Building Inspector, but so what what our plan right now is, is to get a resolution that would approve the updated thing, the updated plans in February, so that would be the, the timing and our February meeting is later it's the....

Gregory La Sorsa: Twenty third.

Janet Andersen: Right 23rd. So, that would be when we'd look to make have that approved.

Steven Helmes: Okay.

Jan Johannessen: Ciorsdan, what's the submission deadline for them to submit the revised floor floor plan for the February meeting.

Ciorsdan Conran: February second.

Steven Helmes: I think we can make that. February second, okay.

Jerome Kerner: Are you sure of that Ciorsdan, can't be the ninth because it's.....

Janet Andersen: No, it's the second. Yeah, well, at least it was published.

Jerome Kerner: Well, that's three weeks. That's a lot...

Janet Andersen: That's what we usually ask. I think.

Jerome Kerner: But for an ongoing project. I thought we had reduced that.

Jan Johannessen: Three weeks for resubmittal.

Jerome Kerner: Okay, sorry.

Janet Andersen: Okay, anything else? You know where we go. Okay, thank you very much.

Steven Helmes: Thank you for your time. Thank you.

[The Board reached consensus to refer the matter to the Building Inspector.]

**[Cal #06-17PB**

(43:51 – 44:44)

**Wolf Conservation Center, Buck Run, South Salem, NY 10590, Sheet 21, Block 10803, Lots 3, 65, 67, 81, 82, 83, 86 & 88 (Wolf Conservation Center, owner of record) - Application for a Subdivision and Special Use Permit associated with a private nature preserve.**

Matthew Girona, Bibbo Associates, was present on behalf of the applicant.]

Janet Andersen: I know I'm I know. So our next item on the agenda is the Wolf Conservation Center and I know that Janet [Giris] said she might be late and do you see, is she on?

Matthew Girona: No, she's not on Madam Chair. This is Matthew Girona for Bibbo Associates project engineer. I did speak with Janet. She is running a little late. She asked if possible, if we could just be pushed down until she she gets on the call.

Janet Andersen: Yes, of course and that's what I was checking I'm I'm looking, you know, it's a little hard to see exactly who all is here. So yes, if that's all right we will move on, and come back to you.

Matthew Gironda: We're all anxious to go, but I think it's better to have Janet here with us.

Janet Andersen: Okay, great. Yes. That makes it much more efficient. Okay, thank you.

#### IV. WETLAND PERMIT REVIEWS

##### **Cal #57-20WP, Cal #09-20SW**

(44:45 - 49:27)

**Schwartz Residence, 0 Twin Lakes Road, South Salem, NY 10590, Sheet 34B, Block 11831 Lot 35 (Michael Schwartz, owner of record) - Application for the construction of a one-bedroom house/studio.**

Alan Pilch, P.E., was present.]

Janet Andersen: So the next item on our agenda will be the Schwartz Residence on a vacant lot at 0 Twin Lakes Road which is actually 68 Twin Lakes Road. Now we did get a request from the applicant that we adjourn this so, I think without I think we can do that without any further discussion on this at the meeting here.

Jud Siebert: That's correct.

Jerome Kerner: Could we schedule a public hearing, would that be possible?

Janet Andersen: Well, they've asked it, they've asked to adjourn it and I believe that the message said that they are considering actually instead of building on the vacant lot perhaps doing an extension on their house instead. So, I'm not sure that it makes sense to schedule public hearing at that point at this point.

Jerome Kerner: Sure.

Jan Johannessen: I just had a question whether it was an adjournment to a date certain or a withdrawal of the application. We have submission materials that we would typically review and provide a memo on but obviously if the application isn't going forward we wouldn't conduct that review. So, I'll reach out to their representatives and see if they want us to review that last submission or not.

Janet Andersen: I see Alan is on, do you have insight on that?

Alan Pilch: Yes, thank you very much. I would say at the moment, it would be our preference that that the town planner not proceed with doing a review. You know, in speaking with Mr. Schwartz. I think he's looking at doing something that his own building at number 66 and not proceeding with 68. If it changes, I'll let you know, but at the moment, I think he's pretty much decided not to proceed with doing that. So I would say to hold off on doing any review of the submitted materials.

Jan Johannessen: Fine by me.

Gregory La Sorsa: So maybe you can withdraw the application or just, you know,...

Alan Pilch: Yeah, well, we'll probably do that in the upcoming days or so, but it was just very, very

recent. So, we thought we would take this approach, and then we'll let you know. Thank you.

Janet Andersen: Yeah I mean I think it certainly, you know, as they as they look at alternatives they may change their mind so I don't I don't think it needs to be withdrawn, should we adjourn it? Do we need to adjourn it to as a specific time or just when you're ready, we'll get it back on.

Alan Pilch: I think my preference would be when we're ready, rather than a specific time because that specific time may not come up. So, I think it'll probably be best just to say, put on hold until I speak with you again and I speak with Mr. Schwartz. Thank you.

Janet Andersen: Great.

Gregory La Sorsa: The only reason I made the suggestion about withdrawing it is because, and I'm not sure about the procedure, but if it's withdrawn without date does it become our impetus to have to get that done but because if you know if we adjourn it without date do we have eventually resolve it because if they withdraw it, it is up to them to bring it back if they want to bring it back this way your calendar's clear. I mean, I'm just, I'm, I'm not sure I'm just throwing that out.

Jud Siebert: There's no there's no legal ramifications, we're not under any, you know, any you know, time clock in terms of requirement to act. It's really, you know how hard the applicant wants to push it. I think it's a matter of but I think Greg, I think it's a matter of housekeeping, when this happens, you know you prefer to have something in the file that the application has been withdrawn and that way we can clean out, you know, whatever escrow has been deposited and, you know, because it does become kind of a you know a record keeping and housekeeping issue so....

Gregory La Sorsa: That's the only reason why I brought.

Jud Siebert: Yeah. Yeah, so I think if it, if it's not going to be pursued, I think it should be withdrawn and that way we can square up and and kind of go with in whatever direction, the applicant wants to go.

Alan Pilch: So that's fine, I'll let, I'll communicate with Ciorsdan over the next week, so we can have that resolved. It could very well be quicker than that so let me see.

Janet Andersen: Yeah, I think it's not you know, it's not days it's, it's, we just don't want to dragging on for months. So, thank you. Okay. So that's adjourned and we'll move on.

**Cal#60-20WP**

(49:28 - 1:27:10)

**McGuinness Residence, 17 Schoolhouse Road, Waccabuc, NY 10597, Sheet 22, Block 10802, Lot 35 (Annette and Peter McGuinness, owners of record)** - Application for the construction of a greenhouse, covered dining area, spa and extension of an existing patio.

Jeri Barrett, RLA; Alan Pilch, P.E.; and Patrick Croke, architect, were present.]

Janet Andersen: I'm looking, I did not see Janet [Giris] come back in, so we'll move on to the next item on our agenda, which is the McGuinness Residence, Cal#60-20WP at 17 Schoolhouse Road, Waccabuc, NY. This is an application for the construction of a greenhouse, a covered dining area, a spa, an extension of an existing patio. Okay, so we have a fairly extensive, I think, set of plans in front of us. I don't know, I'm looking to see who.....

Jeri Barrett: I am here, Jeri Barrett for the applicant, Alan Pilch is the project engineer and Patrick Croke

is the architect and I think Patrick will be joining momentarily. So it's, thank you for for hearing us tonight. I did have a chance to talk to the town planner today. I understand there was a glitch because we were wondering if there is a project review memo, which we're so used to having so we have something, a basis to discuss things with the board. We understand there was an unfortunate incident at Kellard so that hasn't been issued yet and we discussed that maybe it might be best if the project team kind of goes through the application with the board to describe what's happening. If you recall, this information was previously submitted but withdrawn and then resubmitted. And so if the board, I'd like to go through what what we've done and I might touch upon some engineering and I might touch upon some architecture, but Patrick Croke, the architect and Alan Pilch, the engineer, they're also here to to describe what they have prepared for the application and answer any questions.

Janet Andersen: Okay, sure.

Jeri Barrett: So, I'm going to share the screen and hopefully I'm not going to screw it up. Did that happen to share?

Janet Andersen: Yes.

Jeri Barrett: All right. Very good. Okay, so this is the, there's there's four plans in our set. This is the existing conditions plan, the next plan is going to be our site plan, then our grading plan, then our erosion control plan. In addition to this information that's been submitted, Alan Pilch has prepared a storm water management plan, there's a couple of plans there and a report that Alan prepared. In addition to that, Patrick Croke had prepared quite an extensive set of architectural plans for what's going on with the proposed architecture and that was the subject of the ZBA approval that was done earlier, in 2020. So that comprises the application, along with some surveys, so I'll go through this. I'll try to move along.

So the McGuinness property is on 17 Schoolhouse Road. It is about a 24-acre property as you see this large area, this is the developed area of the property that I think the planning board is very well familiar with. We've been through that, reviewed it. So, you come into the McGuinness property, the existing home is here, the existing accessory built into here in patio area here, there is a lamb paddock in this area here. There's a wetland system on the property as the board knows and that's this dark green line. There's 100-foot DEC buffer, there's also 150-foot town buffer and that's what that orange line is, that you see. So, you can see the area down where we're going to be working is about any here and you can see that it is within the 150-foot buffer, the planning board's buffer and therefore permit approval is required for this project from this board. So, we just, you know, provided some some photographs of what's there and I'm going to go to the site plan and the site plan we had prepared. We tried to prepare a color-coded site plan explain what's happening and what we did was we patched in Patrick Croke the architect's plans to try to help that. So, I'm going to quickly go through that they try to explain what's happening here. So, when you see the existing residence in this area, that's where we, that is this. That's the existing residence and then what's happening, what's being proposed, this is the existing activity barn and that is what you're seeing behind here. And so what's happening is the parking court, the existing driveway is in this area right here. And if you just go back to the existing conditions plan. Here's the existing driveway, you see it comes in here, here's the residence, here's the existing buildings here and we're going to, we're talking about this area right here where the modifications are taking place. And so what's going to happen in there's going to be a covered porch that comes in this area and then there's going to be like a gathering space, so that's this area here. This covered area here with the fireplace, that is right here and, and then there's the activity barn in the back. So, if you were looking from the rear into this, you would be looking at the activity barn, which is this, that's existing, that's what this is. When you see this here, that's the existing studio here and when you see this, the shed add on, that's the, that's the mechanical room, storage room that's being proposed. Now of course, there is a there is a lap pool, if you will, a very small swimming pool, that's proposed in this area. There will be a retaining wall that will be put in here because

we have to kind of bench this into the slope, it's basically a four-foot wall, it goes the entire way. We have a grading plan and will we could talk about that and if you looked at the improvements from this side from the neighbor's side and it's all wooded on this side and there really are no no neighbors, but what you would see is, you would see this structure which is the activity barn and that's what this is. And when you see the fireplace and that's what this is here. So, that gives you an idea of what's happening. So, the tan color represents the new outdoor improvements that are covered by roofs, and that includes a little shed roof here that's going to be just put a couple of chairs under and that includes a little shed a little shed roof here coming out, which is going to be right over this door. And then it's also has it's going to be boarded by hedges and there's going to be a water feature. There's going to be a gravel patio with some form of planting, some steppingstones to connect the whole, the areas. So, that's kind of the overview of what's happening on the plan. We looked at the grading plan and again, we have a four-foot wall here. The bottom wall now is proposed about 100, 100.1 elevation, the top of the wall will be 104 and 103, under four feet. The idea is that we will be, Alan will talk about the drainage, but Alan was able to, Alan was able to capture and you see these these blue lines, Alan was able to capture the roof water and the roof water from the buildings and bring it to an infiltration system that he'll talk about. We've developed a grading plan. This is the existing driveway here, you can see it's getting expanded to this area here toward Schoolhouse Road. The wall will go there. This area will be a gravel area and it will just drain over the lawn. We'll put a flush curb in here and we'll let the water, we'll have a catch basin, but will also just let it travel overland to the, across the lawn. And generally what happens is everything wants to go this way and we will continue to do that. We will continue to take the surface water and just, you know, very gently, you know, send it to the backyard. Alan will pick up as much of the impervious storm water flow as he can. We also prepared a an erosion control plan to show how we would, you know, set up the erosion controls during construction to make sure that you know there's not excessive sedimentation or a erosion. I don't think there will be, it's a site is quite flat, so I don't expect any storm water build up to that will get the scouring velocities and we show where we would be doing some, some, some mitigation plantings to bolster some of the mitigation plantings that are there.

So, that's kind of the quick overview and what I'd like to do is because we don't have Jan's memo if I could just go through some of the points in the memo and what we tried to do is when we got, when we got the town planner's memo dated November 12<sup>th</sup> and we responded and prepared new information, we tried to hit every single point and to try to be as complete and thorough as possible. So, the project can be moved along I will quickly go through those points if that's okay. Okay. So, the first the first comment was regarding the, you know, the ZBA approvals for the for the project and we provided the resolution of approval that describes you know what was approved by the Zoning Board. We have added a zoning conformance plan, a zoning conformance table to the to the plan and we've taken that that table directly from Patrick Croke's plan that was, that was approved by the by the ZBA. So, there's been no changes in all the work that that that was done there. We've added the building setback lines to the plan, as requested. We've added the wetland mitigation area. We you know, we've talked about where the, where the mitigation is and and we're gonna, we're gonna, we're going to talk a little bit more about that as as we get get into this. Excuse me, I'm just trying to get this drawing to open. We do realize that some of the work is going to be happening within the, some of the work will be happening within the, within the DEC buffer and we're going to have to apply to DEC for a wetland permit, that is acknowledged, and we are going to get going on that we've, we've hesitated to get going. Quickly, we'd like to have a chance to discuss this with the board and get the board's reaction to to, you know, the make sure we're on the, we're on the right approach. So that's underway. There's comments number six through nine, those are storm water related, ask Alan to just touch on that. One of the questions was that came up number 10 was, you know, is there a topographic survey and in fact, there was a topographic survey done for the property in 2016 so all of the all of the work that we have done is based on that. So, we think we've developed an accurate plan and it's probably a buildable plan. All the plans will be sealed by the appropriate professional as the project moves forward toward building permit. The question came up about the size of the, about the size of the the the parking court and you know we measured the parking coordinates about

45 by 45 and that 45 is like a magic number when you're talking about parking courts because if there were no cars in the parking court a car can come in, standard size car or even a large car and spin around totally and pull back out. You need that 45 feet to turn a car around, in this case it will probably be more of a case where people will pull in, backup and pull back out.

Janet Andersen: So, because people will do that, are you saying that it could be smaller? Or do you need it because there are multiple cars?

Jeri Barrett: No, there are multiple cars in the family so I can't think that it can be smaller. I think you need that room to park cars and to be able to back cars up and making that 45 by 45, that's it, that's a pretty standard size when we do these types of things. And it is gravel, by the way, it will continue to be gravel, you know, we'll probably dress it up a little bit when you get down to it, it's a gravel driveway come in, we'll probably do a little rumble strip. We'll probably do a little edging, just to just to make it look like an entry court, of course, there will be the four-foot wall here. So,....

Jan Johannessen: Jeri on that point, I think we just wanted you to the dimension the court.

Jeri Barrett: Okay. So, we can certainly do do do do that. So, there is the pool and the spa here and, you know, they asked about where the fencing is going to be and at this point, you know we envision the fencing will come in this area, it'll tie just around. We'll only fence, you know, just the area with the pool. We haven't come up with a fence style yet, the owners haven't had a chance to look at that, but there will be a fence, there has to be a fence to him to meet code. The project utilities, what's going to happen is all the pool equipment is going to be in this new building here. So, there will be a utility trench coming from the pool area back in and here there is a propane tank in in this area that's that's that's going to be reused that's already there. So, the other thing that came up was the discussed was was the mitigation and it was, it was noted by the CAC and I and I had a little chance to talk a little bit with Jan today, and he expressed a little bit of concern that we're, what we're proposing to do for our mitigation and we need to come up with about 7,700 square feet of wetland mitigation to offset the one, we have about 7,600 square feet of wetland buffer impact. And what we thought would make the most sense would be to bolster the plantings that we've already done. Remember, everything's flowing this way toward the wetland and the idea is, this is one long filter strip that we have developed previously with with the board. My feeling is, the more root systems you can put into these things, it's the root systems that penetrate the ground as the storm water runs through the pollutants that are bound in the storm water and and remember the pollutants are coming out of the rain, whether you know there may be pollutants on the ground, but there are pollutants coming right out of the rainwater. If you took a glass of water and you filled it up with rainwater and you had it analyzed, you're going to see the phosphorus and nitrogen, potassium. So, it's not just the water coming off of the site, but it's also the water that's, you know, getting stripped and whatever gets stripped out of the air and running through. So, the filter strip is designed to to absorb that as it's going through, you know, the pollutants get bound up into the soil particles, the roots and they get back into the plants and they get recycled as energy. So, we thought that was a that was an effective and practical way to to provide additional mitigation. We have noted that the CAC has I understand they're saying, well, you know, you have a mitigation area, how about developing a new mitigation area. I talked with Jan about maybe what can we do for additional mitigation. And I talked, I had a long conversation with the owner today and explained I think where the board may have some concerns and the CAC may have concerns and we are prepared to go back and and really try to take a hard look at this thing and see what we can do for additional mitigation. In terms of, you know, reduce the lawn areas, you know, reducing lawn areas. For instance, we have this area, there is a fire pit area here. We could probably take out the gravel. We could probably take out the Belgian block border. We don't need any gravel around a fire pit, we could just have a small ring of mulch and what we're thinking of doing is doing a new planting here to take this tree line and bring it like this and take all this area that's grass here, take that out and make that all planting adjacent to where there's wetland is here. So, that's one thing we're looking at.

We're also looking at, of course, still bolstering in the wet, in the existing mitigation plantings, but we're also looking at where can we add plantings here. We know that the the runoff from the driveway's coming out this area and we're thinking a filter planting in this area could work. The owners are quite pleased with the little blue stem meadow that that came in it's taking a couple years, but it's really coming in nicely. The board will remember that we converted this area to a little blue stem meadow and we're talking about, maybe, you know, considering expanding that, taking out some mowed lawn and adding some more meadow. So, I think there's a lot of things that we can do there and we'd like to, you know, further discuss that with the board. Of course, we haven't seen the memo yet, so we're not sure what we're going to respond to but, but I know the owners are quite anxious to move it along and I know the board is probably anxious to to move things along as well.

The other thing that I think I needed to talk about and before I finish is that there is a, we are proposing a greenhouse in this area. There is you recall the existing shed, the lamb shed that now is just kind of a storage shed. The idea would be take that out, swap it out and put a greenhouse right in this area and that would allow the, in this area of the former paddock that doesn't get used and the owner is is turned out to be quite quite an efficient gardener and did a wonderful job with this garden here and this is a fruit and vegetable garden and now this will be flower gardens on either side, you know, with the the the greenhouse serving as a as a garden shed and a greenhouse and then to add, you know, to add a little more belt and suspenders what we talked about was, let's take all this meadow grass out of here, down below and we'll turn it into a wildflower meadow and that's kind of on that concept. So that's what would be done there, this does occur, the buffer. You can see here is that 150-foot line, but we think this is a good practical reuse of this area and will be, you know, taking pasture grass and turning into flower gardens, with the majority of it. So, that's kind of the overview from from the overall plan to give you a sense of what this project is about and maybe Alan could....

Alan Pilch: If you want to just briefly put up the stormwater plan. Right. So, essentially what happens in the stormwater plan is that the runoff from, yeah that's great. You know those, you can see the red lines there, those are drainage lines and pick up run off that go into the proposed chambers. So, it's picking up some of the roof off and they and I guess that's the the space between the, you know, beside the existing studio. It's just picking up some of the drainage going into the chambers, which are the shallow chambers, the Caltech C4 chambers. I can explain why we're doing that too. But, and then some of the other runoff that we have from the the other, like the flagstone paving or Bluestone paving areas, they're going directly into the planters where they're going to be treated in there as well. So, we have a lot of runoff that's going into from you know those called the central portion of the new area there. That's kind of like if you will circle by the.....you're doing fine Jeri, by the storm pipes goes into the C4 chambers. We did have the opportunity to do a deep-hole testing. We got it in like one day before that big snowfall, that 11-inch snowfall. And we had back in December, it was witnessed by Kellard Sessions and what we found there in that particular location was that we had groundwater seeping in at 42 inches. So, we were able to design the C4 chamber which would have sufficient. They were only like eight and a half inches tall. So, by carefully placing that we can accomplish the having three feet of separation between the bottom of the chambers and the groundwater table and it's a high ground water table this time of year due to the amount of rainfall, we've had. And so, we're able to do that and basically demonstrate that we were able to provide peak rate attenuation for all storms up to the 25-year storm. We also had submitted as requested an MS4 form, the Notice of Intent form and the Stormwater Permit application form. So that was all part of a plus there was a storm water report as well that we had submitted, which basically quantifies the existing condition and post-development redevelopment drainage conditions. So that's basically what we had done without going into a lot of the details.

Janet Andersen: Alan will, um, I don't know whether this little pool is big enough to be drawn down, but if it is, will it also go into your storm water system?

Alan Pilch: Yes, it's. It was designed to do that. It's a small pool. But yes, there's sufficient capacity in those chambers to handle the six inches of runoff.

Jeri Barrett: And as requested and Madam Chair and, if I may add that it is a Gunitite pool, it is a concrete pool and it has finished with a, with a plaster finished that has a pebble, rounded-pebble sheen put on top of it. The water never fully comes out of that pool because it's the water that protects the finish. If we took the water out of that pool in the wintertime, the finish would be destroyed. What they do do, however, is they draw down the water in in the wintertime, because on the top edge of the pool, there's a six-inch tile band and the water rides about in the middle of that, but they have to lower that water to get below that tile band because the water will seep behind. It'll freeze, it'll pop the tiles off. And the other thing I should point out, is there was a miscommunication earlier that this was a saltwater pool. This is not a saltwater pool. This is a this this pool will be sanitized with a combination of ultraviolet light and ozone and the way that works is, as the water is drawn out of the pool, it passes through that ozone and ultraviolet light system and is sterilized as it passes through but they're still a brominator that will dispense a small amount of bromine into the water and that's because the bromine will have a residual effect in the water, so the water in the pool will continue to be sterilized. There's no back washing required, the filter is a cartridge type filter that only needs to be rinsed out when the guy comes to do pool maintenance. So, it really is a state-of-the-art system. And then the pool will be covered with an auto cover so it will prevent you know debris from getting in but more importantly, it'll keep the heat in and it will, it will limit, it will limit the evaporation of bromine out of the water. So, you lose even, you will lose even less bromine.

Jerome Kerner: Jeri there is only one fault with that thinking and that is Gunitite pools in this climate often have cracks, develop cracks in the winter in and they have to be fully emptied in order to repair them. So, I think it has to be some provision for for drawing the whole pool down in emergency cases like that. Would you agree?

Jeri Barrett: Well, my experience is that I haven't had that that experience with with with cracking but, I know that it does happen. So, in the event that that happens, yeah, there should be a contingency plan in place. And I think the best way to do it is to bring in a tanker truck and to, you know, the guys that bring the water in to fill it with bringing do the reverse and have a tanker truck come in and pull that water out and then repair the pool, but hopefully we'll, we'll never get to that point.

Jerome Kerner: Right. That should be duly noted in any event.

Jeri Barrett: We could put that in the in the maintenance requirements.

Janet Andersen: Yeah, and it's it's good to confirm. All right. Um, I didn't see, well, I'm sorry, did you have anything else to present before we start our questions. So, I, do you have an indication of how many trees have to be removed in order to add this this complex of of activities here?

Jeri Barrett: Yeah, there were only a handful, there's only a handful of trees that have to come out it and they're right in this area here. None of them are there. There's one here. I think it's only about four of them. I think we have it. We have it on the plan. I have to find out where it is. I'm not. And I'll see it right here, but it's it's less than a half a dozen. I think it's four and again, I think with the with the plantings that we're going to propose we can, we can easily mitigate that. Here you go, trees to be removed. We have a, you know, we have a 12-inch maple, a 18-inch maple, 28-inch ash and 17-inch maple. So, it looks like we've got one, two here, just this is get here. So, just the driveway right here, this. So right in this area, we have a couple here and we have another one here and there is a fourth one someplace. But it's all in this area, but I think it's unavoidable that we need to take them down. But I have to say. I've walked out into this area here. And I don't know if the board ever had an opportunity to walk out here. This is probably one of the most magnificent, forested areas I've seen the trees out in here. I've seen 36- and 48-inch trees

walking right up through this area so it's a heavily treed site, you can see that it's a 23-acre site and you know this is the only area where the activity is going on and there are magnificent trees in this area, so while it's unfortunate. We have to take the trees out. I do think that that we will be able to you know compensate by replanting and, of course, preserving all the wonderful trees on the site.

Janet Andersen: And I did have another question. So, is the wildlife garden that you had in behind the greenhouse, is that intended to be mitigation, or is that just a feature that you are doing?

Jeri Barrett: Well, no, I think it will be mitigation. I think it can be mitigation, you know, the board will remember how many times have I showed the board that photograph of the of the grass and the prairie-type plants and the grasses, where those are systems go down, you know, three feet, four feet, five feet, six feet, ten feet and that's, that's what we're proposing here. And, you know, while we have, you know, pasture grasses here that formerly, that the sheep would would would graze on I don't think they eat, I think what we're doing here is it is a win win because I think we'll be putting down roots that go a lot a lot deeper into the ground. And it also, you know, kind of works with, you know, this is going to be the greenhouse for flower production. These are going to be the planting plots on this side and this side and I think it'll work really well. I think it'll look natural and, and I think be an overall benefit.

Janet Andersen: So, in the past in other areas we've had some kind of monument or fence or something that delineates, so that it's pretty clear where the edge of the mitigation area is compared to the, you know, call it more active and you know, mowed something area. Were you planning to put any kind of demarcation along there?

Jeri Barrett: I wasn't but now that you bring that up I think it is a good point and I think we can certainly do that and I think we can make it look, turn it into a landscape feature that you know maybe we do some kind of, you know, with a natural stone edge here are some stones and but I think that's I think that'll be a I think we can work that in nicely and it'll look natural and also serve the function of alerting everybody that that's the area that has to remain as a wildflower meadow and not be mowed.

Janet Andersen: Great. And I would say I did. I did like the the things you expressed about perhaps expanding the area of mitigation and reducing the lawn area. I think that's, that was, I was I was pleased to hear that. I guess I would say.

Jeri Barrett: Yeah. And again, you know, I had a long conversation with the owners today and you know they understand that you know that, you know, everyone has the responsibility to do the best job that we can and try to work this out so it works for everyone. And, you know, they want to be flexible. They want to be good good good neighbors so, you know, we talked about, you know, coming up with something so the next time we meet with the board we can have a productive conversation and say, how about something like this, it might work for everyone.

Janet Andersen: Great. Okay, and I had one more question. I'm sorry to be taking a lot of this and we'll open it up to other people. I did notice on this, I think it was a couple of meetings ago we had a submission from Patrick and it had a, I think it had identified a basketball court and a another area of pool equipment. Has is the pool equipment now moved into all-in-one spot and what's what's happening with that? I just I was going to ask why the pool equipment couldn't all be in one place?

Jeri Barrett: Well, the pool equipment in the ZBA plan because at that point, they were a little you know the architecture of the improvements were a little ahead of me with the site planning and they had showed the pool equipment up in this area here, which is on this upper slope and, you know, gosh, the pool is way back here, now I gotta go here, then I gotta go four feet up. And, you know, the longer the longer the run

the more of the elevation difference, the more trouble we have, you know, getting an efficient pool to run. And so I said to Patrick, can't you work it out and put the pool equipment in here. And he looked at it said, yeah, we can do that. So that's so we put it in here. This way, it's out of sight. And it's within this this building, it's a shorter run and it's at the same elevation. So, it seemed like a like a logical thing to do. In terms of the basketball court, if they want to do a basketball court, we talked about, you know, they'll just install a basketball hoop, you know, in the driveway maybe in this area in this area. So that the kids can shoot hoops so so that that will be the extent of that it will be over the existing driveway.

Janet Andersen: Thank you for that clarification. Okay, um, anybody else have any questions or comments at this point?

Jan Johannessen: Janet, I'll just mentioned that we did, we haven't produced the former memo, as a result of our computer issues. We did review the plans at some extent and I'd have to say that the majority of our comments have been resolved with the, this last submission. The engineering aspects, the SWPPP and the drainage are yet to be reviewed and we'll get a formal memo out to you shortly on that but most of the the items that were in our last memo, I think they hit a lot of them.

Janet Andersen: I know you indicated, you know, you have to go to the DEC for the wetland approval and you were looking for feedback from us. Do you, have you gotten what you need from us at this point?

Jeri Barrett: Well, you know I mean I think that you know we have a plan. You know, we've been through a couple of renditions here now with the plan and we think we've tightened down as Jan just said. We we pretty much hit a lot of, most of the the comments and I think we can continue and wrap that all up. So yeah, I think we're ready to file with DEC. We were hoping to file and obtain administrative approval for the project. But what we found out was, you know, we were very careful to make sure we weren't within 50 feet of the DEC buffer and we weren't, we kept everything out. And so we thought we were good, but if you read further into how the admin permit works with the DEC you also have to keep total site disturbance associated with the project under a quarter of acre and try as we made to try to tone this down, I think, a quarter of an acre is about 12,000 square feet and we're at about 14,000 and you know, I think we're just gonna have to bite the bullet and just didn't just just just get it done because it, you know, I don't think we should be segmenting the project. I think the whole thing should be done and over with and get it over with everyone.

Janet Andersen: Yeah, I know they have they have pretty stringent requirements and okay so perhaps if you stop, if you could stop screen sharing for a moment, I can look at the board and see if there's any comments from anybody else. Thank you, um, anyone, John, I know we did get something from the CAC and I think they have mentioned some of that. Is there anything that that additionally, you want to bring up?

John Wolff: Well, we wanted to know. I think what's in the wildflower garden, just to make sure that it's, you know, the mix between native and non-native plants. There were some concerns there. I mean, I think there's just an overall concern of how much is being built in the buffer, you know, and so I think we questioned the greenhouse, but I think we're happy to see that they're considering additional mitigation because that was one of our concerns. I think that was one of the major ones.

Janet Andersen: Anyone else, I would agree and I am much happier hearing about the additional mitigation that was discussed tonight.

Maureen Maguire: Yeah, I would echo that, that it's a as we all know, it's a constrained lot and there's a lot of proposed development in the buffer. So, I'm eager to see the different types of mitigation. I do have a question on material. When you you don't have to put I don't think you have to put the plans back up.

But there was, there were some areas by the pool where it was proposed to be blue stone pavers, or some kind of blue stone material lay down, what about the orange shaded areas? So the, the, the fireplace. I think it was called a folly. So what is, what is the material there and and some of the other orange shaded areas?

Jeri Barrett: So under the orange shaded areas that that you're seeing where the fireplace is in the folly. So that's a, you know, that's obviously a roof to match the house, wood shingle roof and underneath it is a blue stone patio to match what's out there any pretty much everywhere that you see the orange except for the you know, the storage room, the cover things there is blue stone paving underneath it. Blue stone on gravel.

Janet Andersen: If I understand correctly, it means there is roofing over it. It's impervious.

Jeri Barrett: Right, right. It's impervious to start with. So, we didn't count the paving again for impervious because Alan had already accounted for all that with the roof. Did I answer your question? Thank you.

Janet Andersen: So I see a thumbs up from from Maureen okay so we will. So, I think you have it sounds like you have what you need from us. I think we we will look forward to seeing that with a little more spread out or more more area of of new mitigation. Anything else okay, thank you very much. I think we can move on.

Jeri Barrett: Okay, thank you.

Alan Pilch: Thank you very much.

Jan Johannessen: Janet, did you want to calendar this for February?

Janet Andersen: Well, I think if I'm, if they can get the...

Jeri Barrett: We can get it, our clients are really anxious just to move it along so yes. Soon as we get Jan's comments, we will respond to Jan's comments and the board's comments, we'd love to come back and talk to the board next month.

Janet Andersen: Okay. And I think the resubmission is February 2 as we've discussed before.

Alan Pilch: Hopefully we'll have the engineering comments by then, that would be most helpful.

Janet Andersen: Yeah, I mean it's, I understand. And again, we, these things happen. So, you know, certainly are always our intent to get you the the memos. And in the end, I know Jan and the team are working on it as quickly as they can. Okay, thank you.

Jeri Barrett: Thank you very much.

## **V. SKETCH PLAN REVIEW**

### **[Cal #06-17PB**

(1:27:10 - 2:09:29)

**Wolf Conservation Center, Buck Run, South Salem, NY 10590, Sheet 21, Block 10803, Lots 3, 65, 67, 81, 82, 83, 86 & 88 (Wolf Conservation Center, owner of record) - Application for a Subdivision and Special Use Permit associated with a private nature preserve.**

Janet Giris, DelBello Donnellan Weingarten Wise and Wiederkehr; Matthew Gironda, Bibbo Associates; Erik Kaeyer and Travis Schnell, KG+D Architects; and Spencer Wilhelm and Dean Travalino, Wolf Conservation Center]

Janet Andersen: OK, I see that Janet has joined us. So, I thought, we will go back to the, the Wolf Conservation Center. Let me just introduce it, it is again Cal #06-17PB, the Wolf Conservation Center on Buck Run Road in South Salem, New York and this is an application for subdivision and special use permit associated with a private nature preserve. So, with that, I have to say, I'm very happy to see this come before us. Great.

Janet Giris: I'm sorry. So, thank you, Chair and members of the board and my apologies for being so late. I was at another municipal meeting and just finished that up. So, thank you very much and I apologize. I'm, so just for the record, my name is Janet Giris and I'm a partner with DelBello Donnellan Weingarten Wise and Wiederkehr, and I'm so excited to be here on behalf of the Wolf Conservation Center. I've worked with them, with my former partner, Mr. DelBello, who passed away five years ago, and we've been working with them, I would say probably since their inception, but certainly since 2001 or 2002. This is an application, as the chair mentioned, has several different parts: there's an application for subdivision approval, there are also applications for special permit and site development plan approval in connection with the private nature preserve at the property. I think that the application before you, for this evening, is the special use permit and site plan application. We are working on some revisions to the subdivision applications. Since we were last before you, a couple of years ago, we were able to acquire an additional parcel property located at 1 Buck Run, which makes the Wolf Conservation Center, the owner of all of the property along Buck Run, except for a portion of one lot which is at the north west corner of Buck Run, which fronts on Route 35. So, they own all of that and so we're in the process of revising subdivision plats and other things. So, we'll be back before you in connection with the subdivision piece shortly, but before you this evening in connection with the application for site plan, special permit and I know that since we were last before you there are some new board members here and it's been a while, so I wanted to just introduce the property a little bit and refresh your recollection as to where we left off, and where we'd like to go with you, not only this evening, but obviously over the coming months.

So, just to orient you, this property is located at Buck Run, it is Buck Run intersects with Route 35 on the north side of Route 35 just between between Mead Street and Bouton Road. And the property now consists of, I think, and Matt can correct me if I'm wrong, is about 32.5 acres. The majority of the property is located in the R-4A district and there is also a portion of it is also located in the R-2A district. And so the Wolf Conservation Center, for those of you who are not familiar with it, it is a not-for-profit, and it has three primary objectives: one is to promote wolf conservation through education, also to provide natural habitat sanctuary for captive wolves where observation of their natural behavior is possible and also to support the reintroduction of wolves into federally designated areas that can sustain a viable wolf population. So, to accomplish its mission to provide a natural habitat sanctuary for wolves, the Wolf Center shelters and breeds both red wolves and Mexican gray wolves as part of the national species survival programs which are administered by the United States Fish and Wildlife Service as well as the American Zoo and Aquarium Association. So, the property is currently home to I think it, I think we're at 40 wolves, three of which are ambassador wolves, and they assist the Wolf Center, the ambassadors assist the Wolf Center in accomplishing its educational mission. So, the conservation educational activities of the Wolf Center are licensed by, as I mentioned earlier, the United States Department of Agriculture, the US Fish and Wildlife Services and the New York DEC. And the private nature preserve that is proposed here complies with the special permit standards that are contained in the Zoning Ordinance. So, as I mentioned, we are seeking that special permit. In addition to that, we're also seeking site development plan approval from the board to permit a number of improvements at the property, which will help to enhance not only the site, but also the programs offered by the Wolf Center.

So, we've submitted to you some revised drawings. Where we left off with the board, when we were here previously was we had shown a different building that had been proposed and it was prior to the acquisition of the property located at 1 Buck Run. So, the acquisition of 1 Buck Run has allowed us to essentially redesign certain aspects of the project, including to add a more traditional parking area on the property, which was something that we always aspired to be able to do, which would accommodate buses and parking and then where the new proposed building is and also in in the lower parking area so handicap accessible parking. So, I don't want to take too much time talking about the details of a plan that you don't have essentially in front of you, but I'd like to introduce Matt Gironda with Bibbo, he's our site architect. He can talk to you about some of the site improvements that we're proposing here and then it'll be followed by Erik Kaeyer our architect for the project. As I mentioned, we had come to the board with a different building and a different architect a couple of years ago. Unfortunately, or fortunately I think, that project proved to not be financially feasible, but I think that Erik's company has come up with an absolutely beautiful building. I can't wait for him to show it to you in more detail. We hope that you love it as much as we do. And I think that we are happy to be back before you to show you all the progress that we've made since we were here last. So Matt, I'd like to just introduce you and allow you to go through it and then when Matt's finished then Erik will talk to you about the architecture. Also joining me this evening as Spencer Wilhelm with the Wolf Conservation Center can speak to any questions you might have about other items related to the Wolf Center and one of our board members, Dean Travalino, also joining me this evening.

Matthew Gironda: Thank you Janet. Good evening, everyone. Matthew Gironda from Bibbo Associates. Janet mentioned we're the project engineers working in concert with the design team, here with KG+D Architects, the project architect and Spencer, as well as Dean from the Wolf Center. What we have in front of you here. You guys can all see my screen, correct?

Janet Giris: Yes.

Matthew Gironda: So this is, this is just a general overview of the site. As Janet mentioned, the property is located on the north side of 35, opposite the Town Park, access to the property is provided through Buck Run, which is a private road. The project site consists of multiple tax parcels, three of which generally comprise the southern portion of the site, each contain existing single-family dwellings, which are currently utilized by the Wolf Center for various administrative maintenance purposes. Three Buck Run, which is where my cursor is located now, is a location of an existing dwelling, which has proposed to be demolished to construct the new educational pavilion designed by KG+D Architects in that same general location. In addition to the new educational pavilion, there are, there is also a freezer facility being proposed in the northern portion of the site as well as 12 yurts or camping pods. And in connection with these new buildings, there is a full site wide redevelopment of onsite infrastructure, existing stormwater management systems, water supply, wastewater treatment to better facilitate the daily operations of the Wolf Center and accommodate their future needs. So, just to walk you through the plan, here we are we're starting at 35. This is Buck Run, which is private road, I will say, which is in disrepair at this point in time. Major part of this application is to widen Buck [Run] Road and bring it up to standards necessary to accommodate to better accommodate two-way traffic as well as emergency vehicle access. Janet had also mentioned the bus parking lot, which is located here in the southern portion of the site, to facilitate the use of the new educational pavilion, as well as provide a sidewalk for pedestrian access from the new parking lot to the new educational pavilion. On the northern portion of the site, as I mentioned, I apologize about that and go back to that. Buck Run extends to an existing dwelling at the top of the property located at seven, what is now identified as 7 Buck Run, which again is utilized by the Wolf Center for administrative purposes at this point in time. We're proposing to expand this parking area, provide ADA accessible handicapped parking, as well as the composting toilet facility here and the 12 camping pods. In in working with the design team we've developed a set of plans to really minimize

potential impact from development, as well as prepare a plan that provides the most benefits for the Wolf Center and their intended use of the property. A component of this is we've worked with, with the the applicants to develop a site-wide stormwater management plan that provides stormwater runoff treatment for stormwater runoff from all new impervious surfaces as well as a good portion of the existing where none where no previous storm water treatment did exist. So, at the end of the day, we are, we are greatly improving the ability for the Wolf Center to use this property and also drastically improving site infrastructure from the standpoint of emergency vehicle access as well as environmental from an environmental standpoint. One of the big components, obviously, is the educational pavilion. It's really the centerpiece of this and we've worked closely with KG+D Architects, as Janet mentioned, they developed a beautiful building, we're very excited about it and we're all happy to be here. And I'd like to, I think, pass it off to the architect at this point so they can discuss the specifics of that building and give the board a better feel for, for what we're proposing in that area. And Travis, I will pull up the overall renderings you can start there.

Erik Kaeyer: So I'm just gonna say briefly. Hi, I'm Erik Kaeyer, KG+D Architects. I'm here with Travis Schnell and Travis is going to go through this presentation for us this evening, and we're thrilled to be here.

Travis Schnell: Okay. Good evening, everyone. All right, so let's start off with the the overview here. So, the proposed education pavilion really gives the Wolf Conservation Center, a much-needed hub for arriving visitors, which they sorely lack right now. And just to go through access, this is the new parking lot down, you see on the right side of the screen. So, visitors will be arriving there, either by car by bus, it will be walking up the new sidewalk along Buck Run Road into the new entry drive and from there they can access the pavilion's entrance and they can also access the rest of the Wolf Center via the forest path that will lead from behind the amphitheater up to the campground, that's the top of the hill, where you saw the yurts before. You also see here the two handicap stalls, they'll be located right adjacent to the new pavilion and a series of terraced modular retaining walls to retain the hillside, but with plantings and terraced so, to reduce kind of their overall appearance. Matt if you could go to the next slide. Yep, that's right. All right, so the, this is just a night shot here of the overall building as you approach it. So, it's a one-story facility that does include a basement. The main level's about 4,200 gross square feet with another 2,900 gross square feet of storage and mechanical space in the basement. The building we've broken it down into four different volumes based on the program with the focal point of all those volumes being the central courtyard and amphitheater and also views of the forested hillside. So, the three volumes that you see on the right here, they're part of the main pavilion, the southern side the downhill side, they include: the reception gift shop, the learning hall is next and then the main classroom is furthest away and they're all internally connected to each other, but they also have the ability to be closed separately, so they can be used individually as needed. And then the main pavilion connects with this covered walkway here that you see to the north building which is their media lab conference room, and that can be rented out to groups or used as a separate meeting space without interfering with operation of the main pavilion. So you get two simultaneous programs happening at the same time. And like I said before, all spaces kind of the focus was to have access to the main courtyard and the courtyard as both as a gathering space for visitors and another and outdoor classroom that will showcase the the ambassador wolves that Janet previously mentioned, along with other educational programs and fundraising events. So, just also to stay on this, stay on that one for one second, to go through some of the proposed green features they include a geothermal, which will be located you know by the the handicapped spaces there. There is a lot of north facing glazing that provides day lighting while minimizing thermal gain gain. We have natural ventilation with our clerestory windows and ceiling fans help reduce HVAC load, you can see solar panels on the south roofs. We have a green roof on the north building and we're also proposing radiant flooring throughout the facility.

Okay, let's move on. So, this is what visitors would see as they approach the main entrance and I'll

quickly talk about materials here. The goal of the exterior materials really to help blend into the natural surrounding, natural color palette, we're proposing a timber frame building with Hardy board siding. There's a stone veneer and down on the lower level that you can't see here but downhill there, there'll be stucco finish and then we have aluminum-clad wood windows. Let's keep going, and here we have the courtyard face in the other direction and this, you can see here the elevation shows an abundance of glass and that's to help better connect the internal program to the external program and the surrounding environment. And we have the ambassador wolves out there in the center. We also have a natural stone seating tiers and will be using blue stone walkways, low ground cover along the building and a sod infield for the courtyard. This is just a quick view of one of the interior spaces. This is the reception hall/gift shop and you can see we're going to continue the timber aesthetic here. We'll have exposed rough-sawn columns and roof beams, possibly a wood ceiling, LVT flooring and then they'll have their products available for sale, and they can help guide people to the rest of the facility. The other spaces will be the exhibit hall and the classroom and those will be mostly open floor plans, that will allow them great flexibility with how they use their program, each one having a toilet room. And and then I mean so that kind of covers the the renderings and this just we just included the floor plans to show you but it's easier to kind of understand what was going on from the renderings. Matt, if you could just quickly zoom in there to the, can you zoom into the main floor plans? I don't know how well you can all see that. Yes, yeah. But there you can see the four different volumes with the reception hall across from the media lab/conference with the learning hall and the main classroom, all with doors opening on to the amphitheater and the ability to to segment the spaces internally. Okay.

Matthew Gironda: Do you want me to go to the next one?

Travis Schnell: Yeah, let's go to the next one. And it's just showing you the the drawings for the elevations that we already covered in the renderings. Let's keep going. And then we have the landscape plan also provided, which just quickly on the landscape and the overall goal was really to focus on an informal design approach and to revegetate disturbed areas with plants that are native or tolerant to the local habitat. I know, the south portion of Buck Run is proposed to be planted with tall conifers as part of the SWPPP design requirements and then plantings kind of between the hillside of the southern part of the building and the parking lot. Those will be kind of kept lower in height in order to keep the solar PV on obstructed. Otherwise, there's some minor plantings going around around the yurts to kind of remove invasive and just plant some natives and maintain view corridors into the wolf pens for the overnight guests and then you can just go the next one. That sums up the architectural component of the educational pavilion.

Janet Andersen: Did you have more to present?

Matthew Gironda: I think that's it.

Janet Giris: I think that concludes our presentation. As I mentioned, we're in the process of updating the subdivision drawing. So, this is actually, I believe it's it's a two-step subdivision because we are actually combining lots and we will end up with fewer lots than we have today. As you might, or might not, remember a portion of the property is currently owned by by the County of Westchester and Land Trust they are an applicant to to the application in connection with the 11 acres that are that front on Mead Street, and then a number of the lots are going to be combined. Lot, I think I think we refer to it, well, it's lot 65 which is on the west side of Buck Run will remain an individual lot but the remainder of the lots will be combined. So, I think that that concludes what what we what we intended to present to you this evening. I know that when we were last before the board, Jan and and Kellard Sessions had issued some comments to us, a number of those comments are no longer applicable, given the new design. I know that Jan has has had some issues with obviously you know the unfortunate situation so we we haven't received new comments yet, but I think that some of the comments that were previously raised

will have been addressed, as I mentioned, not only by the furtherance of the design of, of, you know, the engineering, there was a SWPPP that was provided as part of the submission. This is probably the most substantial submission complete submission that we've made to the board, thus far. So, we look forward to receiving those comments when he's able to get to them. I think that what we were hoping from the board this evening was perhaps to schedule a site visit, if you're so inclined, and I believe that the board has already declared, is already lead agency for purposes of SEQRA on this so I'm not sure I think that you know obviously things need to be recirculated and then we would come back and and you know kind of dig into the review in more depth.

Janet Andersen: Yeah, so I think that, I think it may make sense for us to do a site visit and I think that's a good suggestion. I think there may be some specific questions that the board may have now or may want to come up with a little bit later. I know, for one, because we do have new members, I think it would be helpful to kind of review what the camping pods were going to look like and how they were going to be used. The, I think one of the things the Westchester County Planning suggested was a, you know, bike rack. I, I certainly would be interested in knowing whether there's any plans for electrical charging because I think that's becoming something that now I'd like to have considered for almost any parking lot we look at. It's, I wasn't really sure where the buses would park in this. So, I think some help with that. I mean, I think, but I think this is this really gives us something, a great idea about what you're planning to do and gives us a lot more to work on and look at look at as we go.

Janet Giris: Okay, so in in terms of the camping pods. I think that we are working on those. I think that we will have a more definitive answer for you, when we next appear before you, which we hope will be shortly. With regard to the bus parking and the bus turn around. I don't know if Matt, you want to talk about that. I think that it's actually being covered on my screen by the by the the running list of board members. So I don't know if everybody has the same layout that I have while the screen shares going on. So, I don't know if that could be pulled over a little bit so that we can show you exactly where that parking area is and and where that bus....

John Wolff: You can make that smaller.

Janet Giris: There you go.

Matthew Gironda: Can you guys all see that now?

Jerome Kerner: Oh, yeah.

Janet Giris: Right, so to the right of your screen, you know, this is, this is what you're looking at the street that goes horizontally is is actually Buck Run. So to your right, you're going down to 35 and to your left you're going up to to where the enclosures are. So, buses would come off of 35 onto Buck Run and they would be able to pull into this parking area. Matt, do you want to share the site plan, maybe that showing in plan view.

Matthew Gironda: I can pull up the site plan and show that exactly.

Janet Andersen: Yeah, it looked like there was a large parking area, but I wasn't sure whether the buses would actually be there or somewhere else.

Janet Giris: Right, so they would pull in here. So, so you can see you can see the lower portion of the site and so at the bottom of the screen you'll see where you know the buses would come in from 35. They would come up Buck Run, they would turn into where Matt's little hand is going around the screen over there. So, they would pull in and they would be able to pull over to where that hand is right now. There

are sidewalks there and they would unload there and then they would be able to walk up the sidewalk up Buck Run to the educational pavilion.

Janet Andersen: So the bus would actually park where the cursor is.

Spencer Wilhelm: Yes, if I can add a note. Our parking lot will never be full with cars, while we have buses. We, we have to control all of our guests that come, school groups come individually on their own. You know there might be a teacher or a parent that drives individually but it will never be used by a lot of cars and buses at the same time.

Janet Andersen: Okay. I think that's, um, there is some data for the special use permit that is things like hours of operation and a little more description and that would probably cover, you know, answer that question that that I just asked a little bit. I also, personally, as I look at it I see that in some places you're keeping the houses, but you're getting rid of wells, but you're adding wells so I think, you know, at some point, it would be and and maybe some of this you would describe on even if we do a site visit that would help us understand a little bit more, help me at least understand a little bit more about what what the plan, the sort of grand plan of how all these things fit in, and I and I had not recalled that we.....

Janet Giris: I think that Jerome has a question too.

Janet Andersen: Oh, sorry, Jerome. I can't. Maybe. All right, Jerome, okay, go ahead.

Jerome Kerner: Well, it's not a question. I wanted to say that there are a number of detail questions you're raising Janet that are, will come up, I'm sure as the plans progress. But I did want to commend both the board and the architect, the board in terms of being patient and acquiring these properties, you know, we've been a little impatient at one point, at the lack of progress, but as had been brought out to us it was really a challenge to acquire additional properties that have enhanced the overall solution making it much more practical and I would bet much more economically viable, but also the scale of the building and the sustainability of it is really commendable and you know I'm I think it's an exciting project and look forward to further review, but really is outstanding.

Gregory La Sorsa: I agree Jerome, this is great.

Spencer Wilhelm: Thank you very much. Um, it has taken a long time, a lot of negotiation back and forth with neighbors. You know, and I guess, good things come to those who wait. I don't want to wait any longer, but having this I think we've been able to use the hillside for the entire site in the best way possible to minimize disturbance, to be really focused on our programming with still a lot of money, but it's attainable and, you know, we are ready to go. As soon as you guys let us.

Janet Giris: And as I mentioned earlier, this is probably the most comprehensive comprehensive package, we've ever submitted to you in terms of, you know, engineering and architecture and so we are we are ready to go with this.

Jerome Kerner: Yeah. In a spirit of full disclosure, I live a stone's throw to the north, slightly to the northwest on Bouton Road and we hear the wolves. I we really appreciate the fact that they're there and glad they're staying.

Maureen Maguire: You could probably give tours on the sustainability of the building itself.

Janet Giris: The building is beautiful.

Spencer Wilhelm: Yes, we are currently working with NYSEDA to try and get to a Tier 3 efficiency goal of at least 20% greater than our electric code is now. We're just undertaking that but...

Travis Schnell: Yeah, we just started energy modeling the building.

Janet Andersen: Yes, please don't, please don't take the fact that I'm asking questions as a negative. I think, I really do feel like there are well, that this is a very attractive and a huge step forward and but wanted to sort of lay out at least a few of the things that I think would be something we'd want to look at. So, if we well, I think the board would be willing to be lead agency. If we haven't already declared, I guess I'm not, I don't remember back that far.

Jud Siebert: I mean, with given that, given the history of this application, the various iterations, the fact that we now have, you know, a very comprehensive application, set of plans, property site, the property's been acquired, I would be much more comfortable if the board were to recirculate, just declare intention, you know, declare their intention to serve as lead agency. Let's get this recirculated I think you will end up as lead agency and and you know what, just treated almost anew. I'm just concerned that with the passage of time and the, you know, and the, you know the improvements that have been made to the plan, you know, if you want to do that tonight. I know we've been somewhat hampered by the issues Jan's encountered, but if you were to make that motion tonight and to direct Ciorsdan and and Jan to go ahead and put those packages, you know the the, you know, put the notice and and and and the package together for circulation that could at least get that going and get that clock running.

Janet Giris: We're happy to assist however, we can meet that. To facilitate that.

Jud Siebert: And providing provided provided Jan's comfortable that you know we have we have what we need for for purposes of doing doing so.

Jerome Kerner: Why don't you stop screen share Matt so we can...

Jan Johannessen: I didn't have any record that we circulated this previously. I know we circulated to the County for the General Municipal Review but I don't think that we circulated for lead agency. So I'm happy to prepare that notice, the plans are certainly sufficient to circulate. Matt, did you submit a Part 1 of the long form EAF?

Matthew Gironda: With this submission, there was not one included, but I believe there probably was with prior submissions. We could certainly....

Janet Giris: Hey, we can we can revise that and get it in.

Jud Siebert: Just revise it. Right. Yeah.

Jan Johannessen: So yeah, if you can get the plan set and the Part 1, EAF are what we would need to circulate. We would need the subdivision application too, the revised plat as soon as that's in, I'm happy to prepare the notice.

Janet Andersen: So, I guess I'd look for a motion to do basically that, to say that we would be lead agency and to ask for a coordinated review and for Jan to to start this process of circulating the documents.

Maureen Maguire: So moved.

Gregory La Sorsa: Can we do that, do that procedurally right now?

Jerome Kerner: Yeah.

Jud Siebert: Yeah, yeah, I mean we have, we have what we have what we need. Yeah.

Gregory La Sorsa: I thought we needed more. Okay. Yeah, yeah. All right. Okay. Has the motion been seconded?

Janet Andersen: No.

Gregory La Sorsa: All right, I'll second it.

Janet Andersen: Okay, so moved by Maureen and seconded by Greg, any. Any other discussion on this? Okay, then let me poll the board, Charlene?

Charlene Indelicato: As a new member, this is all new to me and it really looks good. Yes.

Janet Andersen: Okay. Jerome?

Jerome Kerner: Yes.

Janet Andersen: Maureen?

Maureen Maguire: Yes.

Janet Andersen: Greg?

Gregory La Sorsa: Yes.

Janet Andersen: And of course, I say yes as well. So, we can, that motion carries and we can proceed with the, with the first steps to get this coordinated review going. I think I think, again, we have a lot of information here and I think it may make sense to refer this to the Building Inspector, the Fire Department, um, I don't know if there's anyone else. But would that be, I think that is something I look for consensus from the board to do so, can we can we agree that this should go forward to the Building Inspector and Fire Department.

Various voices: Yes.

Janet Andersen: Okay, great.

Janet Giris: At what point is it appropriate to send us to ACARC? Is that, following our next submission? Would that be after we receive comments from Jan? Is that now?

Jerome Kerner: I would say now.

Janet Andersen: I mean it's moved pretty far along and the only question I guess would be, is there going to be any signage at the road, perhaps, that we haven't thought about, or is there. I mean, just I know ACARC wants, will want to look at that if that apt to be added.

Spencer Wilhelm: Well, currently. Am I muted, can hear me? We, we haven't selected our signage for for Route 35 and Buck Run. We've always tried to maintain as little of footprints or noticeability off of 35

because we are by appointment only. I mean for years, we didn't even have our address on our website. So yes, there will be something down there that says Buck Run Wolf Conservation Center, but I would see it as a typical sign that we would see around Lewisboro, a small maybe two by two on a post.

Janet Andersen: Okay. I don't know.....

Janet Giris: So, maybe it's appropriate for us to wait until we have that and then, you know, I mean, obviously, we're going to be before you for some time. So,.....

Janet Andersen: Yeah. ACARC is generally pretty responsive so, sorry Jan, go ahead.

Jan Johannessen: They wouldn't be able to act until we completed SEQRA anyway, if you're going to conduct a coordinated review.

Janet Giris: They are not an approving body here, they are just advisory.

Jud Siebert: They are just a recommendation.

Jan Johannessen: They are approving on the sign though.

Janet Andersen: Okay. Well, I think, I think we have a little bit of time on that. Okay site visit, I, I mean, this looks fabulous. I think I would get a better sense by going to the site if people agree. We in the past have often done that the Saturday before our next meeting, which in this case would be, I believe, February 20. Do people have an interest in going? Does that date work? I see Charlene's head nodding.

Jerome Kerner: Doesn't work for me. I'm not back to March 2<sup>nd</sup> but I can always pop up there.

Spencer Wilhelm: Yeah Jerome. I can, I can take you around if you would like.

Jerome Kerner: Sure.

Janet Andersen: I mean, I know I've been there, but I haven't looked at it with the thoughts of of this redevelopment certainly and I think it would be helpful. Um, Maureen, Greg does that.....

Gregory La Sorsa: Yeah, you can put it down for the 20<sup>th</sup>.

Maureen Maguire: Yeah, that I don't think that's going to work for me, but I can get up there, another time.

Gregory La Sorsa: Well, if two of the five are missing we might as well do another date then.

Janet Andersen: Yeah, but so for Jerome, that would move it out of a month and and I.....

Gregory La Sorsa: Well hold on, can we do with on the 13<sup>th</sup>? Are you around on the 13<sup>th</sup> Jerome?

Jerome Kerner: No, I'm back March 2<sup>nd</sup>.

Gregory La Sorsa: No, when are you leaving? Oh, you're you, you're on this current sojourn that you're on, you're, you're still going to be out.

Jerome Kerner: I'm there now and I get back on....

Gregory La Sorsa: Whatever is fine.

Janet Andersen: Well, Maureen does the 13th work for you?

Maureen Maguire: I'm gonna have to get back to you on that?

Janet Andersen: Okay, well, then maybe what we should do. I mean, if we could only predict when it's going to snow. We could say the 13<sup>th</sup> and then if it snows we'll go the 20<sup>th</sup> or something and that way, maybe you can make it at least. So how's that the 13th.

Jerome Kerner: Or Maureen and I can go with whoever, with a Spencer or Matt.

Charlene Indelicato: It's okay for me.

Janet Giris: We are happy to accommodate you however is best for you.

Janet Andersen: All right, so, Ciorsdan if you could also not only document it but remember to remind us on that we will be going on the 13th. John, of course the CAC is welcome to have a rep there as well.

John Wolff: Yeah, I think they'll probably be one or two, what time are we going to pick?

Janet Andersen: So, 9 am?

Various voices: Sure. Okay.

Janet Giris: I was just about to mention and I didn't see John until this moment that we met with the CAC last week and got very positive feedback from them as well.

John Wolff: With my last name, how could I not?

Spencer Wilhelm: How's your howling?

Janet Andersen: The let's see. Um, well, I think this is great. Is there anything else that we need to do tonight? Jud? Jan?

Jud Siebert: No, no and I would just place it on the February agenda.

Janet Andersen: Great. Okay. Then we'll plan to see you in February and see how that goes. Great. Thank you.

Janet Giris: Thank you very much.

Janet Andersen: It's great that you're back. I mean,.....

Spencer Wilhelm: No one's happier than me.

Janet Andersen: Great.

Spencer Wilhelm: It's been a long time. Thank you.

Janet Giris: Thank you. Thank you again for the accommodation this evening, I very much appreciate it.

Janet Andersen: Yeah, I'm glad you could join us.

Janet Giris: Now I'm headed to Greenberg, and I'm not even, I'm not even kidding. So, goodnight.

Various voices: Goodnight.

## VI. WETLAND VIOLATIONS

### **[Cal #02-19WV, Cal #60-19WP, Cal #14-19SW**

(2:09:30 – 2:11:16)

**Kullman Residence, 12 Red Coat Lane, Waccabuc, NY 10597, Sheet 26, Block 11155, Lot 92  
(Michael and Susan Kullman, owners of record)**

No one was present on behalf of the owners.

Janet Andersen: So, the next thing on the agenda is the, is the first wetland violation that we have is the Kullman Residence and we.....

Jud Siebert: Yes, if I may Janet. The Kullmans are represented by Michael Sirignano. I spoke with Michael this afternoon. This is a, it's a wetland violation with an accompanying permit that is and Jan can jump in, is basically ready for sign off, there's just some additional information and materials that need to be provided by the owners to Jan so that that can happen. Michael has said that that work is completed and that that should be in Kellard's office within the next few days and I advised Michael that we would likely put this over to February and we need their, the appearance of the Kullmans if they wish to appear, and we need a estimate of costs. So that we can factor, so that the board rather can factor that into any determination with regard to a fine. There is a violation, it was issued, a guilty plea was entered. So, this is really just being teed up to get the permit closed and then the board to close out the violation based on its review of the facts and the determination as to what it wants to do with regard was civil penalty.

Janet Andersen: Right. Thank you. So again, I think, we're still waiting as you said, for the close out of documents and the costs and we can move forward, but we'll move it to February.

Jud Siebert: February. February. Yeah.

Janet Andersen: Okay, expect that to happen.

### **[Cal #03-20WV**

(2:11:17 - 2:26:02)

**Schilke Residence 3 Beaver Pond Lane, South Salem, NY 10590, Sheet 46, Block 9827, Lot 184 (Sophia Chenevert Schilke & Garrett Schilke and Debra L. Chenevert, owners of record)**

Garrett and Sophia Schilke, owners, were present.]

Janet Andersen: All right, then we have a new wetland violation, which I guess I will turn over to Jan.

Jan Johannessen: Sure.

Janet Andersen: And I know you had mentioned that you would share the screen but without video, this

might be interesting.

Jan Johannessen: I can still share my screen. So this is a wetland violation at 3 Beaver Pond Lane and the violation is really relating to the cutting and removal of vegetation trees and the deposition of fill within the wetland buffer. So if I share, I'll provide all these materials to Ciorsdan, for the record, and that could be passed on to the to the owners.

Janet Andersen: So, if I recall from this, from when we had a I think a lot line change in this area, there is a pond on the property or abutting the property.

Jan Johannessen: Let me just bring it up. Okay, can you see my screen?

Janet Andersen: Yes.

Jan Johannessen: So this is the property here at 3 Beaver Pond Road, it goes out on to 123 in Vista and this is this is the pond. That's regulated by the town of Lewisboro as a wetland, and also the DEC, the DEC.

Jerome Kerner: Is that referred to as Laurel Pond or am I mistaken?

Jan Johannessen: I've never heard of it as that but I could be mistaken. This is the DEC wetland map, indicating that that that wetlands regulated by the state and the property does have some history with the planning board. In 2013, the board approved the Nesson-Torti Lot Line change. This is the house here and 3 Beaver Pond and this is this was Nesson, which contained a multi-family residence, which had a failing septic system and this proposal included the conveyance of land from then Torti to Nesson that would allow them to remediate their septic. A lot line change was approved, filed, it exists, but the septic remediation, I don't believe ever occurred but as a result of this application, the wetlands were delineated, they were shown on this is map and there was a carryover restriction from the original subdivision that created this lot, this outline here which generally follows the wetland boundary is identified as a development restriction area and there's a there's a reference here to file map number that I pulled with the county. At the time of of the original subdivision, there was a 100-foot buffer, now we have 150-foot buffer. So, it see that the whole backyard here and encompassing the house is going to be within, sorry, the town's 150-foot wetland buffer. I went to the county records and pulled up the original plat. This is the lot here and this is the plat that created the development restriction and there's a note on the plat down here, that indicates that the development restriction area shown here on would prohibit any clearing or building within the boundaries of said areas. So, I have a couple pictures, showing, this is an aerial of the property. Here's Smith Ridge Road. Here's Beaver Pond. Here's the house. I could see that it was wooded behind the house here. This was looks more like a scrubby-type brush, it doesn't look really forested it but this area, certainly had a number of trees and then the pond down below. Again the wetland buffer extends up into the middle of the house, I would suspect. I'll go through some pictures. This is the construction access road that they used off Beaver Pond, the house is off to the left, the pond is off to the right.

Janet Andersen: At least I'm not. I'm still seeing me the aerial.

Jan Johannessen: Oh, yeah.

Janet Andersen: I don't know whether other people sometimes my bandwidth is, a little flash for a second. Yeah, there you go.

Jan Johannessen: Sorry, I'm standing on Beaver Pond Road and in this picture, looking into the

construction access road, with the pond to the right and the house to the left. In this picture, we're looking at the, you know, obviously the house to the left. Kind of standing in the middle of the area that's been trees removed and chipped and there's a installation of film material here. The backyard, the wetland boundary is probably where my cursor is just off the top of the slope.

Jerome Kerner: Hey Jan, when you refer to it as a construction road, what type of construction are you referring to?

Jan Johannessen: Just the access road that they use to bring in the machinery to cut the trees.

Jerome Kerner: Okay. So, there's no plan being proposed for new construction just clearing.

Jan Johannessen: Yeah.

Garrett Schilke: No, none. There is no plans for anything. I'm sorry. This is Garrett Schilke. There was, the only plan we had was just to take down trees that were in the immediate area of the house, because a lot of the limbs with the past storms that we've been having been coming down. So I figured it was a liability for the house and also we have kids. So, so there was nothing but the of course, they had to take or use machinery to take the trees down. So this was clearly a complete misunderstanding on my part. You can continue

Jan Johannessen: The installation of fill.

Janet Andersen: All right, I'm, I'm afraid I'm still on the very first photo. Are other people seeing, a second flash again.

Jerome Kerner: No, we haven't.

Janet Andersen: Yeah, I just have such low bandwidth here.

Maureen Maguire: I'm on the first photo. Which shows a two-foot tall tree stump.

Janet Andersen: So I am going to stop my video for a minute. I was gonna say so that maybe the photos would come across. I don't know.

Jan Johannessen: Hang on. Let me try again. My screen shares been paused, so par for the course for my computer issues as of late.

Jerome Kerner: So, can I ask where we're going with this right now? I mean, I, it's good to see the extent of it. But what's the next.....

Jan Johannessen: What's there there was there was tree removal and the placement of fill in the wetland, in the wetland buffer without a permit. So it's on before you for violation for those matters.

Jerome Kerner: Right. So we need a plea and remediation?

Jud Siebert: Yes, so this is my suggestion. This is on for, you know, a first appearance tonight. It looks like we have the property owners participating this evening. We do need to discuss really two things. One is a potential plea and certainly have the ability to consult with an attorney and before doing so. I can you know, typically what the board does in these instances is if a plea is entered there's been a, really the property owners are encouraged to file a permit for remediation work, you work that out with Jan. Which

involves activity on the site to remediate and mitigate the activity in the wetland. And, and, you know, and that permit if it's filed and you know if it's approved the permit application to file that approved and the work done, you know, we then return when when the remedial work has been completed and the board makes a determination as to the disposition of the of the violation. So I think the, I think the best practical step, rather than kind of keeping the board engaged in this this evening would be for Jan and I just set up a call or a Zoom meeting with with both of the prop with the property owners before the February meeting to discuss those issues. Jan, I think that's....

Jan Johannessen: Yeah, that's fine. I'd recommend that the board conduct the site walk.

Janet Andersen: Would that be appropriate now or after a perhaps a wetland permit was filed?

Jan Johannessen: They can file the application, but I would think would be important to get planning board input before the mitigation plan is progressed. So....

Jud Siebert: That can be done now. Yeah.

Janet Andersen: It can be, okay. And what do you think about extending after we go to the Wolf Center, going to this location?

Jan Johannessen: That is fine. I'm unavailable for that particular date but you know, I don't think I need to be there, per se. I mean, you'll, you'll be able to see what's going on. It's pretty clear.

Janet Andersen: Is it convenient to the homeowner?

Sophie Schilke: What is, what is the date that you suggested?

Janet Andersen: I'm sorry, it was February 13.

Sophie Schilke: I'm just seeing. Hold on one moment.

Janet Andersen: And what we would probably do is just want to come on and onto the property and see perhaps, where the pond is, where the, you know, wood chips are.

Garrett Schilke: Yeah, that's fine.

Sophie Schilke: The wood chips are actually from the trees that were present, you know, right adjacent to our house. We figured that we would utilize the natural resources and recycle. So that's where the wood chips are coming from. I wouldn't necessarily consider that a fill, or maybe it is, but....

Jan Johannessen: The fill was the soil behind the house.

Sophie Schilke: So the fill actually was, you know, the earth being moved around. Yeah, the soil from the area. Yeah, yeah.

Garrett Schilke: Yeah, but that's fine. So the 13th is fine.

Janet Andersen: My guess would be, it might be...

Sophie Schilke: Is there a time?

Janet Andersen: Yeah, we, we were going to be at nine o'clock at the Wolf Center. So my guess would be, it might be closer to 10 by the time we get there.

Sophie Schilke: Okay.

Garrett Schilke: Perfect.

Janet Andersen: Thank you.

Garrett Schilke: You're welcome.

Jud Siebert: And then and Jan then you and I, we can, if we can set up a you know a call or maybe a Zoom discussion.

Jan Johannessen: Yeah, that'd be fine.

Janet Andersen: Okay. Thank you.

Jud Siebert: And place this on the February agenda, please.

Janet Andersen: Sure, yeah. Okay. Anything else that we need to do tonight? No. Okay, great. Um, so thank you very much and and we will see you in February and I have a site walk and at the meeting.

Jan Johannessen: Janet, before you close this matter. I had emailed Ciorsdan a copy of what I was going to present tonight. Ciorsdan, if you're on, if you could forward that to both the owner and the board members, the photographs in the maps.

Ciorsdan Conran: When did you send that Jan?

Jan Johannessen: This afternoon.

Janet Andersen: Okay, if it didn't come across, we may have to ask you to send it again.

Ciorsdan Conran: If you would please, because I'm not seeing it.

Janet Andersen: Okay. And, and, of course, the contact information for the owners, I think, in order to email it to them. Okay.  
Great. Anything else on this? Okay.

## **VII. COMPREHENSIVE PLAN DISCUSSION**

(2:26:03 – 2:29:09)

Janet Andersen: The next item on our agenda is just a discussion item. It appears that the town is going to move forward with a comprehensive plan, which is a much needed update to their 1986 master plan, our master plan, the town's master plan. And they are forming a five-member steering committee to figure out how to basically approach the, the creation, the management of the new comprehensive plan and they have asked for a member of the planning board to be part of that team. And just so that everybody doesn't have to stare down and not look at me, I will say that Charlene has wonderfully volunteered to represent us on this, the steering committee. So, you know, those I don't know that all of you know, and we've haven't really discussed her background, but it is certainly, she has the experience and knowledge that I'm sure will serve us extraordinarily well on this. So first of all, thank you, Charlene and you're muted.

Charlene Indelicato: I also have the time. So, most importantly.

Janet Andersen: Yes. So I think this is this is great and we now have the the town has its first member of the steering committee. They have put out a public request to look for members of the public. So I think, given that it's especially pleasing that we have such, someone such experience that is.....

Charlene Indelicato: If I can, can I call each one of you and get your ideas if that's okay. Or I'll just send out an email or call me. You have my number because I'd like to get your ideas, you've been on the planning board longer than I have and I would like the input.

Jerome Kerner: Fair enough.

Janet Andersen: And again, I think a lot of this is just going to be the how to set this up, you know how to structure that the plan and you know I....

Charlene Indelicato: Well ideas as to as to that because I don't have a history, Janet and it seems like they've tried it before, trying to get it going. So,...

Janet Andersen: It's wonderful. Yeah, no, I think, and I appreciate the fact that reaching out to everybody. I think that's great.

Maureen Maguire: Charlene, I have some experience with economic development work, so happy to chat with you about that aspects of everything and thank you for volunteering because I don't have time.

Charlene Indelicato: I was gonna do one in Dobbs Ferry actually, I had an RFP out but I decided to retire before and it's just after COVID had it but it sounds like a well fun, if you like that sort of thing.

Janet Andersen: Right. Yes. So thank you so that's where we are.

### **VIII. MINUTES OF December 15, 2020**

(2:29:10 - 2:29:44)

Janet Andersen: So I think the next thing are the minutes of our December 15, 2020 meeting.

Jerome Kerner: I'd like to move that we approve them as submitted.

Janet Andersen: Thank you. Jerome. Do we have a second?

Maureen Maguire: I'll second.

Janet Andersen: Okay any discussion? All in favor. Let me poll the board again. I guess it's Jerome?

Jerome Kerner: Aye.

Janet Andersen: Greg?

Gregory La Sorsa:

Janet Andersen: Maureen?

Maureen Maguire: Aye.

Janet Andersen: and Charlene?

Charlene Indelicato: Abstain.

Janet Andersen: And I, I do approve it, so the minutes are approved.

[On a motion made by Mr. Kerner, seconded by Ms. Maguire, the Board approved the meeting minutes from December 15, 2020.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa and Ms. Maguire. Abstain: Ms. Indelicato.]

## **IX. NEXT MEETING DATE AND ADJOURNMENT**

(2:29:44 – 2:31:08)

Janet Andersen: Our next meeting date is February 23, 2021.

Jerome Kerner: I'd like to make a motion for adjournment.

Gregory La Sorsa: Second.

Janet Andersen: So moved by Jerome and seconded by Greg.

Jud Siebert: I do, I do have one question. It's kind of a kind of an odd thing but if Jerome's making a motion do we mark the time as Eastern Standard Time or as Pacific Standard Time. It's I think it's Eastern Standard Time.

Janet Andersen: I think so, or do we have to go to Greenwich Mean just to get it right.

Gregory La Sorsa: Are you going to North Beach, tonight?

Jerome Kerner: I'm going to bed.

Gregory La Sorsa: Oh, okay. Well, it's seven o'clock! Even I'm staying up till eight o'clock these days.

Janet Andersen: All right, so we have a motion and a second. So let me poll the board again. Charlene?

Charlene Indelicato: Yes.

Janet Andersen: Maureen?

Maureen Maguire: Aye.

Janet Andersen: Jerome?

Jerome Kerner: Yes.

Janet Andersen: and Greg?

Gregory La Sorsa: Yes.

Janet Andersen: And I also. So, so the meeting is adjourned at 10:01 and we didn't quite make your target

of 8:30 Jerome, but you know what's a, it's a goal to aspire to this year. Okay. Okay. Thank you, everybody.

Various voices: Good night. Thank you.

[On a motion made by Mr. Kerner, seconded by Mr. La Sorsa, the meeting was adjourned at 10:01 p.m. In favor: Ms. Andersen, Ms. Indelicato, Mr. Kerner, Mr. La Sorsa and Ms. Maguire.]

Respectfully Submitted,

A handwritten signature in cursive script that reads "Ciorsdan Conran".

Ciorsdan Conran  
Planning Board Administrator

RECEIVED BY

JAN 22 2021

Town Clerk  
Town of Lewisboro

**RESOLUTION  
LEWISBORO PLANNING BOARD**

**ADOPTION OF NEGATIVE DECLARATION PURSUANT TO  
STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**GOSSETT BROTHERS NURSERY  
1202 ROUTE 35 SOUTH SALEM, NEW YORK**

**Sheet 31, Block 10805, Lot 46  
Cal. #03-20 PB**

**January 19, 2021**

**WHEREAS**, the Planning Board is entertaining an application for site development plan approval and a wetland activity permit (Cal. #03-20PB) with regard to the above-referenced property consisting of  $\pm 5.5$  acres of land; and

**WHEREAS**, this application is in conjunction with the owner/applicant's proposal to construct and operate an accessory winery business on said property in accordance with the provisions of Chapter 220, Zoning, of the Lewisboro Town Code (the "proposed action"); and

**WHEREAS**, the proposed action has been classified as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, a coordinated review of the proposed action is being performed, and the Planning Board is serving as SEQRA Lead Agency for purposes of this review; and

**WHEREAS**, the Planning Board has received and reviewed application plans and materials, submissions, reports and verbal commentary from the owner/applicant and its consultants, submissions, comment letters and verbal commentary from the Planning Board's consultants, comments offered during a public hearing and SEQRA documentation developed as part of the SEQRA review process;

**NOW THEREFORE BE IT RESOLVED THAT**, the proposed action is an Unlisted Action under SEQRA and the Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7(c) and determined that the proposed action will not have a significant adverse impact on the environment; and

**BE IT FURTHER RESOLVED THAT**, the Planning Board hereby adopts and issues the attached Negative Declaration and Notice of Determination of Non-Significance, which is to be distributed as required under SEQRA and its implementing regulations.

**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: Jerome Kerner

The motion was seconded by: Charlene Indelicato

The vote was as follows:

<b>JANET ANDERSEN</b>	<u>aye</u>
<b>JEROME KERNER</b>	<u>aye</u>
<b>GREG LASORSA</b>	<u>aye</u>
<b>MAUREEN MAGUIRE</b>	<u>absent</u>
<b>CHARLENE INDELICATO</b>	<u>aye</u>

Janet Andersen<sup>cc</sup>  
Janet Andersen, Chair  
January 19, 2021

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

**Date:** January 19, 2021

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lewisboro Planning Board has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Gossett Brothers Nursery

**SEQRA Status:**        ☐        Type 1  
                                 ☒        Unlisted

**Conditioned Negative Declaration:** ☐        Yes  
   ☒        No

**Coordinated Review:**                   ☒        Yes  
   ☐        No

**Description of Action:** The subject property consists of ±5.5 acres of land and is located at 1202 Route 35 within the R-2A Zoning District. The subject property contains an existing landscape nursery and is developed with several detached buildings, gravel parking, and inventory display and storage areas. An existing residence is located on the same parcel, located to the rear of the site. The applicant is proposing to legally establish an accessory winery business to be located within the existing nursery building and is also proposing the installation of a water treatment system and a wastewater holding tank for the winery. The existing nursery is considered an existing non-conforming use and the winery is permitted within the underlying zone, subject to the issuance of a Special Use Permit from the Zoning Board of Appeals. The subject property contains wetlands that are jurisdictional to the New York State Department of Environmental Conservation (NYSDEC) and the Town of Lewisboro.

**Location:** 1202 Route 35, Town of Lewisboro, Westchester County, New York.

**Reasons Supporting This Determination:** The Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c). Specifically:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production.

*The subject property is currently developed and previously disturbed; the proposed action will result in <0.1 acre of land disturbance. While disturbance is proposed within the regulated wetland buffer, an extensive wetland mitigation plan has been provided. The subject property is accessed via a State highway and the proposed use will not result in a substantial increase in traffic above present levels; interior parking and traffic circulation will be improved. Existing floodlights are proposed to be removed to reduce light impacts and replaced with downward facing, full cut-off light fixtures, which will be turned off during non-operating hours. The proposed action will not result in a significant increase in solid waste and all solid waste will be removed via a private carter.*

2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources.

*The subject property is currently developed and previously disturbed; the proposed action will result in <0.1 acre of land disturbance and significant vegetation loss is not proposed. The applicant has developed a comprehensive planting plan which will increase the extent of native plants on-site and will improve habitat around the perimeter of an existing pond.*

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g).

*The subject property is not located within or adjacent to a Critical Environmental Area.*

4. The proposed action will not result in a material conflict with the Town's officially approved or adopted plans or goals.

*The existing nursery is considered an existing non-conforming use and the winery is permitted within the underlying zone, subject to the issuance of a Special Use Permit from the Zoning Board of Appeals.*

5. The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources or the existing character of the community or neighborhood.

*The subject property is currently developed and no new building construction of significant exterior alterations are proposed. No State or federally listed historical or archeological resources are located in proximity to the site.*

6. The proposed action will not result in a major change in the use of either the quantity or type of energy.

*The proposed action will result in an insignificant increase in use of electricity/energy; however, no impact is anticipated.*

7. The proposed action will not create a hazard to human health.
8. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
9. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions that would result in one of the above consequences.
11. The proposed action will not result in changes in two (2) or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
12. When analyzed with two (2) or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).
13. The Planning Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.