

TOWN OF LEWISBORO
Westchester County, New York

Zoning Board of Appeals
79 Bouton Road
South Salem, New York 10590



Tel: (914) 763-3822
Fax: (914) 533-0097
Email: zoning@Lewisborogov.com

AGENDA

Wednesday, June 28, 2023, 7:30 P.M.

79 Bouton Road, South Salem,
Justice Court

- I. Review and adoption of the Minutes of May 24, 2023.**
- II. PUBLIC HEARING**

CAL. NO. 15-23-BZ

Application of Vincent Doria, [Doria, Frances, owner of record], 129 Ridgefield Avenue, South Salem, NY for the following variance of the proposed one-story garage will have a side yard setback of 21' whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring variance of 19'.

The property is located on the south side of (#129) Ridgefield Avenue, South Salem, NY designated on the Tax Map as Sheet 0041, Block 10265, Lot 008, in an R-2AC, Two Acre Residential District consisting of approximately 4.50 acres.

CAL. NO. 16-23-BZ

Application of Thalia C. Wolff [The Thalia C. Wolff Living Trust, owner of record], 9 Peaceable Street, South Salem, NY for the following variance of the proposed generator and two (2), 120 gallon above ground LP tanks will have a rear yard setback of 25' and 24' respectively whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring a variance of 25' and 26' respectively.

The property is located on the north side of (#9) Peaceable Street, South Salem, NY designated on the Tax Map as Sheet 0039, Block 10549, Lot 018, in an R-4AC, Four-Acre Residential District consisting of approximately 4.49 acres.

CAL. NO. 12-23-BZ

Application of Michael Fuller Sirignano, Esq. [Waccabuc Country Club, owner of record], 74 Mead Street, Waccabuc, NY. The proposed pickleball courts create an increase in the existing non-conforming private recreation club use and therefore require a variance pursuant to Article III,

Section 220-9E(5) of the Town of Lewisboro Zoning Code and the proposed pickleball courts create an increase in the applicable setbacks for private club “active recreational facilities, such as tennis courts and swimming pools” and provides that such recreational facilities be “set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district as per Article V, Section 220-36C” of the Town of Lewisboro Zoning Code, in that the proposed pickleball courts will have a side yard setback of 51’ from the northerly property line and 98’ from the southerly property line, where 100’ (doubled) side yard setback is required under Section 220-36C of the Town of Lewisboro Zoning Code, therefore requiring a side yard setback variances of 49’ and 2’, respectively.

The property is located on the west side of (#74) Mead Street, Waccabuc, NY designated on the Tax Map as Sheet 0022, Block 10802, Lot 023, in a SCR-4AC, Special Character Four-Acre Residential District consisting of approximately 6.11 acres.

III. CORRESPONDENCE & GENERAL BUSINESS

**Discussion and signing of the Town of Lewisboro Town Board Lead Agency Notice.
Re: Waccabuc/Truesdale Wastewater Collection System and Treatment Plant, Lewisboro, NY 10590**

IV. NEXT MEETING

July 26, 2023

V. ADJOURN MEETING

(914) 763-3822
FAX (914) 875-9148
TTY 800-662-1220
Email: zoning@lewisborogov.com
www.lewisborogov.com



TOWN OF LEWISBORO
Zoning Department
79 Bouton Road
South Salem, NY 10590

TOWN OF LEWISBORO, WESTCHESTER COUNTY

ZONING DEPARTMENT

ZONING BOARD OF APPEALS – June 28, 2023

ZONING BOARD OF APPEALS – June 28, 2023		
<u>APPLICANT</u>	<u>CAL #</u>	<u>PAGE(S)</u>
Doria	15-23-BZ	4 to 8
Wolff	16-23-BZ	9 to 11
Waccabuc Country Club/Pickleball	12-23-BZ	12 to 44
Town of Lewisboro	Lead Agency Agreement	45 to 59

TOWN OF LEWISBORO
Westchester County, New York

Building Department
79 Bouton Road
South Salem, New York 10590



Tel: (914) 763-3060
Fax: (914) 875-9148
Email: ksullivan@lewisborogov.com

Zoning Denial 4/4/2023

129 Ridgefield Ave, South Salem

10265-008-0041

The proposed one-story garage will have a side yard setback of 21' whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring variance of 19'.

Building Inspector



Kevin Kelly

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will host a Public Hearing on Wednesday, June 28, 2023, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 15-23-BZ

Application of Vincent Doria, [Doria, Frances, owner of record], 129 Ridgefield Avenue, South Salem, NY for the following variance of the proposed one-story garage will have a side yard setback of 21' whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring variance of 19'.

The property is located on the south side of (#129) Ridgefield Avenue, South Salem, NY designated on the Tax Map as Sheet 0041, Block 10265, Lot 008, in an R-2AC, Two Acre Residential District consisting of approximately 4.50 acres.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

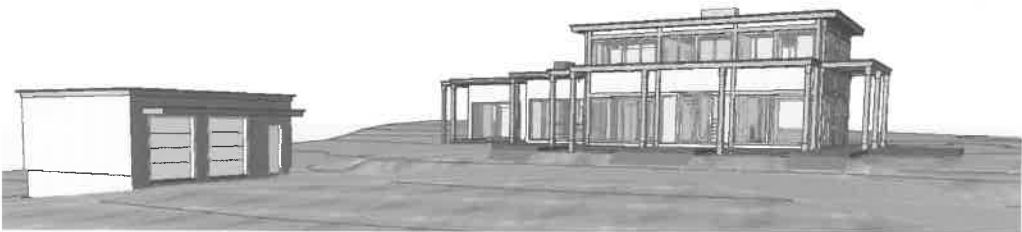
**Dated this 24th day of May 2023
in South Salem, New York**

**ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: ROBIN PRICE, JR.
CHAIR**

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

Doria Residence

129 Ridgefield Ave.
South Salem, NY 10590



SHEET INDEX

P&Z submission	
T1	Site Plan
A 1.1	Plans
A2.1	Elevations

ZONING INFORMATION

Parcel ID:
Zone: R-2A

	Allowable	Proposed
Lot Size	4.504 acres (2 acre min.)	No Change
Front Yard Setback	50 ft min.	197'-6"
Side Yard Setback	40 ft min.	225'-10" & 21'-0"
Rear Yard Setback	50 ft min.	191'-0"
Number of Stories	2 1/2 max.	2
Building Height (replace this text with calc. method or omit)	35 ft. max.	+/- 20'-10" main house +/- 13'-8" addition +/- 14'-0" garage avg.
Building Coverage	9% max. of lot area	4.504 acres = 196,194 sq ft 3,378 sq ft bldg coverage / 196,194 sq ft = 1.7%



TRILLIUM ARCHITECTS LLC

16 Bailey Ave, 2nd Floor
Ridgefield, CT 06877
203.438.4540 phone



No.	Item	Date
3	P & Z submission	1/27/2023
2	Window Pricing Set	11/11/2022
1	To Structural Engineer	10/6/2022

Doria
129 Ridgefield Ave.
South Salem, NY 10590

Site Plan sheet: T1
scale: as shown
PLAN NORTH

1 Site Plan
SCALE: 1" = 30'

Printed 1/27/2023



3	P & Z submission	1/27/2023
2	Window Pricing Set	11/11/2022
1	To Structural Engineer	10/6/2022
No.	Item	Date

Doria
129 Ridgefield Ave.
South Salem, NY 10590

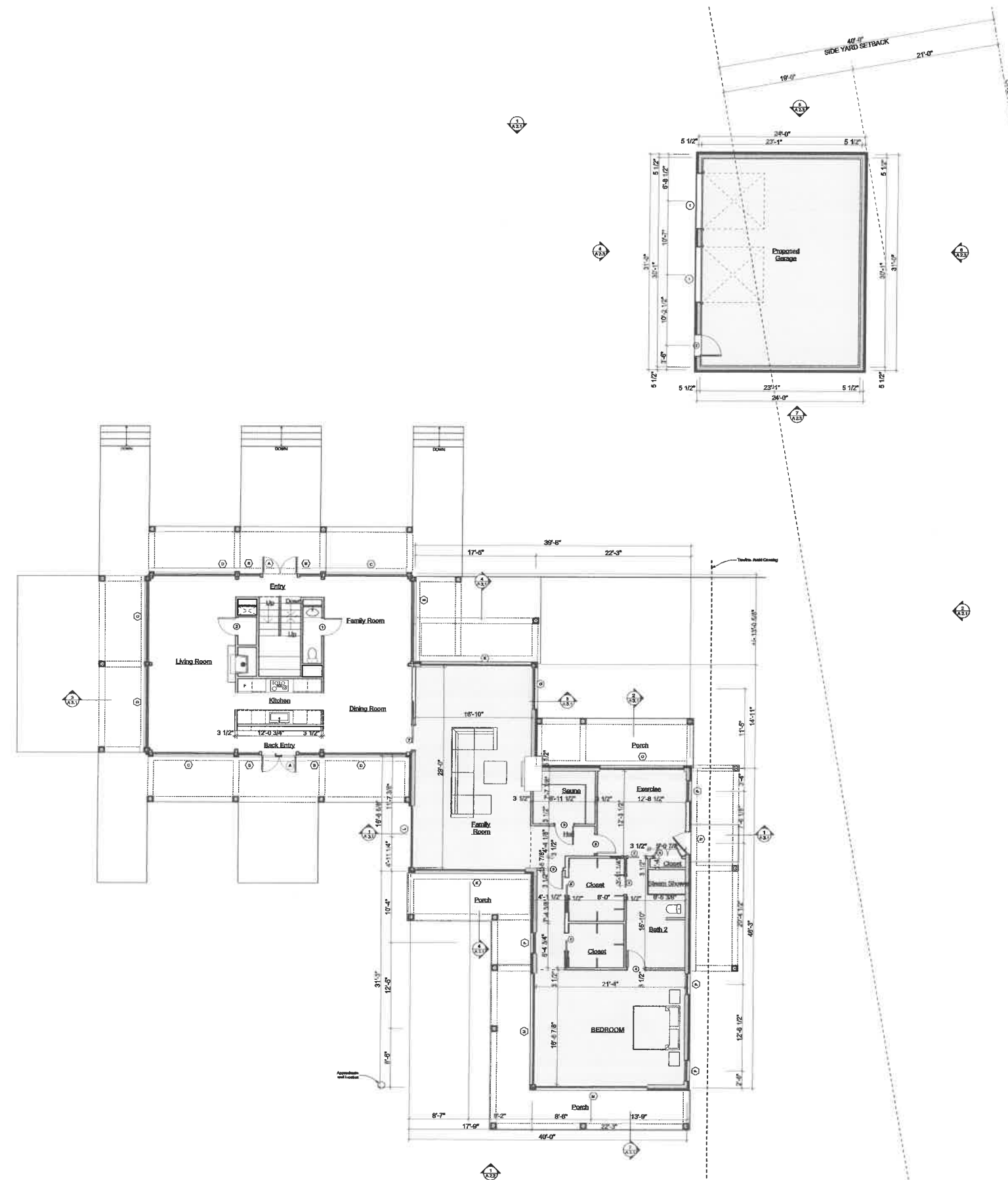
Plans

sheet: A 1.1
scale: as shown

PLAN NORTH



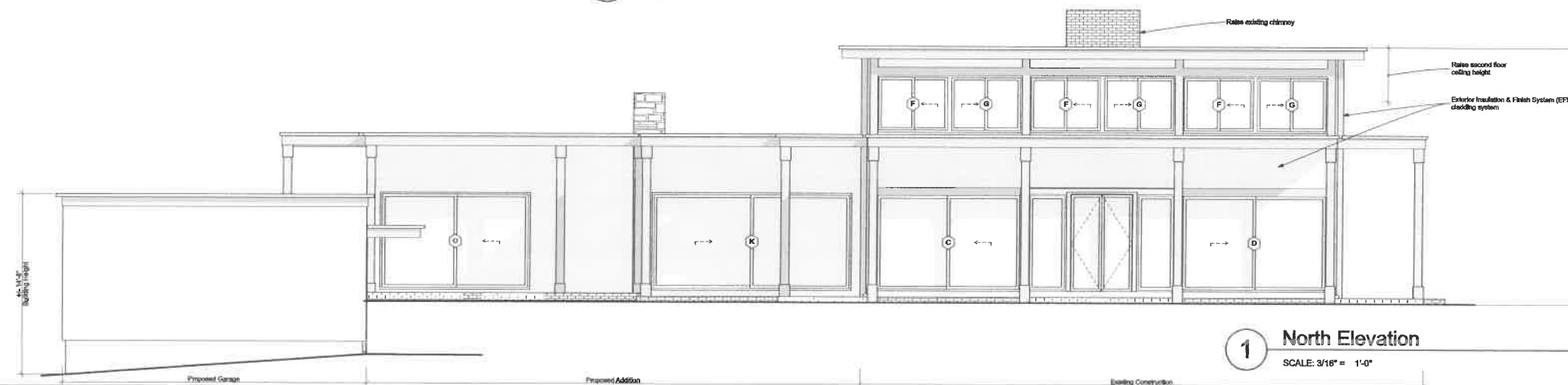
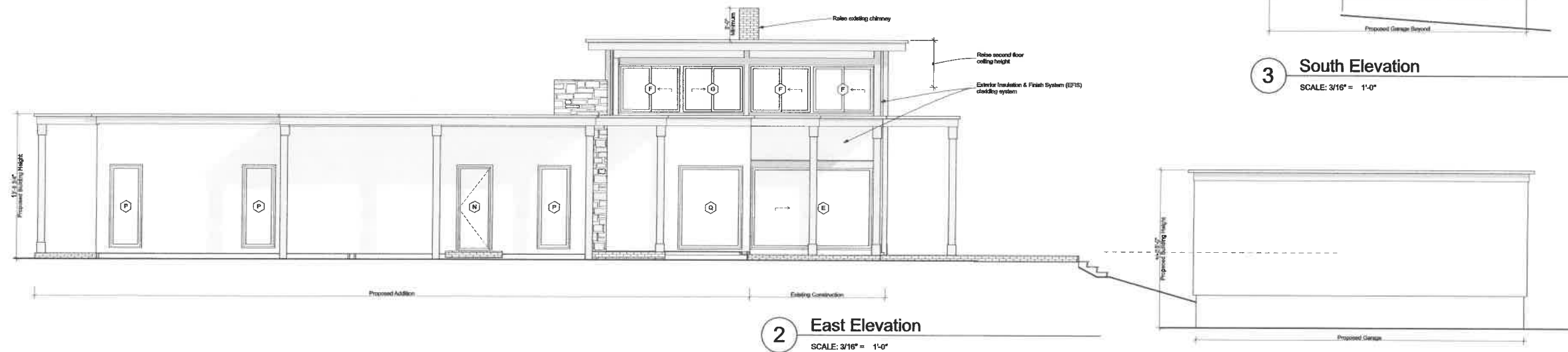
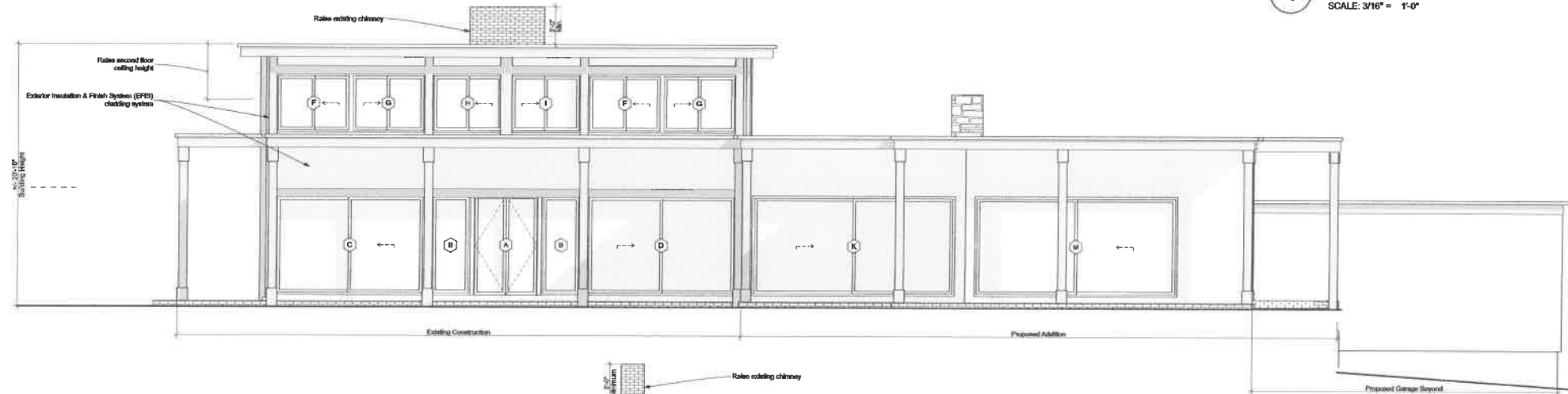
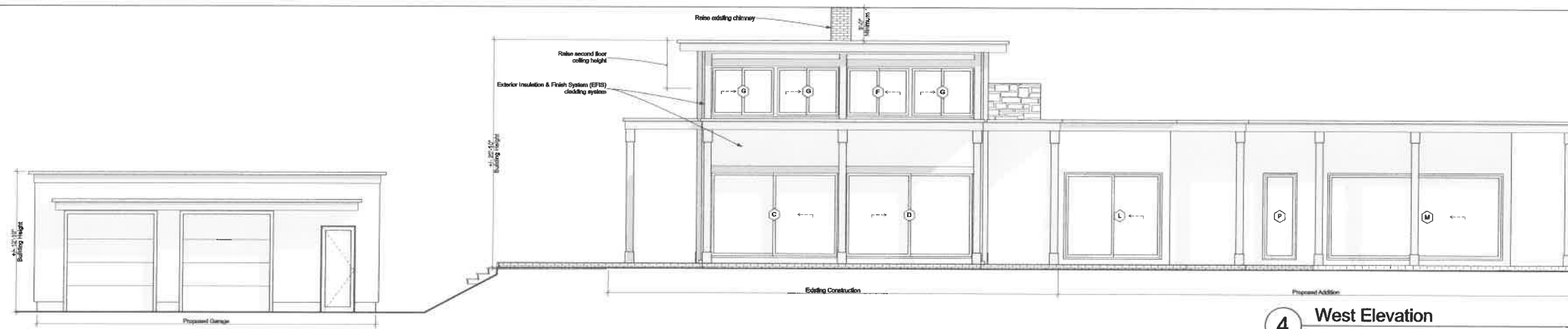
Printed 1/27/2023



1

First Floor Plan

SCALE: 1/8" = 1'-0"



3	P & Z submission	1/27/2023
2	Window Pricing Set	11/11/2022
1	To Structural Engineer	10/6/2022
No.	Item	Date

Doria
129 Ridgefield Ave.
South Salem, NY 10590

Elevations

sheet: A2.1
scale: as shown

PLAN NORTH



**2 TOWN OF LEWISBORO
Westchester County, New York**

**Building Department
79 Bouton Road
South Salem, New York 10590**



**Tel: (914) 763-3060
Fax: (914) 875-9148
Email: ksullivan@lewisborogov.com**

Zoning Denial 6/9/2023

**9 Peaceable St, South Salem
39-10549-018**

The proposed generator and two (2), 120 gallon above ground LP tanks will have a rear yard setback of 25' and 24' respectively whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring a variance of 25' and 26' respectively.

Building Inspector

A handwritten signature in black ink, appearing to read "K. Kelly", is written over a faint circular stamp.

Kevin Kelly

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will host a Public Hearing on Wednesday, June 28, 2023, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 16-23-BZ

Application of Thalia C. Wolff [The Thalia C. Wolff Living Trust, owner of record], 9 Peaceable Street, South Salem, NY for the following variance of the proposed generator and two (2), 120 gallon above ground LP tanks will have a rear yard setback of 25' and 24' respectively whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code therefore requiring a variance of 25' and 26' respectively.

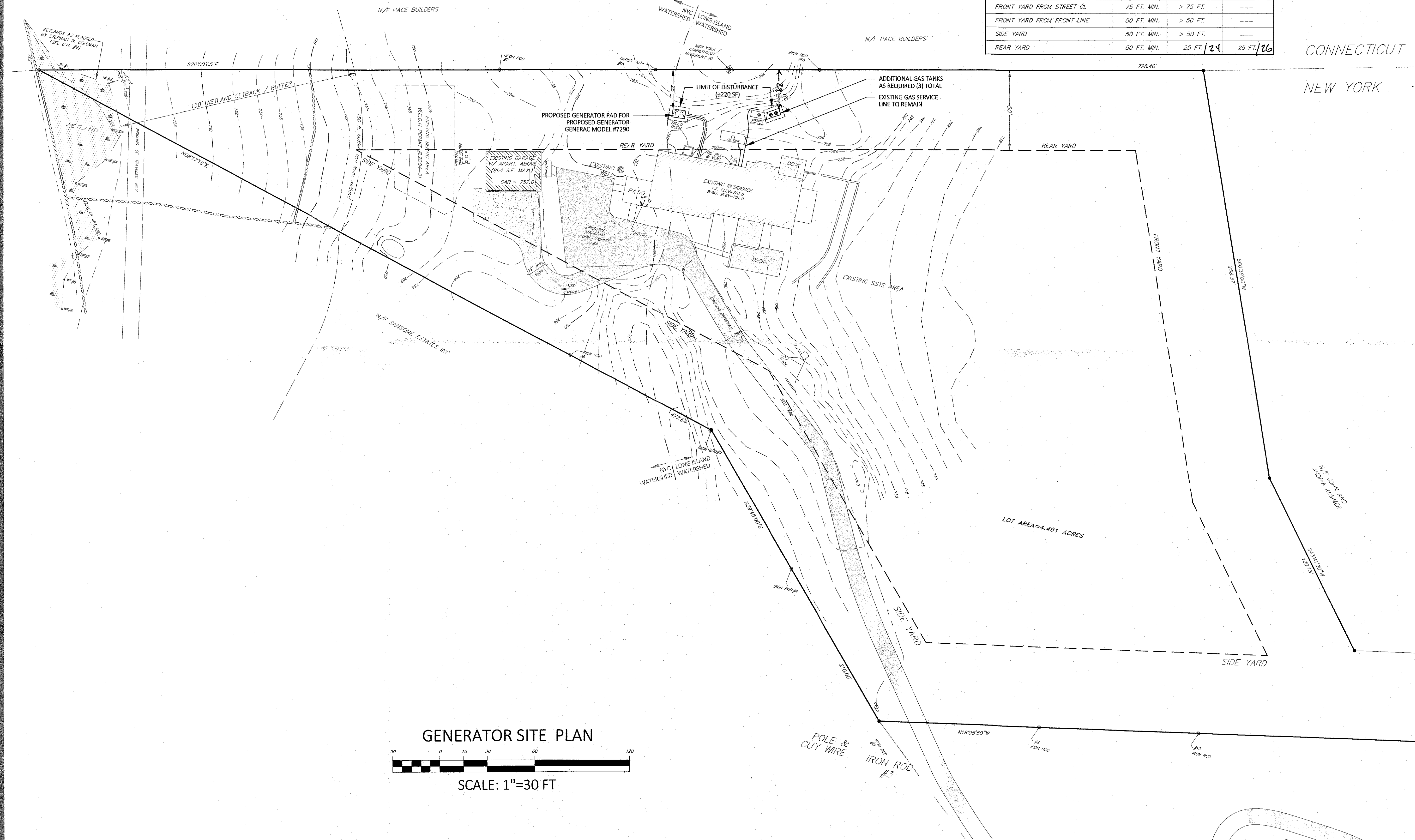
The property is located on the north side of (#9) Peaceable Street, South Salem, NY designated on the Tax Map as Sheet 0039, Block 10549, Lot 018, in an R-4AC, Four-Acre Residential District consisting of approximately 4.49 acres.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

**Dated this 9th day of June 2023
in South Salem, New York**

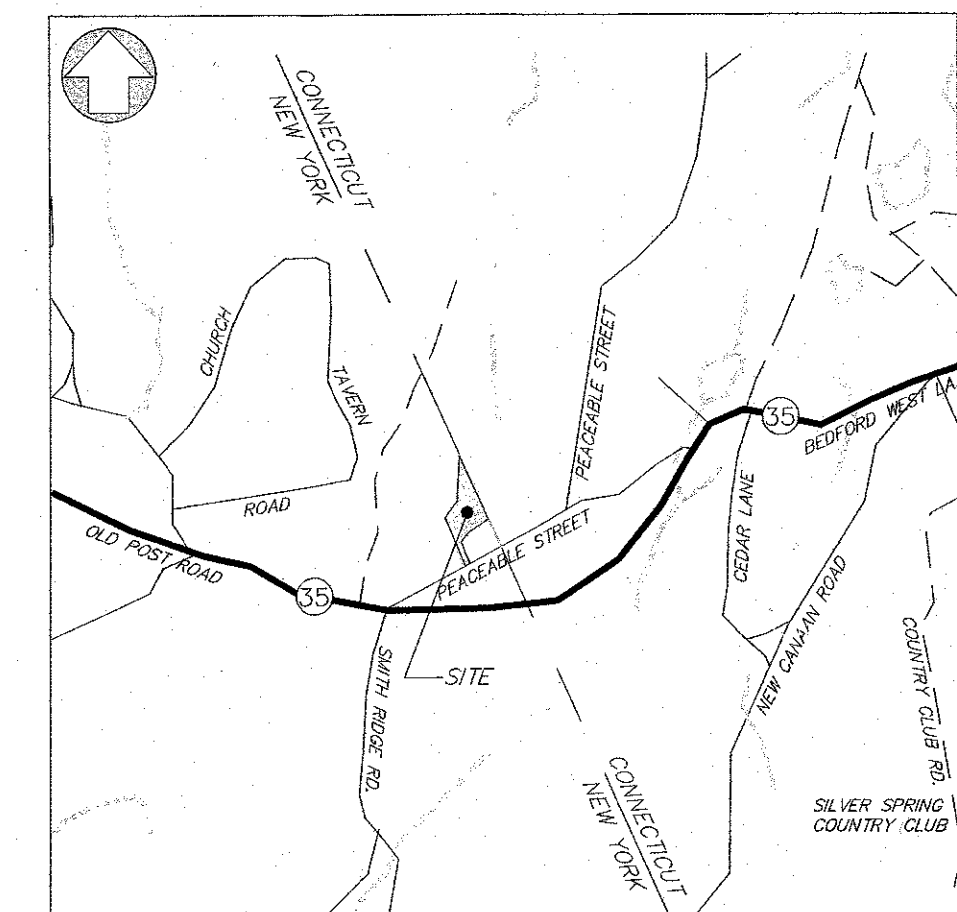
**ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: ROBIN PRICE
CHAIR**

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

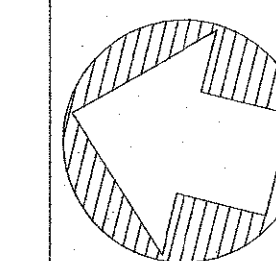


1. TOWN OF LEWISBORO TAX MAP DESIGNATION: SHEET: 39, BLOCK: 10549, LOT: 18
2. PROPERTY IS LOCATED IN THE RESIDENTIAL R-4A ZONING DISTRICT.
3. TOTAL AREA OF THE PROPERTY IS 4.91 ACRES.
4. SURVEY INFORMATION SHOWN HEREON IS BASED ON A MAP ENTITLED "SURVEY OF PROPERTY PREPARED FOR THALIA C. WOLFF, SITUATE IN THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK," PREPARED BY ROBERT S. JOHNSON, P.L.S., DATED OCTOBER 9, 2003.
5. TOPOGRAPHICAL INFORMATION IS BASED ON FIELD WORK PERFORMED BY THIS OFFICE ON MARCH 2, 2001 WITH REVISIONS THROUGH SEPTEMBER, 2004.
6. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT THE UNDERGROUND LINE LOCATION SERVICE (CODE 53) @ 800-245-3639.
7. PROPERTY IS LOCATED IN BOTH THE CROSS RIVER RESERVOIR AND THE MILL RIVER WATERSHEDS.
8. PROPERTY IS LOCATED OUTSIDE THE 100 YEAR FLOOD HAZARD AREA.
9. WETLAND LINE SHOWN HEREON WAS FIELD DETERMINED AND FLAGGED BY STEPHEN W. COLEMAN ENVIRONMENTAL CONSULTING, LLC. AS PER THE JANUARY 31, 2005 WETLANDS INVESTIGATION REPORT.

SITE LOCATION: TOWN OF LEWISBORO			
R-4A ZONING DISTRICT - 1 FAMILY RESIDENTIAL			
ZONING VARIABLE	REQUIRED	PROPOSED GENERATOR <i>LP Tank</i>	VARIANCE REQUIRED
FRONT YARD FROM STREET CL.	75 FT. MIN.	> 75 FT.	---
FRONT YARD FROM FRONT LINE	50 FT. MIN.	> 50 FT.	---
SIDE YARD	50 FT. MIN.	> 50 FT.	---
REAR YARD	50 FT. MIN.	25 FT. <i>124</i>	25 FT. <i>124</i>



VICINITY MAP SCALE: 1" = 2000'



SCALE: 1" = 30 FT

OWNER

THE THALIA C. WOLFF LIVING TRUST
9 PEACEABLE STREET
SOUTH SALEM, NY 10590

• UNDER NEW YORK STATE EDUCATIONAL LAW ARTICLE 145, SECTION 7209 (2), IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY ITEM ON THIS DRAWING, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF ANY ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

• COPYRIGHT "2023" BY CRONIN ENGINEERING, P.E., P.C. ALL RIGHTS RESERVED.

REVISIONS

1	LP Tank	6-11-23
#	REASON	DATE

MUNICIPAL TAX IDENTIFICATION:

SECTION: 39

BLOCK: 10549

LOT: 18

LOT: 18
SUBLOT: -

DRAWN BY: AD

CHECKED: KS/PMB

CHECKED: RS/PMB
PROJECT: PEACEABLE ST

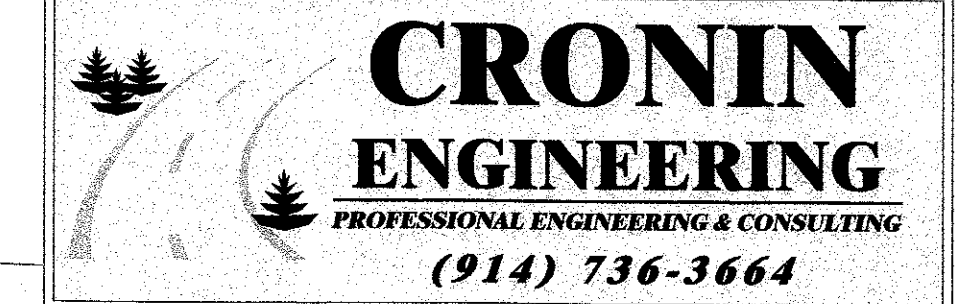
DATE: APRIL 9 2023

DATE:	APRIL 9, 2023
JOB #:	010313

JOB #: 010213



PATRICK M. BELL, PE
LICENSE #087679



39 Arlo Lane
Cortlandt Manor, New York 10567

GENERATOR SITE PLAN

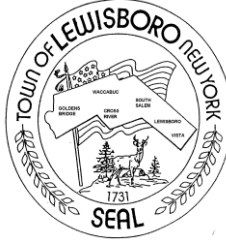
GENERATOR SITE PLAN FOR
THE THALIA C. WOLFF LIVING TRUST

LOCATION:
9 PEACEABLE STREET
TOWN OF LEWISBORO, NY

SHEET 1 OF 1

SP-1.1

TOWN OF LEWISBORO
Westchester County, New York



Building Department
79 Bouton Road
South Salem, New York 10590

Tel: (914) 763-3060
Fax: (914) 875-9148
Email: ksullivan@lewisborogov.com

Zoning Denial 3/27/2023

74 Mead St, Waccabuc
22-10802-023

The proposed pickleball courts create an increase in the existing non-conforming private recreation club use and therefore require a variance pursuant to Article III, Section 220-9E(5) of the Town of Lewisboro Zoning Code and the proposed pickleball courts create an increase in the applicable setbacks for private club “active recreational facilities, such as tennis courts and swimming pools” and provides that such recreational facilities be “set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district as per Article V, Section 220-36C” of the Town of Lewisboro Zoning Code, in that the proposed pickleball courts will have a side yard setback of 51’ from the northerly property line and 98’ from the southerly property line, where 100’ (doubled) side yard setback is required under Section 220-36C of the Town of Lewisboro Zoning Code, therefore requiring a side yard setback variances of 49’ and 2’, respectively.

Building Inspector

Kevin Kelly

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will host a Public Hearing on Wednesday, April 26, 2023, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 12-23-BZ

Application of Michael Fuller Sirignano, Esq. [Waccabuc Country Club, owner of record], 74 Mead Street, Waccabuc, NY. The proposed pickleball courts create an increase in the existing non-conforming private recreation club use and therefore require a variance pursuant to Article III, Section 220-9E(5) of the Town of Lewisboro Zoning Code and the proposed pickleball courts create an increase in the applicable setbacks for private club “active recreational facilities, such as tennis courts and swimming pools” and provides that such recreational facilities be “set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district as per Article V, Section 220-36C” of the Town of Lewisboro Zoning Code, in that the proposed pickleball courts will have a side yard setback of 51’ from the northerly property line and 98’ from the southerly property line, where 100’ (doubled) side yard setback is required under Section 220-36C of the Town of Lewisboro Zoning Code, therefore requiring a side yard setback variances of 49’ and 2’, respectively.

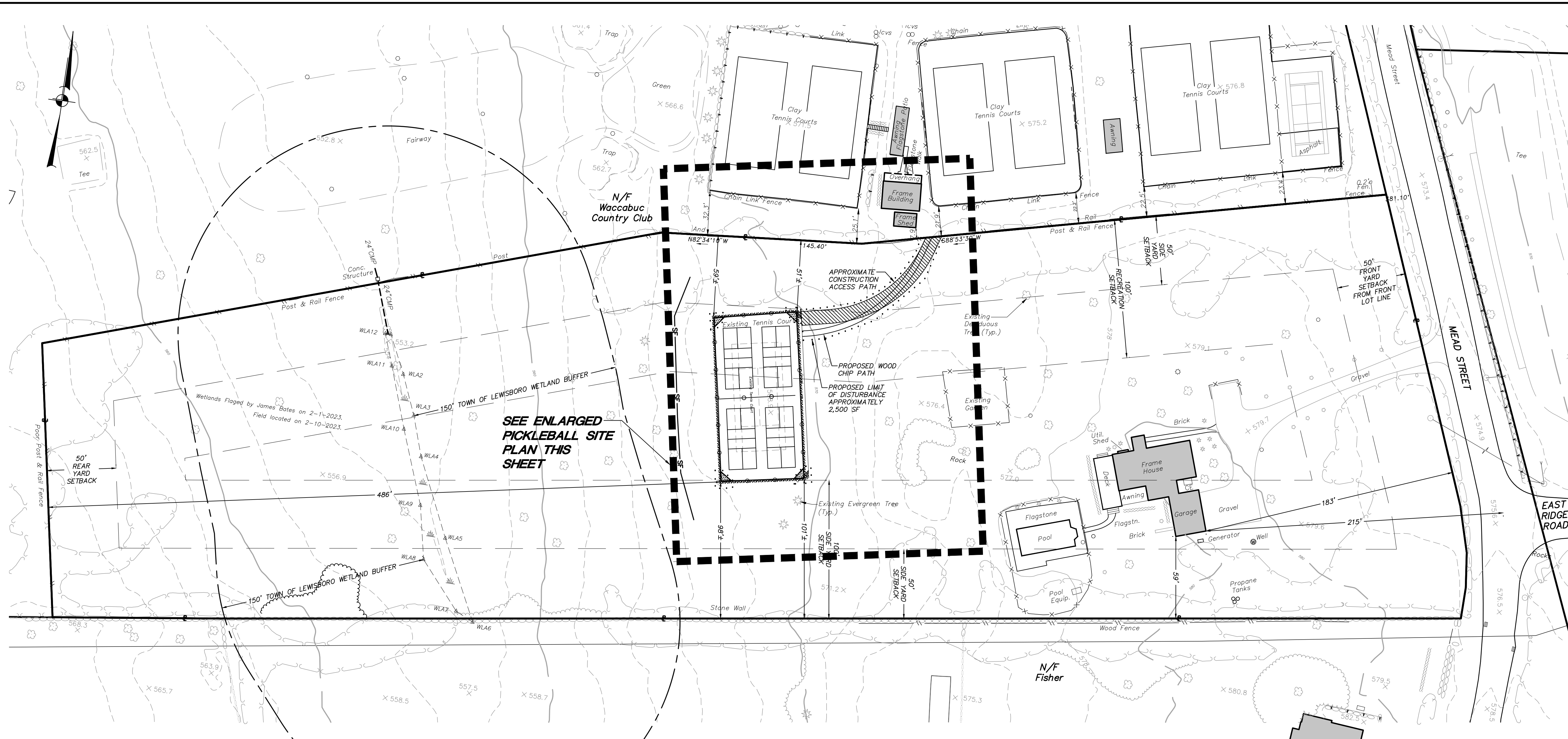
The property is located on the west side of (#74) Mead Street, Waccabuc, NY designated on the Tax Map as Sheet 0022, Block 10802, Lot 023, in a SCR-4AC, Special Character Four-Acre Residential District consisting of approximately 6.11 acres.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

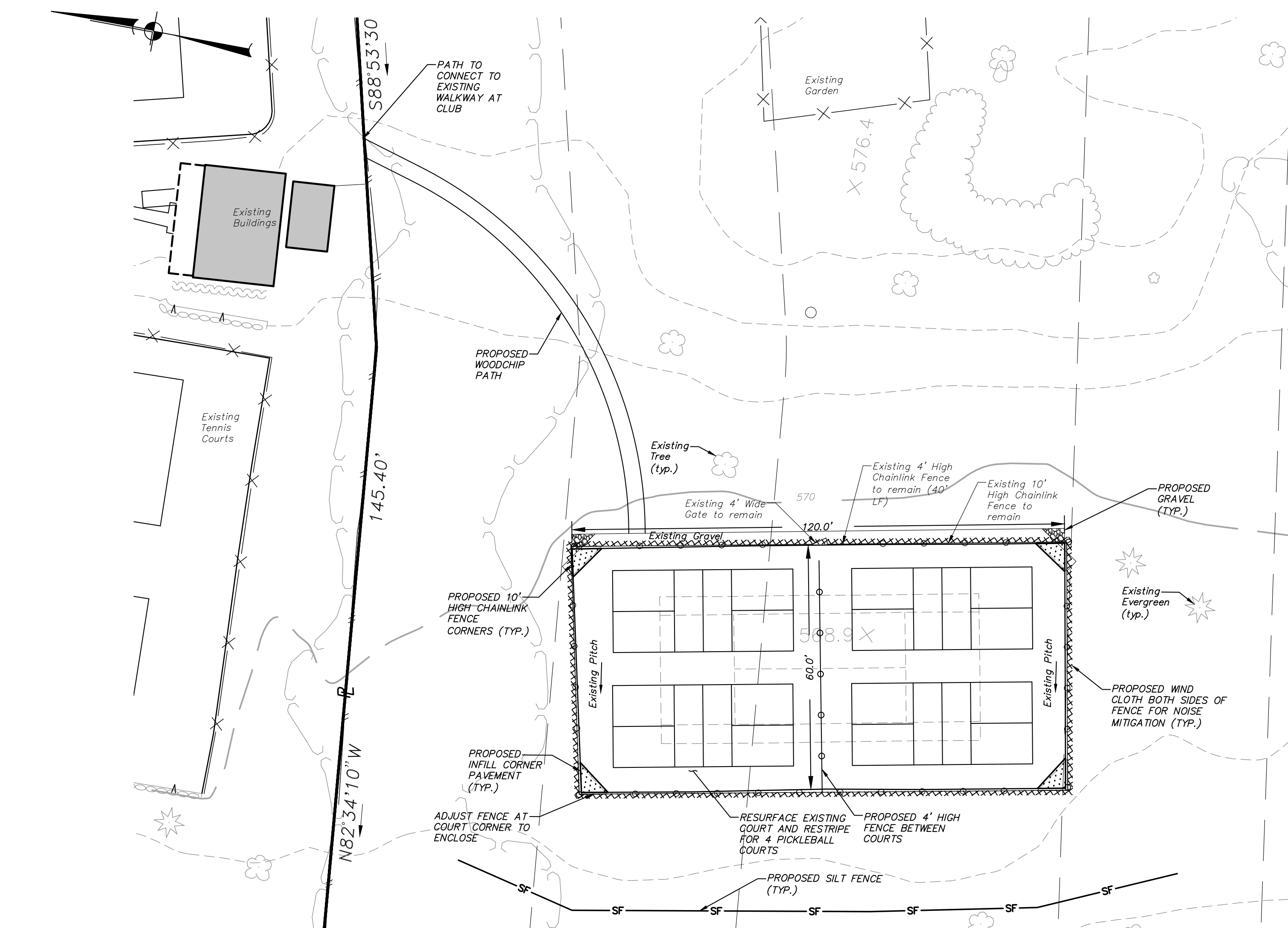
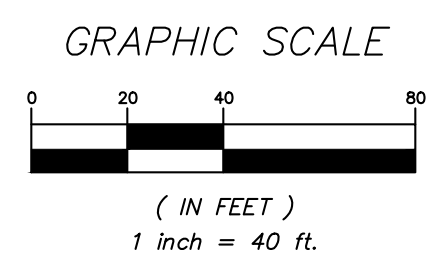
**Dated this 30th day of March 2023
in South Salem, New York**

**ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: ROBIN PRICE
CHAIR**

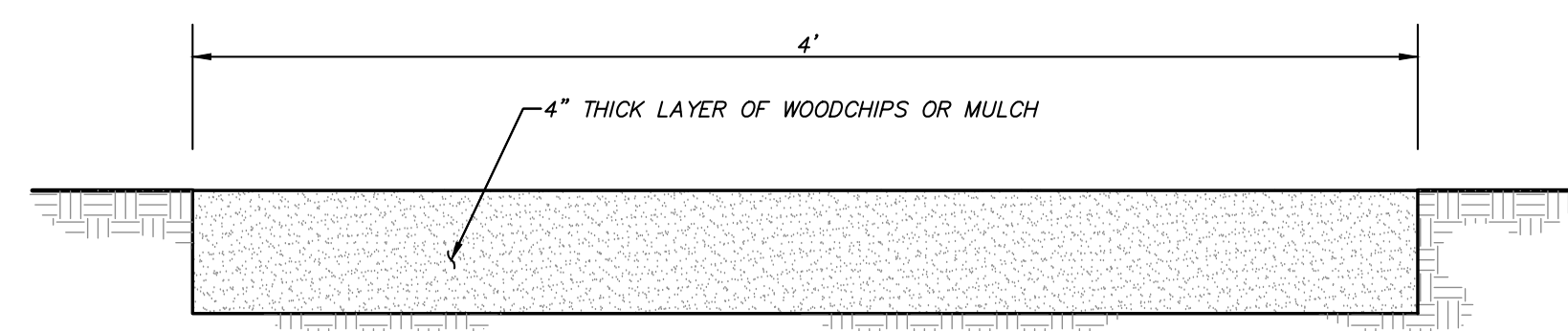
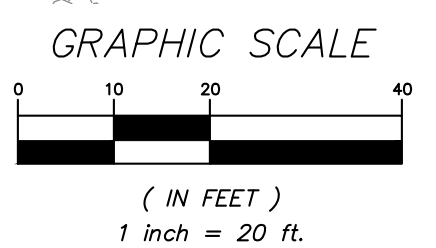
The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.



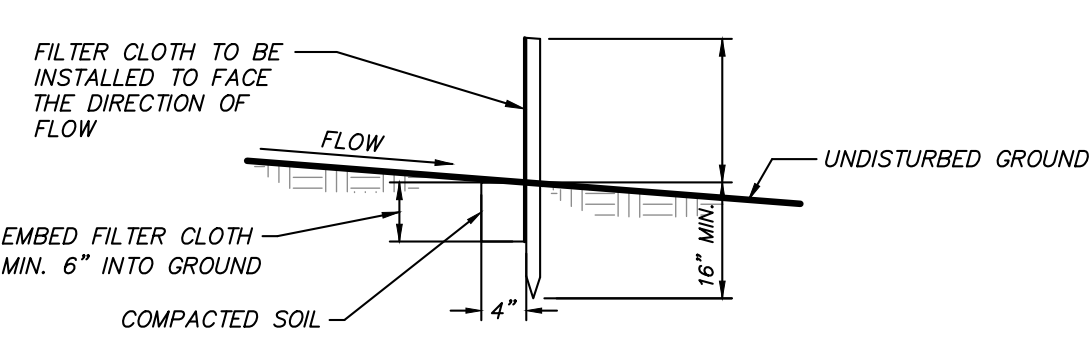
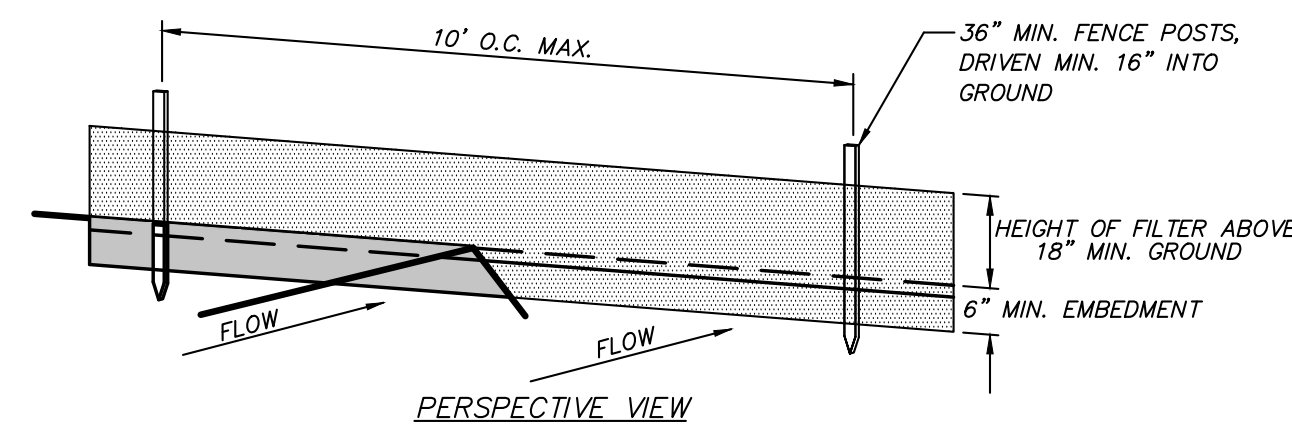
OVERALL SITE PLAN
SCALE: 1"=40'



ENLARGED PICKLEBALL SITE PLAN
SCALE: 1"=20'

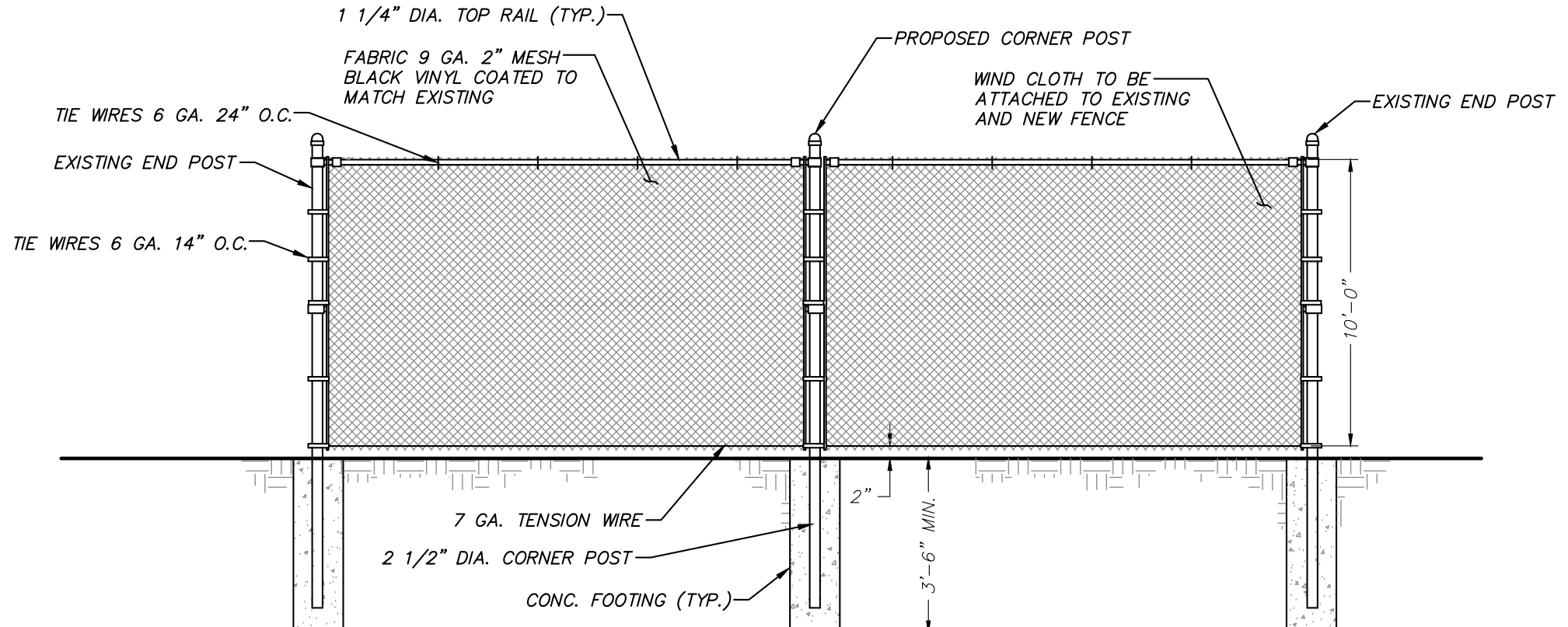


WOOD CHIP PATH DETAIL
(N.T.S.)



- CONSTRUCTION NOTES FOR FABRICATED SILT FENCE
1. FILTER CLOTH TO BE FASTENED SECURELY TO POSTS AT TOP AND MID SECTION.
 2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
 3. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

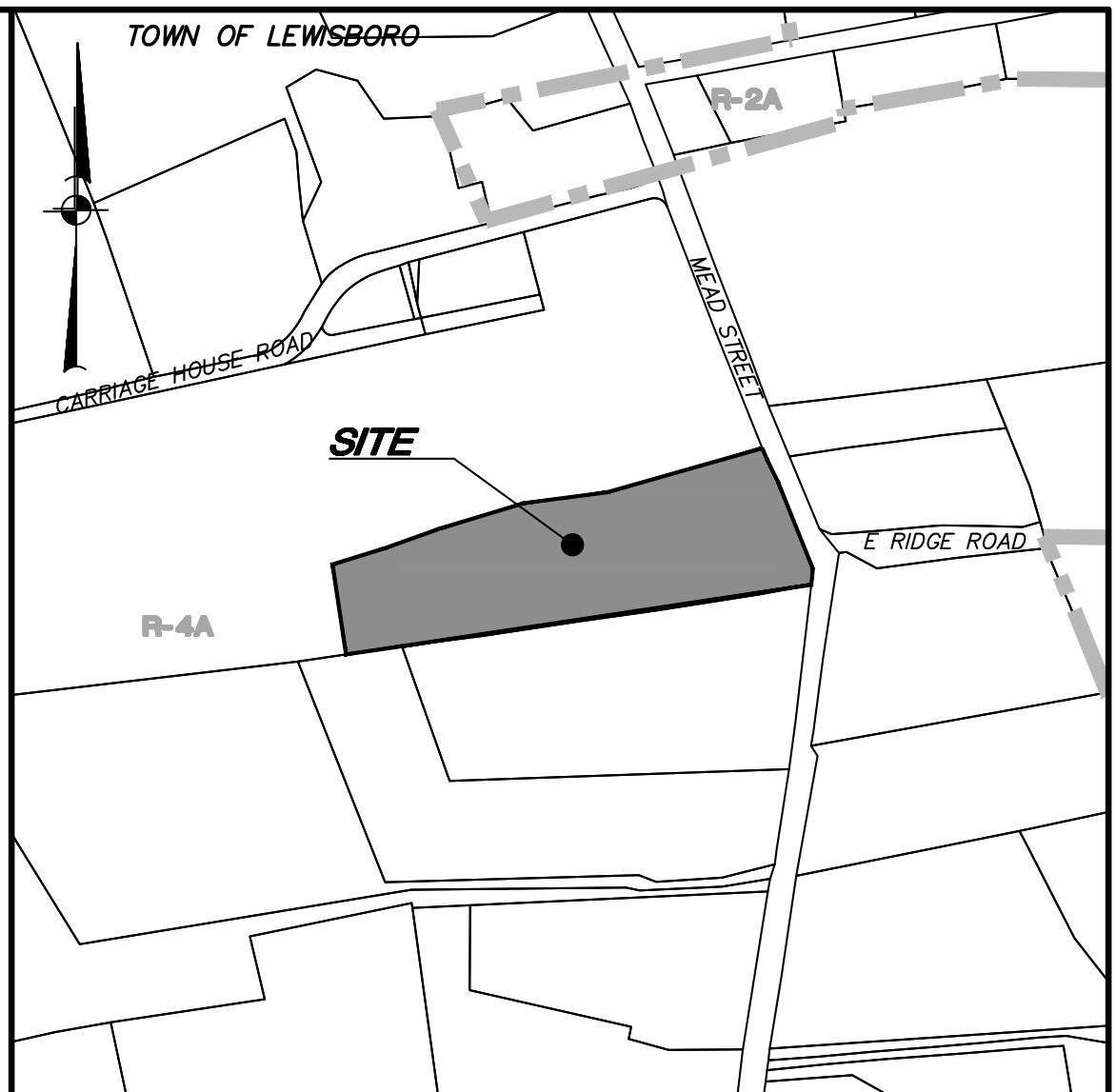
SILT FENCE DETAIL
(N.T.S.)



CHAIN LINK FENCE DETAIL
(N.T.S.)

R4-A ZONE REQUIREMENTS			
	REQUIRED/ PERMITTED	EXISTING	PROPOSED
Minimum Lot Size:	4 AC	6.1 AC	6.1 AC
Minimum Front Yard:			
From street center line	75'	215'	215'
From front lot line	50'	183'	183'
Minimum Side Yard:	50'	52'	51'
Minimum Rear Yard:	50'	436'	436'
Recreation Facility Setback:	2 x 50'=100'	52.8' to north	51'± *
		99.6' to south	98'± *
Maximum Building Height:	2.5 stories/ 35'	2.5 stories/ 35'	2.5 stories/ 35'
Maximum Building Coverage:	6%	2%	2%

* Setback variances required.

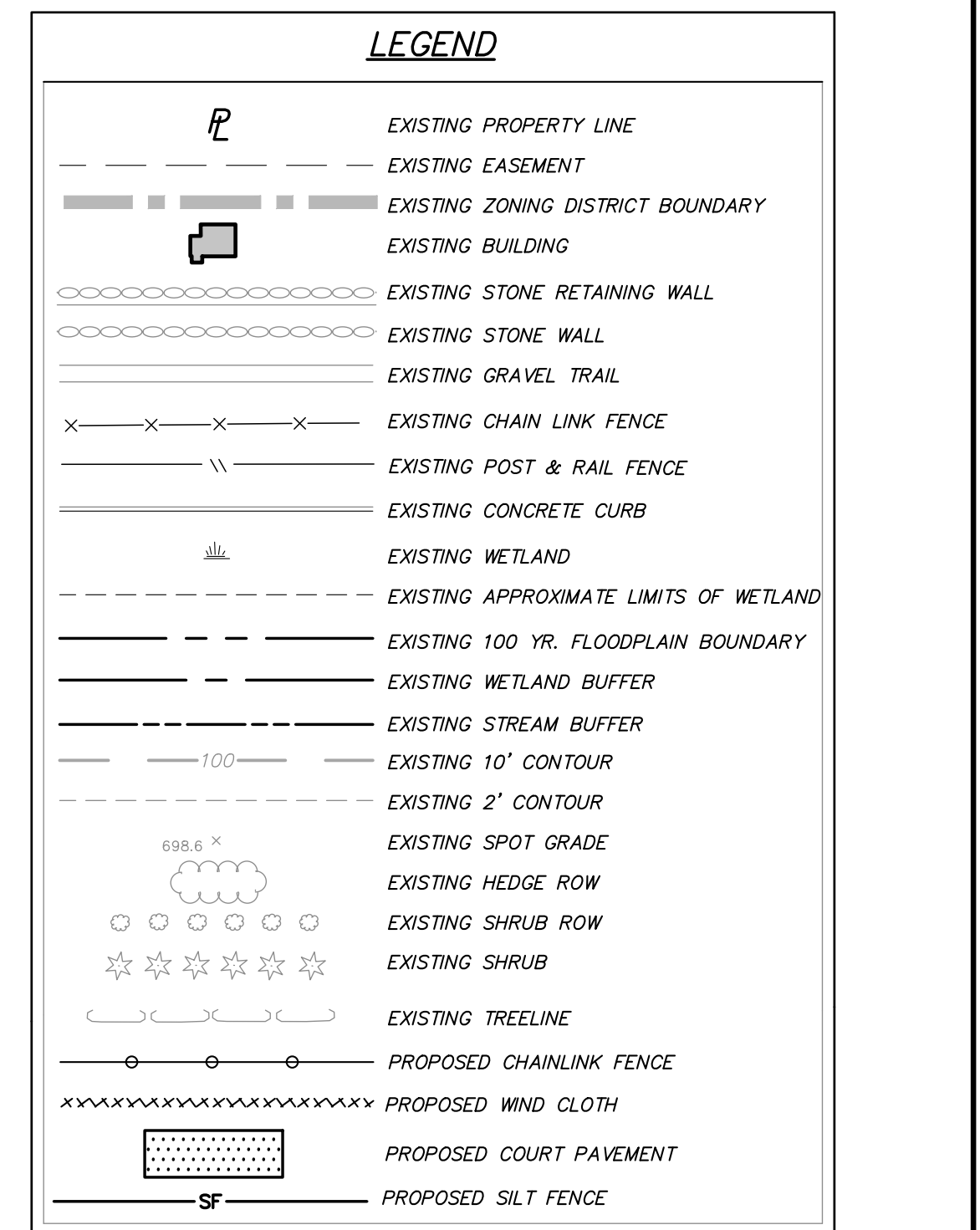


LOCATION MAP
SCALE: 1" = 400'±

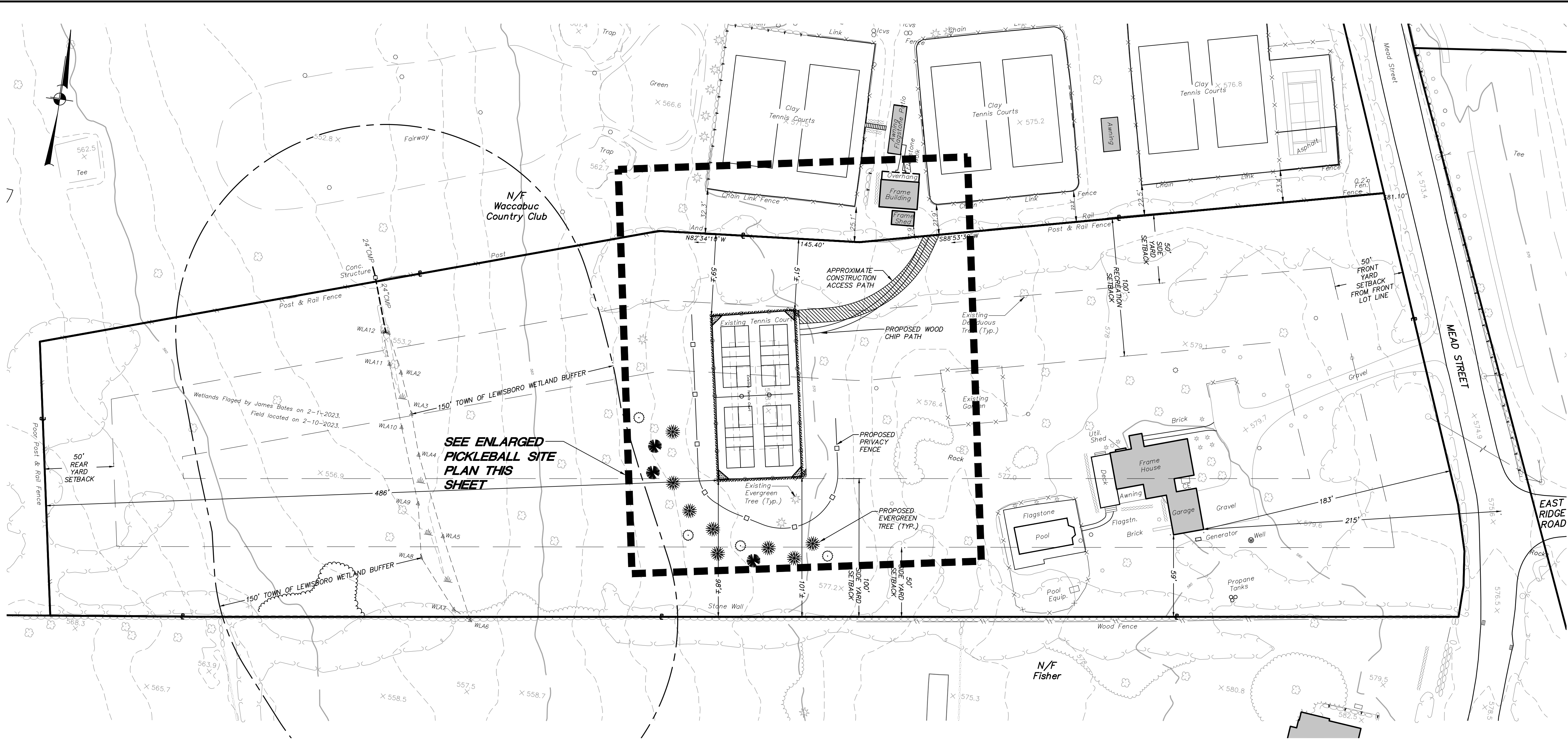
OWNER/APPLICANT: WACCABUC COUNTRY CLUB
90 MEAD STREET
WACCABUC, NY 10597

SITE DATA:
Zone: R-4A (4 Acre Residential)
Total Acreage: 6.1± AC
Tax Map No.: 42.2-1-10

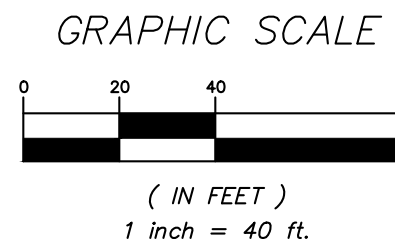
- GENERAL NOTES:
1. Property lines, existing conditions and topography as shown hereon based off of survey mapping prepared by Insite Engineering, Surveying & Landscape Architecture P.C..
 2. Topography shown hereon taken from both the Westchester County 2' contour, 1" = 100 scale GIS dataset dated April 2004 (elevations reference the North American Vertical Datum of 1988, NAVD 88).
 3. Wetland flagging as shown hereon was delineated by James A. Bates of Ecological Analysis on February 1, 2023 and survey located by Insite Engineering, Surveying & Landscape Architecture PC on February 9, 2023.
 4. Proposed features are labeled as such. All other features are existing.
 5. No tree removal is proposed or authorized.
 6. No exterior lighting is proposed or authorized.
 7. Proposed color of shade cloth to be attached to fence is green.



2	3-28-23	REVISED PER TOWN COMMENTS	MEU
1	3-15-23	UPDATE BULK ZONING	MEU
NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: WACCABUC COUNTRY CLUB PICKLEBALL			
74 MEAD STREET, TOWN OF LEWISBORO, WESTCHESTER CTY, NEW YORK			
DRAWING: OVERALL SITE PLAN			
PROJECT NUMBER	23105.100	PROJECT MANAGER	Z.M.P.
DATE	2-14-23	DRAWN BY	J.J.S.
SCALE	AS NOTED	CHECKED BY	D.L.M.
DRAWING NO.	OP-1	SHEET	1

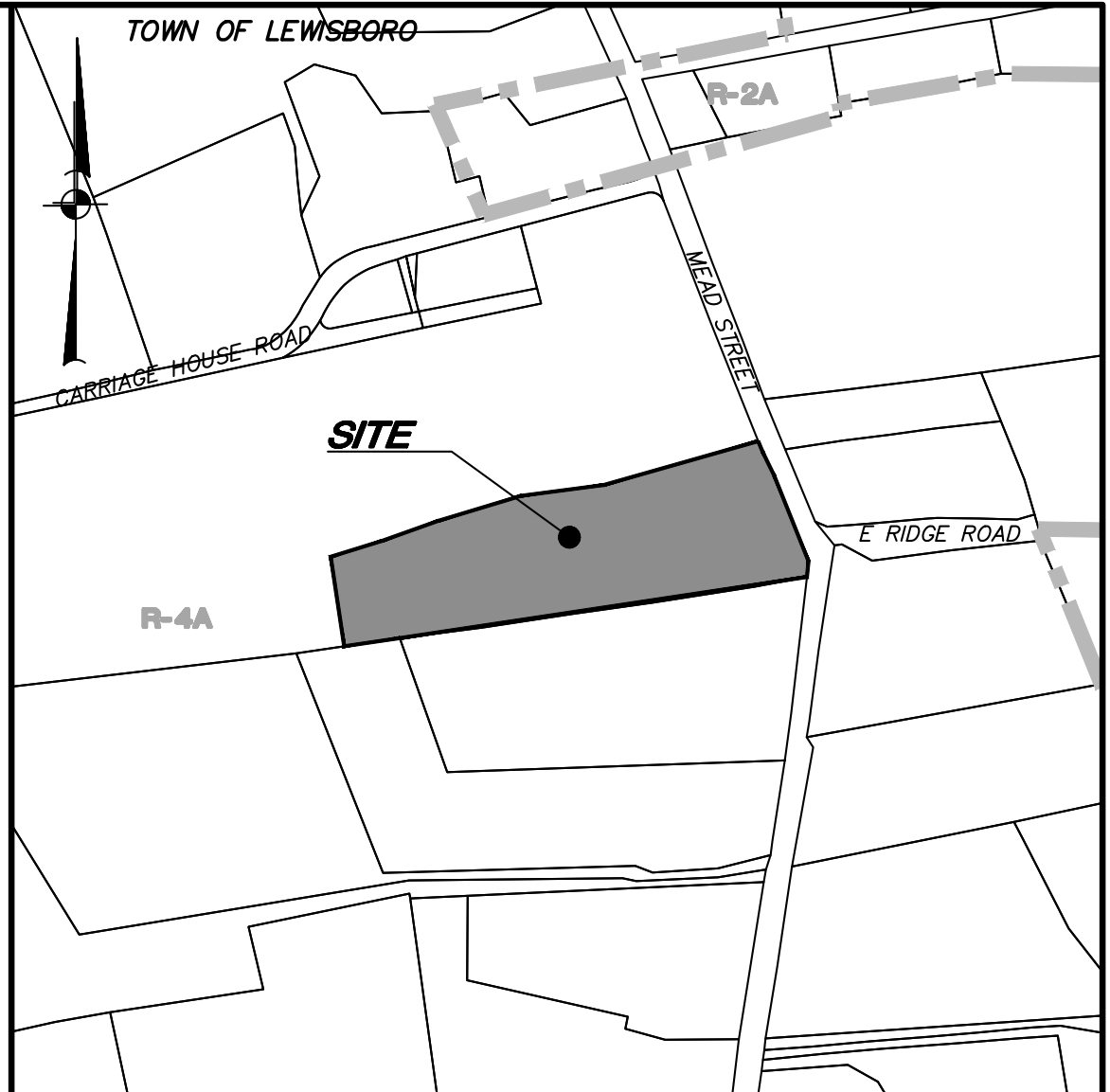


OVERALL SITE PLAN
SCALE: 1"=40'



R4-A ZONE REQUIREMENTS			
	REQUIRED/ PERMITTED	EXISTING	PROPOSED
Minimum Lot Size:	4 AC	6.1 AC	6.1 AC
Minimum Front Yard:			
From street center line	75'	215'	215'
From front lot line	50'	183'	183'
Minimum Side Yard:	50'	52'	51'
Minimum Rear Yard:	50'	436'	436'
Recreation Facility Setback:	2 x 50'=100'	52.8' to north	51'± *
		99.6' to south	98'± *
Maximum Building Height:	2.5 stories/ 35'	2.5 stories/ 35'	2.5 stories/ 35'
Maximum Building Coverage:	6%	2%	2%

* Setback variances required.



LOCATION MAP

SCALE: 1" = 400'±

OWNER/APPLICANT:

WACCABUC COUNTRY CLUB
90 MEAD STREET
WACCABUC, NY 10597

SITE DATA:

Zone: R-4A (4 Acre Residential)
Total Acreage: 6.1± AC
Tax Map No.: 42.2-1-10

GENERAL NOTES:

- Property lines, existing conditions and topography as shown hereon based off of survey mapping prepared by Insite Engineering, Surveying & Landscape Architecture P.C..
- Topography shown hereon taken from both the Westchester County 2' contour, 1" = 100 scale GIS dataset dated April 2004 (elevations reference the North American Vertical Datum of 1988, NAVD 88).
- Wetland flagging as shown hereon was delineated by James A. Bates of Ecological Analysis on February 1, 2023 and survey located by Insite Engineering, Surveying & Landscape Architecture PC on February 9, 2023.
- Proposed features are labeled as such. All other features are existing.
- No tree removal is proposed or authorized.
- No exterior lighting is proposed or authorized.
- Proposed color of shade cloth to be attached to fence is green.

LEGEND	
	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	EXISTING ZONING DISTRICT BOUNDARY
	EXISTING BUILDING
	EXISTING STONE RETAINING WALL
	EXISTING STONE WALL
	EXISTING GRAVEL TRAIL
	EXISTING CHAIN LINK FENCE
	EXISTING POST & RAIL FENCE
	EXISTING CONCRETE CURB
	EXISTING WETLAND
	EXISTING APPROXIMATE LIMITS OF WETLAND
	EXISTING 100 YR. FLOODPLAIN BOUNDARY
	EXISTING WETLAND BUFFER
	EXISTING STREAM BUFFER
	EXISTING 10' CONTOUR
	EXISTING 2' CONTOUR
	EXISTING SPOT GRADE
	EXISTING HEDGE ROW
	EXISTING SHRUB ROW
	EXISTING SHRUB
	EXISTING TREELINE
	PROPOSED 10' CONTOUR
	PROPOSED 2' CONTOUR
	PROPOSED PRIVACY FENCE
	PROPOSED CHAINLINK FENCE
	PROPOSED WIND CLOTH
	PROPOSED COURT PAVEMENT

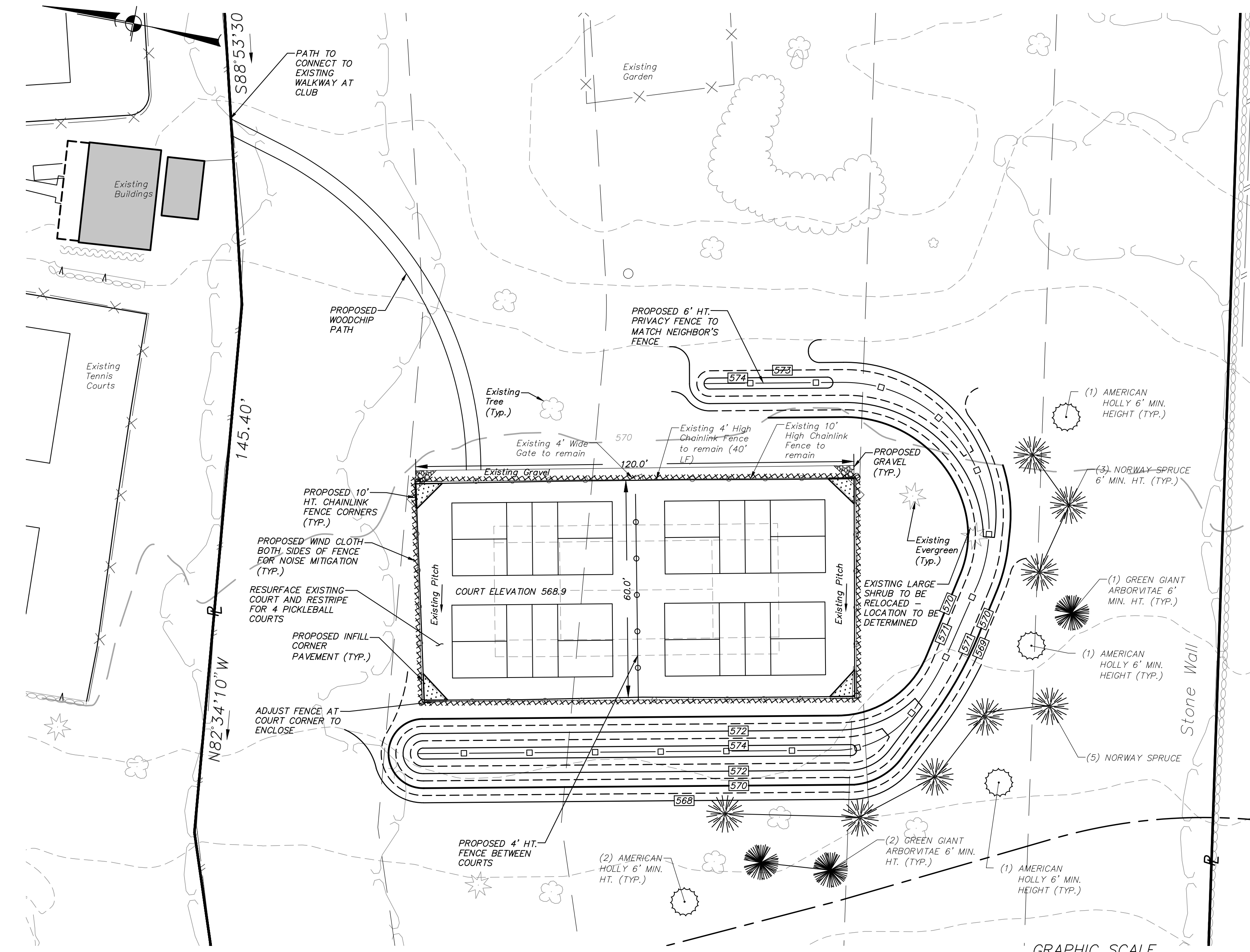
SITE PLANT LIST				
SYMBOL	QTY.	BOTANICAL/COMMON NAME	SIZE	ROOT/SPACING
	4	EVERGREEN TREES		
	4	Ilex opaca / American Holly	6' HT. (MIN.)	B & B
	9	Picea abies/ Norway Spruce	6' HT. (MIN.)	B & B
	3	Thuja 'Green Giant' / Green Giant Arborvitae	6' HT. (MIN.)	B & B

PLANTING NOTES:

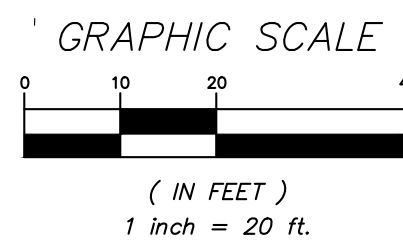
- All proposed planting beds to receive a 12" min. depth of topsoil. No fertilizer is to be used. Nutrient requirements shall be met by incorporation of suitable organic material. Soil amendments based on specific testing of topsoil material.
- Any new soils added will be amended as required by results of soil testing and placed using a method that will not cause compaction.
- All plant material to be nursery grown.
- Plants shall conform with ANSI Z60.1 American Standard for Nursery Stock in all ways including dimensions.
- Plant material shall be taken from healthy nursery stock.
- All plants shall be grown under climate conditions similar to those in the locality of the project.
- Plants shall be planted in all locations designed on the plan or as staked in the field by the Landscape Architect.
- The location and layout of landscape plants shown on the site plan shall take precedence in any discrepancies between the quantities of plants shown on the plans and the quantity of plants in the Plant List.
- Provide a 3" layer of shredded bark mulch (or as specified) over entire watering saucer at all tree pits or over entire planting bed. Do not place mulch within 3" of tree or shrub trunks.
- All landscape plantings shall be maintained in a healthy condition at all times. Any dead or diseased plants shall immediately be replaced "in kind" by the contractor (during warranty period) or project owner.

SEEDING NOTES:

- All proposed seeded areas to receive 4" min. depth of topsoil. Soil amendments shall be determined based on specific testing of topsoil material. Topsoil shall be placed using a method that will not cause compaction.
- Upon final grading and placement of topsoil and any required soil amendments, areas to receive permanent vegetation cover in combination with suitable mulch as follows:
 - select seed mixture per drawings and seeding notes.
 - no fertilizer is to be for seeded areas. Nutrient requirements shall be met by incorporation of acceptable organic matter based on results of soil testing.
 - mulch: salt hay or small grain straw applied at a rate of 90 lbs./1000 s.f. or 2 tons/acre, to be applied and anchored according to New York State Standards and Specifications for Erosion and Sediment Control, August 2005.
 - if the season prevents the establishment of a permanent vegetation cover, the disturbed areas will be mulched with straw or equivalent.
- Seeding should begin immediately upon completion of finish grading and seed bed preparation while soil is still friable and before weeds can emerge. If seeding area is crusted or compacted, it should be loosened by discing or tilling. If weeds are present, they should be mowed short and removed or killed under before seed is applied.
- Seed mixtures shall be planted between March 21 and May 20, or between August 15, and October 15 or as directed by project representative. The seed mixes as specified on these drawings are as follows:
 - A. Seed Mix for disturbed areas shall be (ERNMX-114) 5311 Conservation Mix at a rate of 3-5 lbs / 1,000 square feet.



ENLARGED PICKLEBALL SITE PLAN
SCALE: 1"=20'



ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 1209 OF ARTICLE 145 OF THE EDUCATION LAW.

4	6-23-23	REVISED FOR ZBA AND PLANNING BOARD SUBMISSION	SMR
3	4-25-23	REVISED FOR PLANNING BOARD SUBMISSION	SMR
2	3-28-23	REVISED PER TOWN COMMENTS	MEU
1	3-15-23	UPDATE BULK ZONING	MEU
NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: WACCABUC COUNTRY CLUB PICKLEBALL			
74 MEAD STREET, TOWN OF LEWISBORO, WESTCHESTER CTY, NEW YORK			
DRAWING: SITE PLAN			
PROJECT NUMBER	23105.100	PROJECT MANAGER	Z.M.P.
DATE	2-14-23	DRAWN BY	J.J.S.
SCALE	AS NOTED	CHECKED BY	D.L.M.
DRAWING NO.	SP-1	SHEET	1
			2

Pursuant to the NYSDEC "SPDES General Permit for Stormwater Discharges from Construction Activity" (GP-0-20-001), all Stormwater Pollution Prevention Plan's (SWPPP) shall include erosion and sediment control practices designed in conformance with the most current version of the technical standard, "New York Standards and Specifications for Erosion and Sediment Control", which shall be used to design and implement erosion and sediment control practices. The technical standard, the owner or operator must demonstrate equivalence to the technical standard. The following list of required SWPPP components is provided in accordance with Part III.B.1-a-i of General Permit GP-0-20-001:

1. The owner's field representative (O.F.R.) will be responsible for the implementation and maintenance of erosion and sediment control measures on this site prior to and during construction.
2. All construction activities involving the removal or disposition of soil are to be provided with appropriate protective measures to minimize erosion and erosion sediment disposition within Minimum soil erosion and sediment control measures shall be implemented as shown on the plans and as specified in the current edition of the New York Standards and Specifications For Erosion and Sediment Control, "latest edition."
3. Wherever feasible, natural vegetation should be retained and protected. Disturbance shall be minimized in the areas required to perform construction. No more than 5 acres of unprotected soil shall be exposed at any one time.
4. When land is exposed during development, the exposure shall be kept to the shortest practical exposure. In the areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day. Erosion and sediment control measures shall be in place the current business day following activity ceased. Disturbance shall be minimized to the areas required to perform construction.
5. Silt fence shall be installed as shown on the plans prior to beginning any clearing, grubbing or earthwork.
6. All topsoil to be stripped from the area being developed shall be stockpiled and immediately seeded for temporary stabilization. Regrass (annual or perennial) at a rate of 30 lbs. per acre shall be used for temporary seeding in spring, summer or early fall. "Aristocrat" Winter Rye (cereal rye) shall be used for temporary seeding in late fall and winter.
7. Any disturbed areas not subject to further disturbance or construction traffic, permanent or temporary, shall have soil stabilization measures applied. The permanent stabilization shall be in combination with a suitable mulch within 1 business day of final grading. All seeded areas to receive a minimum 4" topsoil (from stockpile area) and be seeded and mulched as follows:
 - Mulch: straw or hay applied at a rate of 100 lbs./1,000 S.F. or 2 tons/acre, to be applied and anchored according to "New York Standards and Specification For Erosion and Sediment Control," latest edition.
8. Grass seed mix may be applied by either mechanical or hydroseeding methods. Seeding shall be performed in accordance with the current edition of the New York Standard Specifications for Construction and Materials, Section 610-3.02, Method No. 11. Hydroseeding shall be performed using materials and methods as approved by the site engineer.
9. Cut or fill slopes steeper than 3:1 shall be stabilized immediately after grading with Cures I or Cures II. Erosion control and/or slope stabilization shall be equal.
10. Paved roadways shall be kept clean at all times.
11. The site shall at all times be graded and maintained such that all stormwater runoff is directed to erosion and sediment control facilities.
12. All storm drainage outlets shall be stabilized, as required, before the discharge plants become operational.
13. Stormwater from disturbed areas must be passed through erosion control barriers before discharge beyond disturbed areas or discharged into other drainage systems.
14. Erosion and sediment control measures shall be inspected and maintained on a daily basis by the owner's representative and the project engineer. Erosion and sediment control measures, such as debris, that embankments and berms have not been breached and that all straw bales and silt fences are in place and functioning properly shall be inspected and approved by the project engineer, reported by the contractor and accepted for approval by the O.F.R. and/or site engineer.
15. Dust shall be controlled by sprinkling or other approved methods as necessary, or as directed by the O.F.R.
16. Cut and fill shall not endanger adjoining property, nor divert water onto the property of others.
17. All fills shall be placed and compacted in 6" lifts to provide stability of material and to prevent settlement.
18. The O.F.R. shall inspect downstream conditions for evidence of sedimentation on a weekly basis and after rainstorms.
19. As warranted by field conditions, special additional erosion and sediment control measures, as specified on this site plan and/or for other areas, may be installed by the contractor.
20. Erosion and sediment control measures shall be in place until all disturbed areas are suitably stabilized.

1. Install stabilized construction entrance/anti-tracking pad at driveway entrance.
2. Install silt fence in general locations indicated on the plan.
3. Begin shrub relocation
4. Strip and stockpile topsoil on site for later use in lawn and landscape areas.
5. Begin grading of berm.
6. Install fence on top of berm.
7. Upon completion of grading operations, install evergreen trees.
8. Topsoil seed and mulch all disturbed areas as soon as practical in accordance with the Erosion and Sediment Control Notes contained on this page.

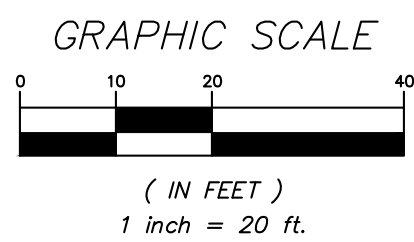
Permanent vegetation is considered stabilized when 80% of the plant density is established. Erosion control measures shall remain in place until all disturbed areas are permanently stabilized.

Note: The party responsible for implementation of the maintenance schedule during and after construction is:

Waccabuc Country Club
90 Mead Street
Waccabuc, NY 10597

and/or the current owner(s) of the subject property.

SCALE: 1"=20'



(N.T.S.)





TENDED SECURELY TO RECTION. FILTER CLOTH ADJOIN BE OVERLAPPED BY	POSTS: STEEL EITHER T OR U TYPE OR 2" HARDWOOD FILTER CLOTH: FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUAL PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUAL
PERFORMED AS NEEDED WHEN "BULGES" CE.	

(N.T.S.)

ACCESS DETAIL
(N.T.S.)

(N.T.S.)

NO.	DATE	REVISION		BY
 INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.		3 Garrett Place Carmel, NY 10512 (845) 225-9690 (845) 325-3717 fax www.insite-eng.com		
PROJECT:				
<u>WACCABUC COUNTRY CLUB</u> <u>PICKLEBALL</u>				
74 MEAD STREET, TOWN OF LEWISBORO, WESTCHESTER CITY, NEW YORK				
DRAWING:		<u>EROSION &</u> <u>SEDIMENT CONTROL</u> <u>PLAN AND DETAILS</u>		
PROJECT NUMBER	23105.100	PROJECT MANAGER	Z.M.P.	DRAWING NO.
DATE	6-23-23	DRAWN BY	S.M.R.	SP-2
SCALE	AS NOTED	CHECKED BY	D.L.M.	
				SHEET 2

*Town of Lewisboro, NY
Wednesday, April 26, 2023*

Chapter 220. Zoning

Article VIII. Performance Standards

§ 220-60. Noise.

- A. Method of measurement. For the purpose of measuring the intensity and frequencies of sound, sound level meters and octave band filters shall be employed. Octave band analyzers calibrated with pre-1960 octave bands (American Standards Association Z24.10-1953, Octave Band Filter Set) shall be used. Sounds of short duration, which cannot be measured accurately with the sound level meter, shall be measured with an impact noise filter in order to determine the peak value of the impact.
- B. Maximum permitted sound pressure level. The decibels resulting from any activity, whether open or enclosed, shall not exceed at any point, on or beyond any lot line, the maximum decibel level for the designated octave band as set forth in the following table, except that where the lot lies within 200 feet of a residence district, whether within or without the Town, the maximum permitted decibel level at any point on or beyond the district boundary shall be reduced by six decibels from the maximum permitted level set forth in the table, and further, except that such reduction shall also apply to any sound emitted between the hours of 9:00 p.m. and 7:00 a.m., and all day Sunday.

Octave Band	Sound Pressure Level
(cycles per second)	(decibels)
0 to 74	66
75 to 149	58
150 to 299	55
300 to 599	50
600 to 1,199	45
1,200 to 2,399	42
2,400 to 2,799	38
4,800 to 20,000	35

- C. Exemptions. The following uses and activities shall be exempt from the noise level regulations:
- (1) Noises not directly under the control of the property user.
 - (2) Noises emanating from construction and maintenance activities between 8:00 a.m. and

sunset.

- (3) The noises of safety signals, warning devices, emergency pressure relief valves or other emergency warning signals.
- (4) Transient noises of moving sources, such as automobile, trucks, airplanes and railroads.

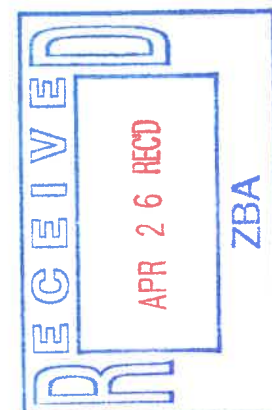
Submitted
By Mr. Rossi
at the
4/26/23 meeting

Waccabuc Country Club

Possible alternate locations

Legend

- United States Postal Service
- Waccabuc Country Club



Google Earth

**ZONING BOARD
OF APPEALS**

**NOTICE OF
PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will host a Public Hearing on Wednesday, April 26, 2023, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 12-23-BZ

Application of Michael Fuller Sirignano, Esq. [Waccabuc Country Club, owner of record], 74 Mead Street, Waccabuc, NY. The proposed pickleball courts create an increase in the existing non-conforming private recreation club use and therefore require a variance pursuant to Article III, Section 220-9E(5) of the Town of Lewisboro Zoning Code and the proposed pickleball courts create an increase in the applicable setbacks for private club "active recreational facilities, such as tennis courts and swimming pools" and provides that such recreational facilities be "set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district as per Article V, Section 220-36C" of the Town of Lewisboro Zoning Code, in that the proposed pickleball courts will have a side yard setback of 51' from the northerly property line and 98' from the southerly property line, where 100' (doubled) side yard setback is required under Section 220-36C of the Town of Lewisboro Zoning Code, therefore requiring a side yard setback variances of 49' and 2', respectively.

The property is located on the west side of (#74) Mead Street, Waccabuc, NY designated on the Tax Map as Sheet 0022, Block 10802, Lot 023, in a SCR-4AC, Special Character Four-Acre Residential District consisting of approximately 6.11 acres.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.

Dated this 30th day of March 2023
in South Salem, New York

ZONING BOARD OF
APPEALS
TOWN OF LEWISBORO
By: ROBIN PRICE
CHAIR

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

RR150-23

Affidavit of Publication

STATE OF NEW YORK
County of Westchester

} SS:

PAT DOMMERMUTH being duly sworn
says *she is Principal Clerk of

The Bedford Lewisboro Pound Ridge

RECORD REVIEW

a newspaper published in the Town of Bedford, County of Westchester, and State of New York, and that a notice, of which the annexed printed notice is a copy, has been published in The Record-Review one time(s), and that such publication was made in the issue(s) of: 4-7-23

Pat Dommermuth

Pat Dommermuth, Principal Clerk

Sworn before me this 12th day
of April, 2023 }

Paula Thaler

Notary Public

*This affidavit must be made and executed by the Publisher, Principal Clerk or Foreman of the composing room.

PAULA THALER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01TH6302825
Qualified in Westchester County
Commission Expires May 5, 2026

The Bedford Pound Ridge
RECORD REVIEW

INVOICE FOR LEGAL NOTICES

4-7-23

Town of Lewisboro
Attn: Janet Donohue – Town Clerk
PO Box 500
South Salem, NY 10590

INVOICE # RR 146-23

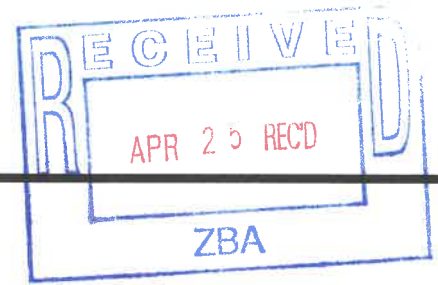
Amount this invoice: \$52.00

INSERTION DATE	SUBJECT	LINE COUNT	AMOUNT
4-7-23	ZBA CAL NO 07-23-BZ AMENDED 74	@ \$.50	\$37.00
AFFIDAVIT			\$15.00
TOTAL DUE			\$52.00

Make checks payable to: **The Record Review**

Remit your check to: **The Record Review**
PO Box 330
Dobbs Ferry, NY 10522

Please include invoice number on your check



Zoning Office

From: Donald Rossi <dmrossi@hoganandrossi.com>
Sent: Monday, April 24, 2023 5:49 PM
To: Michael Sirignano; Gregory Folchetti; Jan Johannessen; Judson K. Siebert; Ciorsdan Conran; zoning@lewisborogov.com
Cc: Jamie Spillane
Subject: 74 Mead Street Pickleball Courts

To all: please be advised that our firm is representing Jean Donovan Fisher, owner of 68 Mead Street, and Renea Topp Dayton and Duncan Dayton, owners of 62 Mead Street, both of which adjoin the 74 Mead Street property owned by Waccabuc Country Club and proposed for the construction and use of four (4) pickle ball courts and, we understand, a further installation of a golf simulator. Our clients, to state it simply, object to the project since the use of the courts will result in significant adverse impacts to them.

We have conducted a preliminary file review and, while we reserve all rights related to the necessary permits and approvals for the project, we would like to advise you of the following procedural defects with the review of the project to date in order that the project be subjected to the levels of scrutiny required by the Town Zoning Code, Wetland Code and SEQRA.

As a threshold matter, it is clear from a review of the relevant Code Sections that a use variance is required. Code Section 220-9(B)(1) provides that a nonconforming use can continue if it is not enlarged or increased, nor shall it be extended to occupy a greater area of land than occupied by the use at the time it became nonconforming. Subsection 220-9(E) does not alter that strict edict. What 220-9(E) *does* do is permit changes which bring a nonconforming use *into greater conformity*, or which *reduce the adverse external effects of the use*. The exact opposite is proposed by the project-the extension of the Club use to a new lot would make the use *more* nonconforming and would *increase* the external effects of the use.

Section 220-9(E)(5), while providing flexibility from the strict application of the criteria found in 220-9(E)(4), applies only to *“increases in a nonconforming aspect of a use”* if, and only if, the *“increase is the minimum possible so as to achieve an overall site development or use in greater conformance with the intent of this section and the purposes of this chapter”*. Pickle ball courts are not an “aspect” of the existing use-they are an entirely new nonconforming use, the addition of which could not reasonably be construed as making the Club use “in greater conformance with the intent and purposes” of the Zoning Code.

Since a use variance is required, several other procedural and substantive requirements are triggered. For example, the project must be considered an Unlisted Action under SEQRA, thereby requiring a coordinated review by all involved and interested agencies, and a “hard look” at potential adverse impacts, most notably noise; the project review under SEQRA cannot be segmented, thereby rendering as defective the ACARC decision for the project, which is in

the Special Character Overlay District, since a SEQRA determination has not been made by a properly designated "lead agency"; and the request for a waiver by the Planning Board should be denied since the standard of Zoning Code Section 220-47(C)(2) cannot be met; i.e. the proposed action will permit a use of the lot *which will not be in compliance with the permitted uses in the R-4 District.*

While all the foregoing warrant further consideration, we look forward to discussing all the foregoing with the ZBA at its meeting this Wednesday evening.

Sincerely, Don
Donald M. Rossi, Esq.
Hogan, Rossi & Liguori
3 Starr Ridge Road-Suite 200
Brewster, New York 10509
dmrossi@hoganandrossi.com
Tel (845) 279-2986 Fax (845) 278-6135

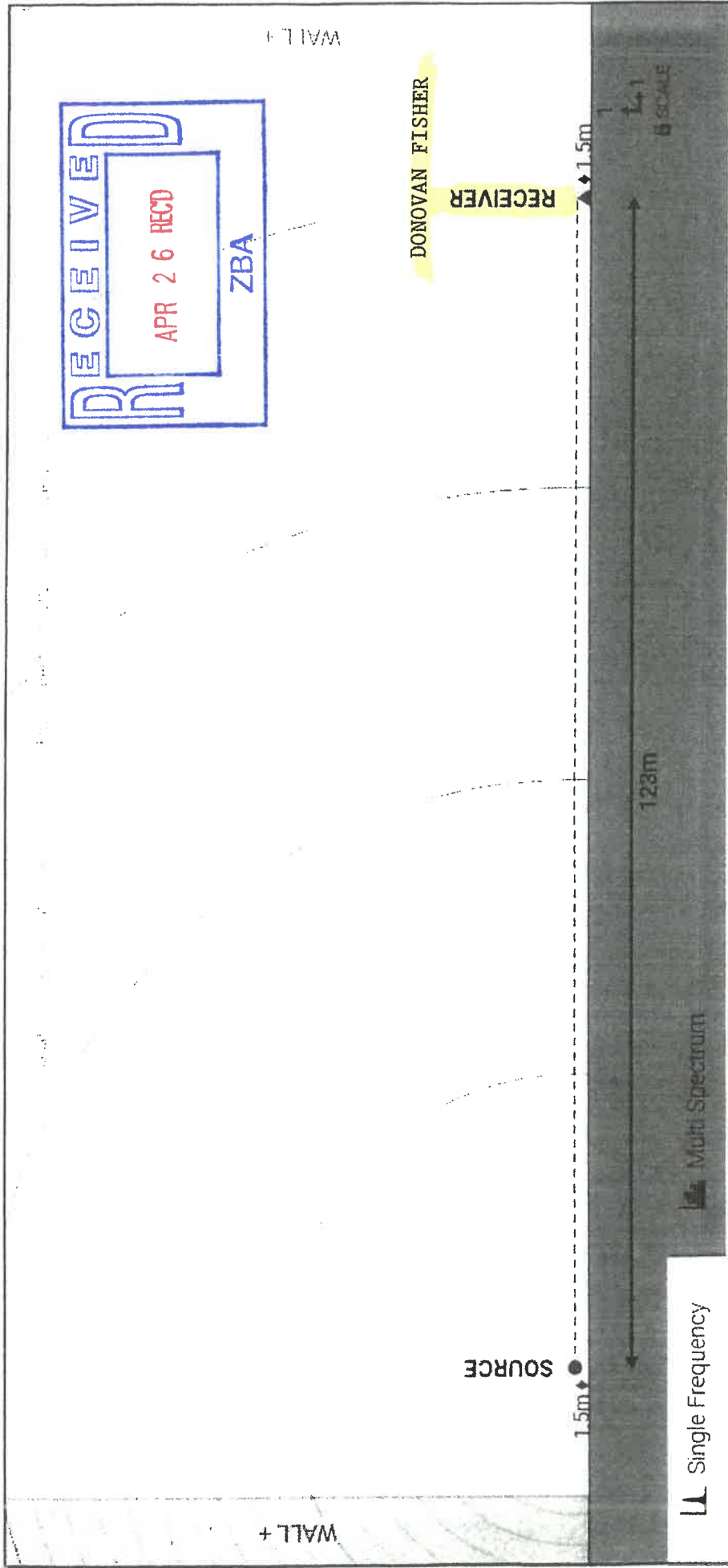
PLEASE NOTE OUR FIRM'S NAME CHANGE THAT BECAME EFFECTIVE ON NOVEMBER 1, 2022

This email is for the use of the intended recipient(s) only, and contains information that may be confidential and may be subject to the attorney-client privilege. If you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses.

Donald M. Rossi, Esq.
Hogan, Rossi & Liguori
3 Starr Ridge Road-Suite 200
Brewster, New York 10509
dmrossi@hoganandrossi.com
Tel (845) 279-2986 Fax (845) 278-6135

PLEASE NOTE OUR FIRM'S NAME CHANGE THAT BECAME EFFECTIVE ON NOVEMBER 1, 2022

This email is for the use of the intended recipient(s) only, and contains information that may be confidential and may be subject to the attorney-client privilege. If you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses.



Single Frequency

Multi Spectrum

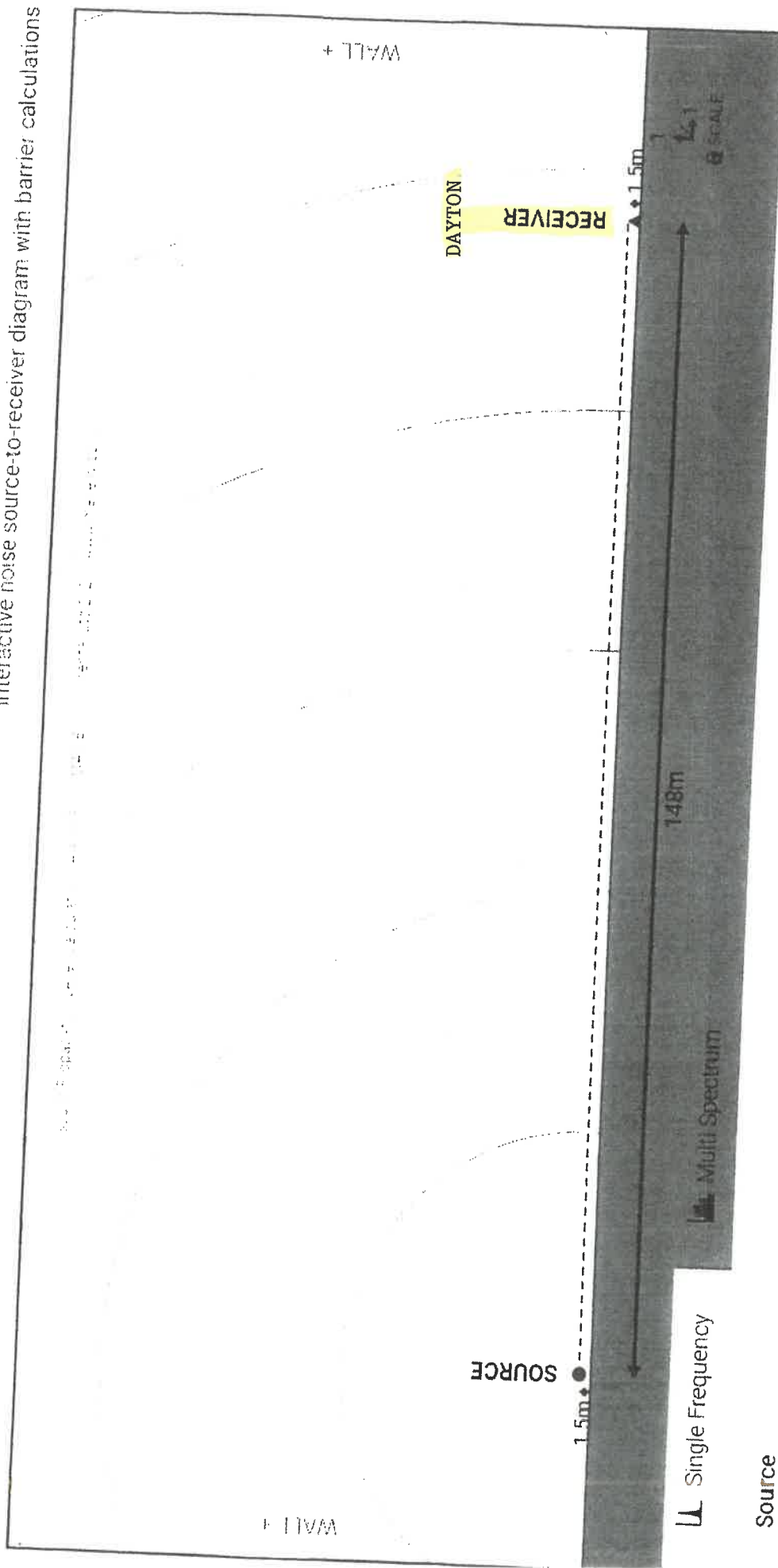
Source		Receiver		Show calculation breakdown	
Frequency	Sound Power Level	Distance from Source	Resulting Sound Pressure Level		
1100 Hz	100 dB	123 m	50.3 dB		

Barriers		Environmental Parameters		Options	
No barriers	20 °C Temperature	<input checked="" type="checkbox"/> Reset all values			
Single barrier	70 % Humidity	Link to this calculation			
Double barrier	0 Ground Factor (G)	Copy results to clipboard			
Building	Hard	Original			

Display		Options	
Off	Wavelength (λ)		
Grid (m)			
Distance (m)			

Sound Propagation Level Calculator

Interactive noise source-to-receiver diagram with barrier calculations



Source

Frequency 1100 Hz
Sound Power Level 100 dB

Barriers

☒ No barriers
☐ Single barrier
☐ Double barrier
☐ Building

Display

☐ Off
☐ Grid (m)
☐ Distance (m)
☐ Wavelength (λ)

Receiver

Distance from Source 148 m

Show calculation breakdown

Resulting Sound Pressure Level 49 dB

Environmental Parameters

20 °C Temperature
70 % Humidity

0 Ground Factor (G)

Hard

Original

Options

[Reset all values](#)

[Link to this calculation](#)

[Copy results to clipboard](#)

[Save results as an image](#)

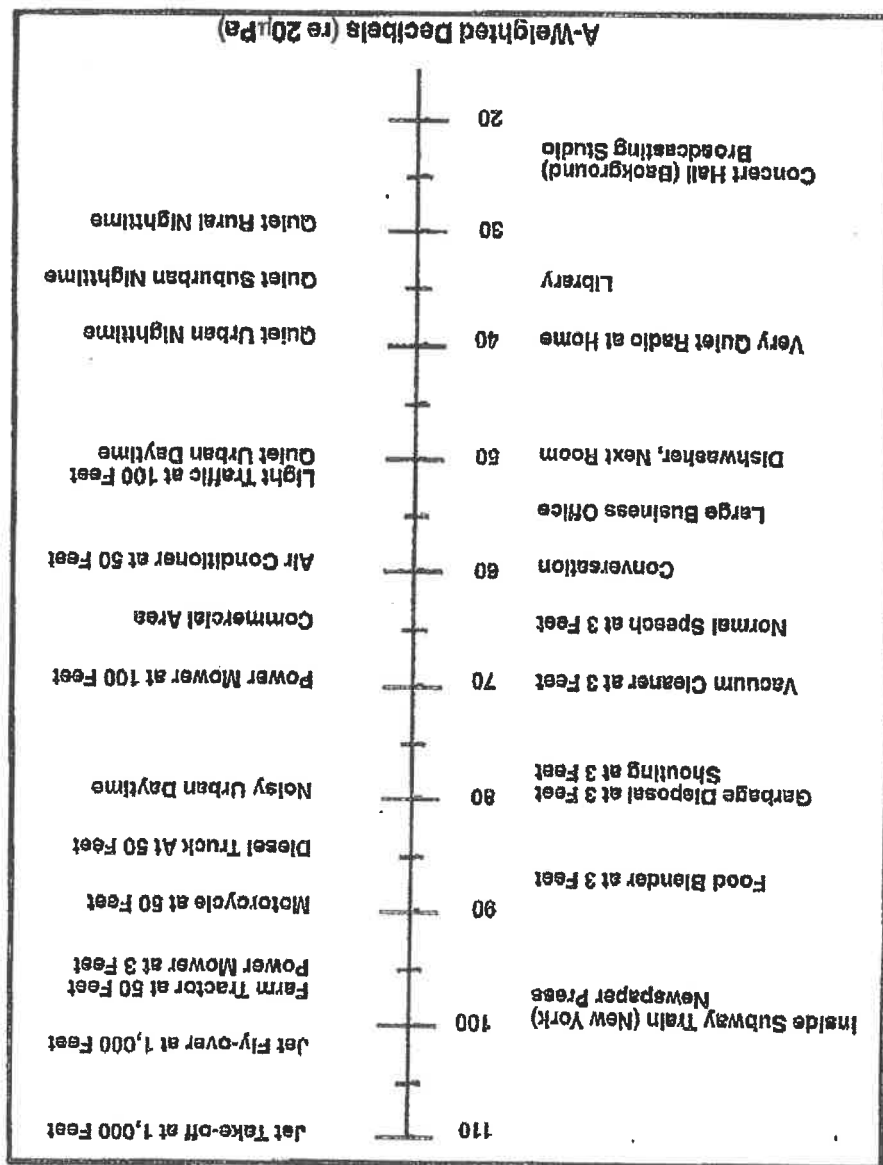
APRIL 26, 2023 (3:30 p.m. – 4:00 p.m.)

SOUND TESTING
MONITORED BY BUILDING INSPECTOR

	<u>100'</u>	<u>200'</u>	<u>300'</u>
Pickleball Noise:			
Average	47 dB	46 dB	45 dB
Spikes*	50.1 dB	50.1 dB	50.1 dB
Mowers cutting Donovan rear lawn:			
Average	65 dB	65 dB	_____

* Readings spike when ball is hit and/or players speak or laugh loudly

Figure 1. Typical A-weighted Sound Levels from Indoor and Outdoor Noise Sources.



RECEIVED BY

FEB 24 2023

Town Clerk
Town of Lewisboro

**RESOLUTION
TOWN OF LEWISBORO
ZONING BOARD OF APPEALS
IN THE MATTER OF THE APPLICATION OF**

Waccabuc Country Club/Beach

**ARTICLE III §220-9.E
ARTICLE IV §220-23.D.11
ARTICLE IV §220-23.E/Table 220 Attachment 1
ARTICLE IV §220-23.D.11
ARTICLE VII §220-56.D
CAL. NO. 02-23-BZ**

INTRODUCED BY: Board Member Rendo

SECONDED BY: Board Member Casper

DATE OF CONSIDERATION/ADOPTION: January 25, 2023

WHEREAS, Michael Fuller Sirignano, Esq., as the applicant (Waccabuc Country Club Co, owner of record) has made application to the Lewisboro Zoning Board of Appeals (the "ZBA"), on the subject premises located at, 18 Perch Bay Road, Waccabuc, NY, Tax Map as Sheet 025A, Block 10813, Lot 001, and (00) Tarry-A-Bit Road, Waccabuc, NY, Tax Map as Sheet 0025, Block 11155 Lot 148, ("the properties"), for the following variances of the Waccabuc Country Club, which is an existing non-conforming use, proposes expansion of the existing non-confirming use which will require review and approval by the ZBA. *Per Article III §220-9.E: Extension of Non-Conforming Use* of the Town of Lewisboro Zoning Code. The new snack bar proposed is 1,100 square feet of floor area. The Town Code allows a maximum of 600 square feet. Based on this code section, the applicant is requesting a variance of 500 square feet. *Per Article IV §220-23.D.11: Accessory Building Floor Area* of the Town of Lewisboro Zoning Code. The expansion of the boathouse does not impact current rear yard setback. The existing boathouse projects over the property line 1.4-feet. This condition will remain and require a 50-foot variance from the rear yard setback, plus 1.4-foot projection. The proposed covered pavilion will not increase the current rear yard setback which will remain at 9.1-feet. This will require a 40.9-foot variance from the required rear yard setback. The proposed snack bar will be located 37.4-feet from the rear property line, which is 0.4-feet closer than the existing snack bar. This will require a 12.6-foot variance from the required rear yard setback. *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code. As noted above, the proposed project is an expansion of the current non-conforming use. While additional building area has been added, as well as numerous site features to accommodate accessible access, the use of the property remains the same. Furthermore, the applicants use of 1 parking space for every 3 members of the country club yields 130 required spaces which is more than the calculated or functional occupancy of the property when proposed improvements are complete. While the applicant currently identifies 53 parking spaces onsite, the majority of these parking spaces do not meet the

requirements of the Town Code. Based on the continuation of the sites historical use, we recommend the ZBA consider a variance of 120 spaces. This variance is based on the eight (8) parallel spaces that meet Town Code, as well as the two (2) compliant handicap spaces. *Per Article VII §220-56.D: Parking* of the Town of Lewisboro Zoning Code.

WHEREAS, this application for an area variance constitutes a Type II action under 6 NYCRR Part 617, and therefore, requires no further review under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, a public hearing at the Town Offices, 79 Bouton Road, South Salem, New York in this matter on January 25, 2023, and a site walk was conducted on January 21, 2023 to consider the application, after which a vote was taken with regard to the variances as set forth above, and

WHEREAS, The Lewisboro Zoning Board of Appeals has given careful consideration to the facts presented in the application at the public hearing based upon the criteria set forth in Section 267-b(3)(b) of the Town Law of the State of New York, and finds as follows:

1. The properties are an approximate 6.07-acres parcel and a 3.0-acres parcel in the 4-AC, Four Acre Residential District owned by Waccabuc Country Club Co. The Waccabuc Country Club, which is an existing non-conforming use, and is improved with a recreational beach facility, consisting of a boathouse and snack bar on Lake Waccabuc. The applicant, Waccabuc Country Club Co. wishes to have an expansion of the existing non-confirming use, *Per Article III §220-9.E: Extension of Non-Conforming Use* of the Town of Lewisboro Zoning Code. The new snack bar as proposed is 1,100 square feet of floor area whereas 600 square feet is allowed *Per Article IV §220-23.D.11: Accessory Building Floor Area* of the Town of Lewisboro Zoning Code the applicant sought a variance of 500 square feet. The expansion of the boathouse does not impact the current rear yard setback. The existing boathouse projects over the property line 1.4-feet. This condition will remain and require a 50-foot variance from the rear yard setback, plus 1.4-foot projection, the applicant sought a variance of 50' plus a 1.4 'projection from the rear yard setback. The proposed covered pavilion will not increase the current rear yard setback which will remain at 9.1-feet. This will require a 40.9-foot variance from the required rear yard setback., the applicant sought a variance of 40.9' from the rear yard setback. The proposed snack bar will be located 37.4-feet from the rear property line, which is 0.4-feet closer than the existing snack bar. This will require a 12.6-foot variance from the required rear yard setback. *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code, the applicant sought a variance of 12.6' from the rear yard setback. As noted above, the proposed project is an expansion of the current non-conforming use. While additional building area has been added, as well as numerous site features to accommodate accessible access, the use of the property remains the same. Furthermore, the applicants' use of 1 parking space for every 3 members of the country club yields 130 required spaces which is more than the calculated or functional occupancy of the property when proposed improvements are

complete. While the applicant currently identifies 53 parking spaces onsite, the majority of these parking spaces do not meet the requirements of the Town Code. Based on the continuation of the site's historical use, we recommend the ZBA consider a variance of 120 spaces. This variance is based on the eight (8) parallel spaces that meet Town Code, as well as the two (2) compliant handicap spaces. The ZBA hereby determines that the minimum area variance necessary in this application is 53 parking spaces, the applicant sought relief of 120 spaces.

2. There will be no undesirable change in the character of the neighborhood or detriment to nearby properties.
3. There is no practical alternative to the variances requested.
4. The Board found that the variances are not substantial.
5. There will not be an adverse effect or impact to the physical or environmental conditions of the neighborhood.
6. The Board found that the difficulty was partially self-created.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the expansion of the existing non-confirming use, is approved Per Article III §220-9.E: Extension of Non-Conforming Use of the Town of Lewisboro Zoning Code.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the minimum area variance necessary in this application is 500 square feet from the maximum 600 square feet allowed, Per Article IV §220-23.D.11: of Lewisboro Zoning Code, thereby permitting the construction of the 1,100 square foot snack bar.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the minimum variance necessary for the boathouse in this application is 50' plus 1.4-foot projection over the property line/shoreline, from the required 50' rear yard setback, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code, thereby permitting the boathouse to project 1.4' over the rear yard setback.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the minimum variance necessary in this application for the covered pavilion is 40.9' from the 50' rear yard setback allowed, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code, thereby permitting the construction of the covered pavilion 9.1' from the rear yard setback.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the minimum variance necessary in this application for the proposed snack bar is 12.6' from the rear property line whereas 50' is allowed, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code, thereby permitting the construction of the proposed snack bar 37.4' from the rear yard setback.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the 130 required parking spaces is more than the calculated or functional occupancy of the property when

proposed improvements are complete, whereas with 53 parking spaces onsite, with the majority of these parking spaces not meeting the requirements *Per Article VII §220-56.D: Parking* of the Town of Lewisboro Zoning Code, based on the continuation of the site's historical use, thereby permitting a variance of relief of 120 parking spaces, this variance is based on the eight (8) parallel spaces that meet Town Code, as well as the two (2) compliant handicap parking spaces, this is based on the proposed plan as presented.

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance the expansion of the existing non-confirming use, as approved *Per Article III §220-9.E: Extension of Non-Conforming Use of the Town of Lewisboro Zoning Code*.

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants an area variance of 500 square feet from the maximum 600 square feet allowed, thereby permitting the construction of the 1,100 square foot snack bar, *Per Article IV §220-23.D.11: of Lewisboro Zoning Code*,

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance of 50' from the rear yard setback plus 1.4' projection over the property line/shoreline, from the required 50' rear yard setback, thereby permitting the boathouse to project 1.4' over the rear yard property line/shore line, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code,

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance of 40.9' from the allowed 50' rear yard setback, thereby permitting the construction of the covered pavilion 9.1' from the rear yard lot line, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance of 12.6' from the allowed 50' rear yard lot line, thereby permitting the construction of the snack bar 37.4' from the rear yard lot line, *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance of relief of 120 parking spaces thereby permitting 53 parking spaces, eight (8) parallel parking spaces and two (2) compliant handicap parking spaces as presented at the meeting, *Per Article VII §220-56.D: Parking* of the Town of Lewisboro Zoning Code,

VOTE:

Chair Price	-	In Favor
Board Member Mandelker	-	In Favor
Board Member Casper	-	In Favor
Board Member Infield	-	In Favor
Board Member Rendo	-	In Favor

VOTE: Resolution carried by a vote of 5 to 0.



Robin Price, Jr. Chair

Dated in South Salem, New York

This 27 day of February 2023

STATE OF NEW YORK


)

) ss.:

COUNTY OF WESTCHESTER

I, Donna Orban, Secretary of the Zoning Board of Appeals, do hereby certify that the above is an excerpt/summary/fair representation of the Resolution adopted by the Zoning Board of Appeals of the Town of Lewisboro at a meeting of said Board on January 25, 2022.

Dated: February 24, 2023



Donna Orban

Secretary Zoning Board of Appeals

JUN 15 2022

Town Clerk
Town of Lewisboro

**RESOLUTION
TOWN OF LEWISBORO
ZONING BOARD OF APPEALS
IN THE MATTER OF THE APPLICATION OF
Waccabuc Country Club/Harder
FOR A Lot Line Change
ARTICLE III §220-9B(1)
CAL. NO. 12-22-BZ**

INTRODUCED BY: Board Member Chair Price

SECONDED BY: Board Member Mr. Casper

DATE OF CONSIDERATION/ADOPTION: May 25, 2022

WHEREAS, Waccabuc Country Club, as the applicant (Waccabuc Country Club Co, owner of record) and Donald A. & Teresa E. Harder, as the co applicant (The Donald A. Harder Revocable Living Trust & The Teresa E. Harder Revocable Living Trust, owner of record) has made application to the Lewisboro Zoning Board of Appeals (the "ZBA"), on the subject premises located at, 0 Carriage House Road, Waccabuc, NY , Tax Map as Sheet 0022, Block 10802, Lot 036, and Sheet 0022, Block 10802 Lot 059 & 083, ("the properties"), for the following variance of the Waccabuc Country Club, which is an existing non-conforming use, proposes to acquire a portion of a neighboring lot whereas this is not permitted per Article III Section 220-9B(1).

WHEREAS, this application for an area variance constitutes a Type II action under 6 NYCRR Part 617, and therefore, requires no further review under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, a public hearing at the Town Offices, 79 Bouton Road, South Salem, New York in this matter on May 25, 2022, and a site walk was conducted on May 21, 2022 to consider the application, after which a vote was taken with regard to the variance as set forth above, and

WHEREAS, The Lewisboro Zoning Board of Appeals has given careful consideration to the facts presented in the application at the public hearing based upon the criteria set forth in Section 267-b(3)(b) of the Town Law of the State of New York, and finds as follows:

1. The property is an approximate 42.50-acres parcel in the 4-AC, Four Acre Residential District owned by Waccabuc Country Club Co. The Waccabuc Country Club, which is an existing non-conforming use, and is improved with a golf course. The property is an approximate 48.62-acres parcel in the 4-AC, Four Acre Residential District owned by The Donald A. Harder Revocable Living Trust & The Teresa E. Harder Revocable Living Trust and is improved with a single-family residence.
2. The applicant, Waccabuc Country Club Co. wishes to acquire a portion of a neighboring lot whereas this is not permitted per Article III Section 220-9B(1). of the Town of Lewisboro Zoning Code.

3. There will be no undesirable change in the character of the neighborhood or detriment to nearby properties.
4. There is no practical alternative to the variance requested.
5. The Board found that the variance is not substantial.
6. There will not be an adverse effect or impact to the physical or environmental conditions of the neighborhood.
7. The Board found that the difficulty was not self-created.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the lot line change of the Waccabuc Country Club, which is an existing non-conforming use, and the acquired portion of approximately five (5) acres from the neighboring property will be permitted per Article III section 220-9B(1).

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants a variance for lot line change of the Waccabuc Country Club, which is an existing non-conforming use, and the acquired portion of approximately five (5) acres from the neighboring property will be permitted per Article III section 220-9B(1). Town of Lewisboro Zoning Code.

BE IT FURTHER RESOLVED THAT, Lewisboro Zoning Board of Appeals have made a motion to approve the lot line change as proposed and any change or use of the parcel would require approval of the town agencies.

VOTE:

Chair Price	-	In Favor
Board Member Mandelker	-	Absent
Board Member Casper	-	In Favor
Board Member Infield	-	In Favor
Board Member Rendo	-	In Favor

VOTE:

Resolution carried by a vote of 4 to 0.



Robin Price, Jr. Chair

Dated in South Salem, New York

This 14 day of June 2022

STATE OF NEW YORK

)

COUNTY OF WESTCHESTER

) ss.:

Waccabuc Country Club Co. Resolution
Cal. No. 12-22-BZ

I, Donna Orban, Secretary of the Zoning Board of Appeals, do hereby certify that the above is an excerpt/summary/fair representation of the Resolution adopted by the Zoning Board of Appeals of the Town of Lewisboro at a meeting of said Board on May 25, 2022.

Dated: June 17, 2022

Donna Orban
Donna Orban
Secretary Zoning Board of Appeals

*Town of Lewisboro, NY
Tuesday, April 25, 2023*

Chapter 160. Noise

[HISTORY: Adopted by the Town Board of the Town of Lewisboro 5-9-1989 by L.L. No. 3-1989. Amendments noted where applicable.]

GENERAL REFERENCES

Dog control — See Ch. **105**, Art. I.

§ 160-1. Title.

This chapter shall be known as the "Town of Lewisboro Noise Control Law."

§ 160-2. Purpose.

It is the purpose of this chapter to prevent unreasonable, unreasonably loud, disturbing or unnecessary noise which unreasonably interferes with the sleep, comfort, repose, health or safety of others.

§ 160-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON

One or more natural persons of either sex, corporations, partnerships, associations, membership societies and all other entities capable of being sued.

SELF-PROPELLED VEHICLE

Any vehicle which is propelled or drawn on land or on the frozen surface of a lake by a motor, such as but not limited to passenger cars, trucks, truck-trailers, semitrailers, campers, go-carts, snowmobiles, amphibious craft on land, dune buggies, all-terrain vehicles, racing vehicles and motorcycles.

SOUND REPRODUCTION DEVICE

Any device that is designed to be used or is actually used for the production or reproduction of sound, including but not limited to any amplified musical instrument, radio, television, tape recorder, phonograph, loudspeaker, public-address system or any other sound-amplifying device.

UNREASONABLE, UNREASONABLY LOUD, DISTURBING OR UNNECESSARY NOISE

Any excessive or unusually loud sound or any sound which either annoys, disturbs, injures or endangers or interferes with the sleep, comfort, repose, health or safety of a reasonable person of normal sensitivities or which causes injury to animal life or damage to property or business.

§ 160-4. Prohibited acts.

No person shall make, cause or permit to be made any unreasonable, unreasonably loud, disturbing or unnecessary noise within the geographical boundaries of the Town of Lewisboro.

§ 160-5. Specific violations.

The following acts and the causes thereof are declared to constitute unreasonable, unreasonably loud, disturbing or unnecessary noise:

- A. The use of any sound reproduction device inside a structure in such a manner as to result in the sound or any part thereof from such device to be projected therefrom outside of the structure or out of doors and heard from any residential dwelling.
- B. The creation of noise in connection with the loading or unloading of any vehicle between 7:00 p.m. and 8:00 a.m. on any day and at any time on Sunday.
- C. The operation of any sound reproduction device on any boat or other vessel so that the sound therefrom is audible on land.
- D. In the process of any construction, drilling or demolition operations, between the hours of 7:00 p.m. and 7:00 a.m. the following day or at any time on Sunday, to operate or use any tools, pile driver, pneumatic hammer, tractor, derrick, electrical hoist, gasoline- or electric-powered saw or other mechanical apparatus or equipment, the use of which is attended by noise.
- E. The keeping of any animal or bird which, by causing noise, shall annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensitivities.
- F. The playing of music or a sound reproduction device or the operation of any radio, television receiver or phonograph in such a manner and with such volume, between the hours of 11:00 p.m. and 8:00 a.m. the following day, of a degree as to annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensitivities in any dwelling or residence.
- G. The creation of any sound or noise from any device known as a "sound truck" or motor vehicle containing an amplifying system, whereby sounds, music or words are transmitted upon the public streets or highways.
- H. The sounding of any horn or other auditory signaling device on or in any motor vehicle except to serve as a danger warning.
- I. The operation of any self-propelled vehicle or boat which creates a noise of a degree so as to annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensitivities.
- J. The shouting, crying or bellowing of peddlers, hawkers and vendors.
- K. The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any business.

- L. Yelling or shouting at any time or place so as to annoy or disturb the quiet, comfort and repose of a reasonable person of normal sensitivities.
- M. Any other excessive or unusually loud sound which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensitivities, except that the enumerated provisions of Subsections **A** through **L** of this section shall govern and regulate the actions and activities therein prohibited and nothing contained in this subsection shall apply to those actions and activities set forth in Subsections **A** through **L** of this section.

§ 160-6. Responsibility of owner, tenant or person in charge.

The owner, tenant and person in charge of the premises on which a violation under the provisions of this chapter has been committed shall be deemed to have permitted such violation on the subject premises and, as such, shall be guilty of such violation.

§ 160-7. Exceptions.

- A. Nothing contained in this chapter shall be construed to prevent the production of music or the use of an amplifying system in connection with any military, civic or authorized parade, religious ceremony or at any school-sponsored or municipally sponsored activities.
- B. The provisions of this chapter shall not apply to the sounding of bells, horns, sirens or any other instruments by a fire apparatus or station, police or any other vehicle or person in the event of an emergency or other such condition or situation.
- C. The provisions of this chapter shall not apply to sounds created by church bells or chimes.

§ 160-8. Town Board authorized to suspend provisions.

The Town Board is hereby authorized, by resolution, to suspend any of the provisions of this chapter in connection with any holiday celebration or upon any occasion of special public interest, for such time and upon such conditions as shall be prescribed by the Town Board.

§ 160-9. Penalties for offenses.

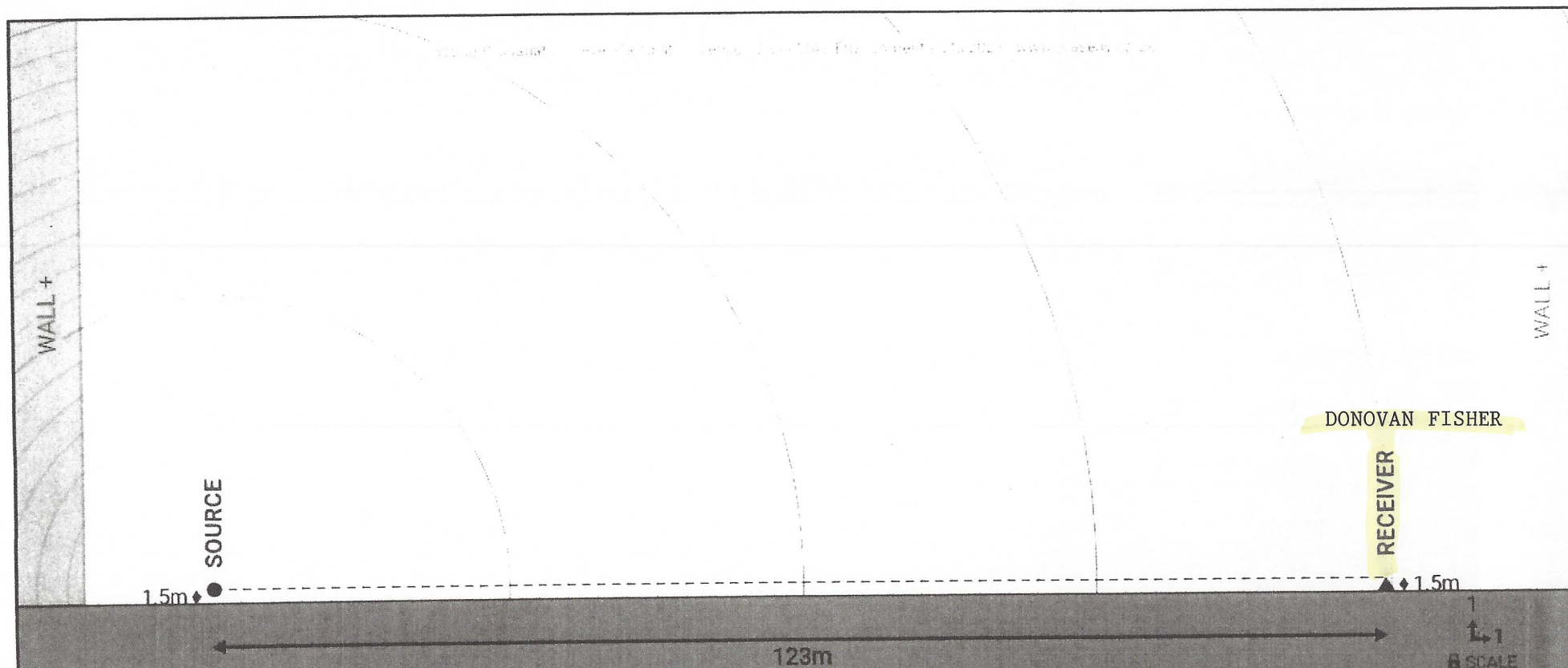
- A. Any person violating § **160-5A** of this chapter shall be guilty of a violation punishable by a fine of not less than \$25 and not more than \$500 or by imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment, if the structure from which the subject sound is projected is a residential dwelling.
- B. Any person violating § **160-5A** of this chapter shall be guilty of a violation punishable by a fine of not less than \$100 and not more than \$1,000 or by imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment, if the structure from which the subject sound is projected is other than a residential dwelling.
- C. Any person violating § **160-5C, E, F, H, J, L** or **M** of this chapter shall be guilty of a violation

punishable by a fine of not less than \$25 and not more than \$500 or by imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment.

- D. Any person violating § **160-5B**, **D**, **G**, **I** or **K** of this chapter shall be guilty of a violation punishable by a fine of not less than \$100 and not more than \$1,000 or by imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment.

Sound Propagation Level Calculator

interactive noise source-to-receiver diagram with barrier calculations



☒ Single Frequency

☐ Multi Spectrum

Source

Frequency

1100 Hz

Sound Power Level

100 dB

Barriers

No barriers

Single barrier

Double barrier

Building

Display

Off

Grid (m)

Distance (m)

Wavelength (λ)

Receiver

Distance from Source

123 m

Resulting Sound Pressure Level

50.3 dB

Show calculation breakdown

Environmental Parameters

20 °C Temperature

70 % Humidity

0 Ground Factor (G)

Hard Soft Original ☒

Options

Reset all values

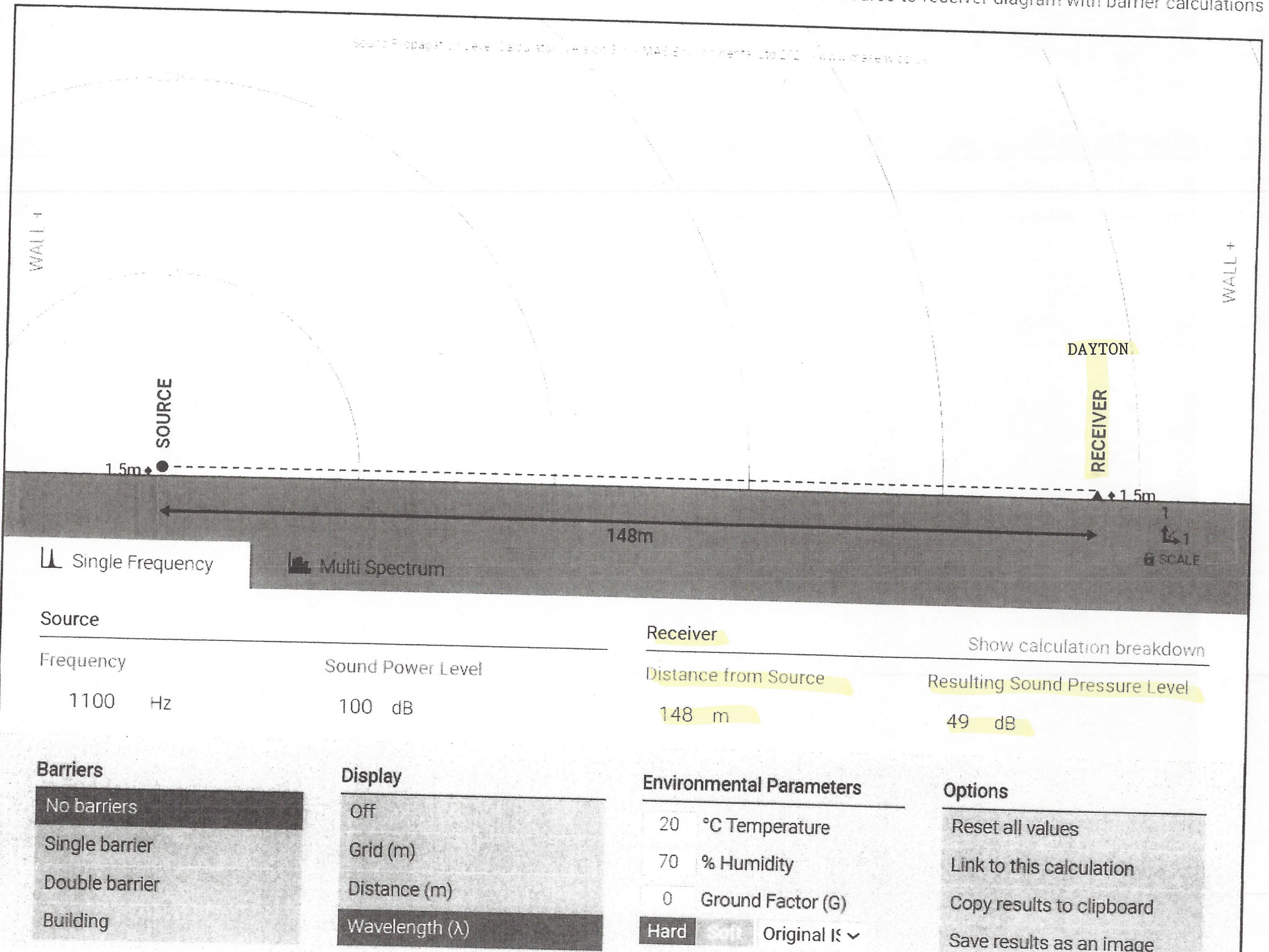
Link to this calculation

Copy results to clipboard

Save results as an image

Sound Propagation Level Calculator

Interactive noise source-to-receiver diagram with barrier calculations



Ronald J. Yoo
850 Park Avenue #3C
New York, NY 10075

H: 212.249.5065

C: 917.434.8145

ron.j.yoo@gmail.com

June 21, 2023

Mr. Duff Price
Chairman
Lewisboro Zoning Board of Appeals

Dear Mr. Price,

Leslie and I owned and lived in our country residence at 74 Mead Street for 33 years until selling the property to the Club.

During our time there, we enjoyed our easy access to the Club as adjacent neighbors. We bordered the 9th Fairway and the Club's tennis courts and Harry and some of his staff often gave us private lessons on our tennis court.

At no time did the Club's activities on the courts or the golf course cause any problems with noise or any other disruption during those years. On our other side, we shared a property line with Ms. Jeannie Fisher. Her property was well shielded from any Club noise, and she never voiced any concern with our sometimes-noisy pool activities or the activities on our tennis court.

Sincerely,

Original Signed by R J Yoo

Ronald J Yoo

Cc: Mr. John Assumma
General Manager
Waccabuc Country Club

CO

6

CERTIFICATE OF OCCUPANCY

TOWN OF LEWISBORO
SOUTH SALEM, N. Y.

CL 7583

Date August 14, 1992

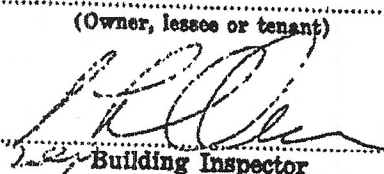
Location: Head Street

Tax Map Designation, Sheet: 22 Block: 10802 Lot: 23 & 47-49

THIS CERTIFIES that the building located at premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with Application for Building Permit dated February 19, 1989, pursuant to which Building Permit was issued, and conforms to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is TENNIS COURT

This certificate is issued to Ronald J. and Leslie J. Yoo
of the aforesaid building. (Owner, lessee or tenant)

Fee: \$15 pd


Building Inspector

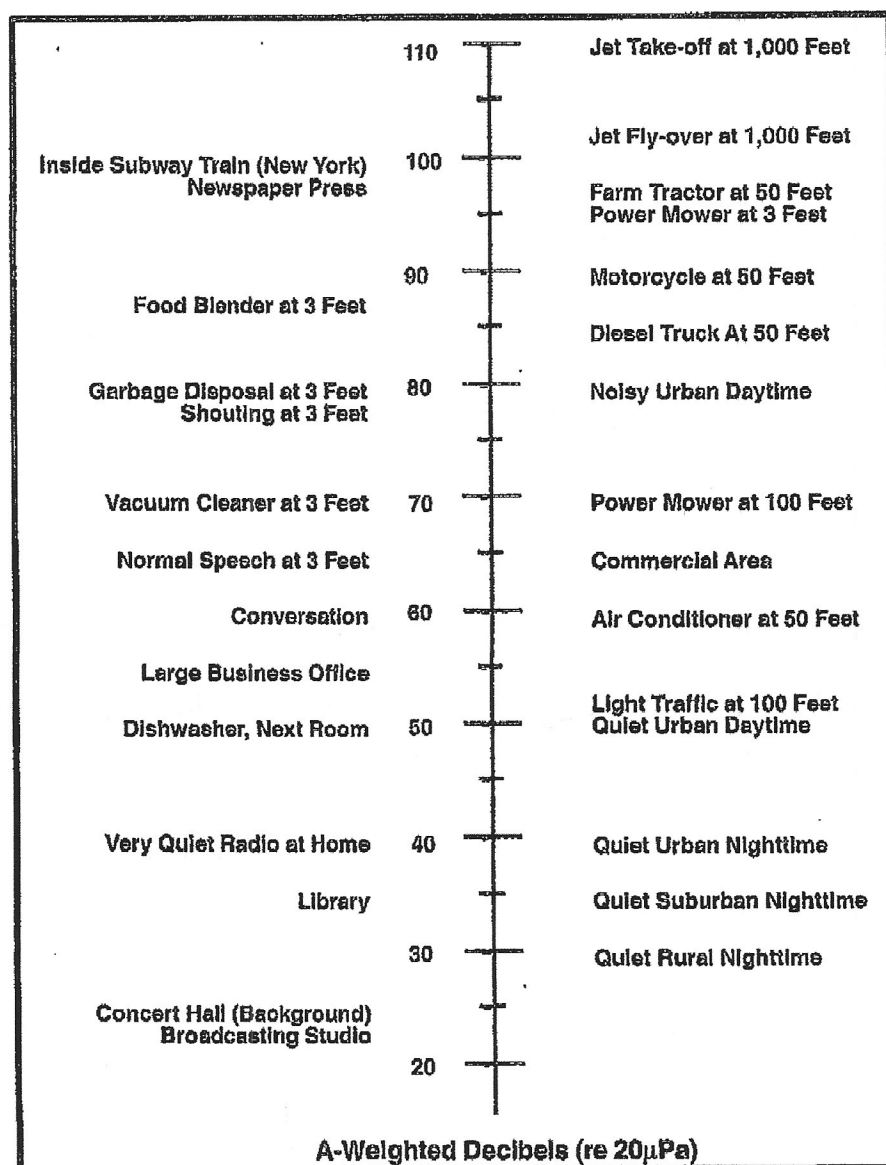


Figure 1. Typical A-weighted Sound Levels from Indoor and Outdoor Noise Sources.

ACOUSTICS GROUP, INC.
877.695.9988 - Voice
877.695.9989 - Fax

**TOWN OF LEWISBORO
OFFICE OF THE SUPERVISOR**

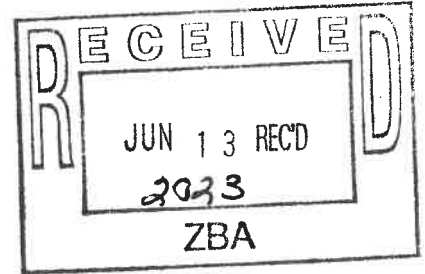
SUPERVISOR@LEWISBOROGOV.COM
(914) 763-3151
WWW.LEWISBOROGOV.COM



TOWN OF LEWISBORO
11 MAIN STREET
P.O. BOX 500
SOUTH SALEM, NEW YORK 10590

ANTONIO GONÇALVES, SUPERVISOR

June 13, 2023



Town of Lewisboro Zoning Board of Appeals
79 Bouton Road
South Salem, NY 10590

Re: Waccabuc/Truesdale Wastewater Collection System and Treatment Plant
Lewisboro, NY 10590

The proposed action seeks to develop a sanitary sewer collection system and wastewater treatment plant for portions of the communities surrounding Lake Waccabuc, Lake Rippowam, Lake Oscaleta, and Lake Truesdale in Lewisboro, NY. In total, 305 properties would be connected to the new wastewater treatment plant via 27,000 linear feet of sanitary sewer main. The wastewater treatment plant would provide capacity for 61,000 gallons per day.

At its meeting of June 12, 2023, the Town of Lewisboro Town Board voted to declare its intent to be Lead Agency for the Proposed Action under SEQR based on its review of a Full EAF – Part 1 dated June 7, 2023.

The Proposed Action is an unlisted action pursuant to Chapter 110 of the Code of the Town of Lewisboro. The Town Board will conduct a coordinated environmental review. The attached Notice of Intent to be Lead Agency and attached Part 1 of the EAF are being distributed to involved and interested agencies for their information.

Very truly yours,


Tony Gonçalves

Attachments: Notice of Intent to be Lead Agency
SEQR Distribution List (see Involved and Interested Agencies list below)
Full Environmental Assessment Form – Part 1
Project Figure
Lead Agency Response Form – **to be filled out and returned**

The following involved and interested agencies have been identified:

INVOLVED AGENCIES:

- Town of Lewisboro Planning Board
- Town of Lewisboro Zoning Board of Appeals
- Town of Lewisboro Architecture and Community Appearance Review Council
- Town of Lewisboro Building Department
- Westchester County Board of Legislators
- Westchester County Department of Health
- New York City Department of Environmental Protection (NYCDEP)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Historic Preservation Office

INTERESTED AGENCY

- Westchester County Planning Board

RESOLUTION ADOPTED BY THE TOWN BOARD
OF THE TOWN OF LEWISBORO
AT A MEETING HELD ON JUNE 12, 2023
RESOLUTION DECLARING NOTICE OF INTENT TO SERVE AS SEQRA LEAD AGENCY
TRUESDALE/WACCABUC WASTEWATER SOLUTION 1

WHEREAS, the Town Board of the Town of Lewisboro is undertaking a proposed action which seeks to develop a sanitary sewer collection system and wastewater treatment plant for portions of Lake Waccabuc, Lake Rippowam, Lake Oscaleta, and Lake Truesdale in Lewisboro, NY; and

WHEREAS, the proposed action involves determining the feasibility of the formation of a sewer district pursuant to Article 12-A of New York Town Law and the potential future connection of 305 properties to a new wastewater treatment plant with an estimated capacity for 61,000 gallons per day, such connections being effected via 27,000 linear feet of sanitary sewer main; and

WHEREAS, in accordance with the provisions of 6NYCRR Part 617, the Town Board of the Town of Lewisboro intends to serve as Lead Agency for the SEQRA Review of this Type I Action, and in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, it is the intention of the Lead Agency to undertake a coordinated review of this action.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby designates its intention to serve as Lead Agency for the SEQRA Coordinated Review of this action.

BE IT FURTHER RESOLVED, that the Town Clerk Janet Donohue is hereby directed to circulate this Notice of Intent to serve as Lead Agency, along with the Environmental Assessment Form and associated documentation, to all Involved Agencies, which shall be given thirty (30) days from the mailing of this Notice of Intent to serve as Lead Agency to challenge the Planning Boards's designation.

Resolution Offered by: Councilwoman Rendo


Seconded by: Councilwoman Shah

Roll Call Vote:

Mary Shah	YES
Andrea Rendo	YES
Richard Sklarin	YES
Daniel Welsh	YES
Tony Goncalves	YES

STATE OF NEW YORK
COUNTY OF WESTCHESTER

I, JANET L. DONOHUE, Town Clerk of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a Resolution adopted by the Town Board of the Town of Lewisboro at a meeting held on the 12th day of June, 2023, to the original thereof, and that the same is a true and exact copy of said original and of the whole thereof.


Town Clerk

Dated at South Salem, New York
this 13th day of June, 2023

**State of Environmental Quality Review
Notice of Intent to be Lead Agency**

Lead Agency: Lewisboro Town Board

Date: June 13, 2023

Address: 11 Main Street
South Salem, NY 10590

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

The Lewisboro Town Board has determined that it should be designated lead agency for the proposed action described below. A copy of the Environmental Assessment Form filed for this project is attached. A Lead Agency must be agreed upon within thirty (30) days of the receipt of this notice.

Title of Action: Truesdale/Waccabuc Wastewater Solution 1

SEQR Status: Type I – Coordinated Review

Description of Action: The proposed action seeks to develop a sanitary sewer collection system and wastewater treatment plant for portions of Lake Waccabuc, Lake Rippowam, Lake Oscaleta, and Lake Truesdale in Lewisboro, NY. In total, 305 properties would be connected to the new wastewater treatment plant via 27,000 linear feet of sanitary sewer main. The wastewater treatment plant would provide capacity for 61,000 gallons per day. The attached figure *Lake Waccabuc and Truesdale Lake Combined Sewer Approach* dated May 2023 prepared by Woodard & Curran shows the general layout of the proposed new service area, sewer lines, and wastewater treatment plant location. The proposed action will eliminate individual on-site septic systems and cesspools.

Location: Lakes Waccabuc, Rippowam, Oscaleta, & Truesdale
Town of Lewisboro
Westchester County, New York

For Further Information

Contact Person: Tony Gonçalves, Supervisor
Town of Lewisboro

Address: 11 Main Street
South Salem, NY 10590

Telephone: 914-763-3151

Involved Agencies

New York Department of Environmental Conservation
Region 3
21 South Putt Corners Road
New Platz, New York 12561

New York State Department of Environmental Protection
Attn: Cynthia Garcia
465 Columbus Avenue, Suite 350
Valhalla, New York 10595

Westchester County Board of Legislators
148 Martine Avenue - #800
White Plains, New York 10601

Westchester County Department of Health
25 Moore Avenue
Mount Kisco, New York 10549

Town of Lewisboro Building Department
79 Bouton Road
South Salem, NY 10590

Town of Lewisboro Planning Board
79 Bouton Road
South Salem, NY 10590

Town of Lewisboro Zoning Board of Appeals
79 Bouton Road
South Salem, NY 10590

Town of Lewisboro Architecture and Community Appearance Review Council
79 Bouton Road
South Salem, NY 10590

New York State Historic Preservation Office
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189

Interested Agency

Westchester County Department of Planning
148 Martine Avenue - #432
White Plains, New York 10601

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Truesdale Waccabuc Wastewater Solution 1		
Project Location (describe, and attach a general location map): 11 Main Street, South Salem, NY, property currently being used for recycling center and highway equipment storage		
Brief Description of Proposed Action (include purpose or need): This project is to build a new wastewater treatment plant and collection system for selected homes around Truesdale Lake and Lake Waccabuc, as phase 1 of what we hope will be a more expansive sewerage project. The homes currently have septic systems. Because of poor soils, steep slopes, and limited depth to groundwater and bedrock, together with the age of the on-site systems, they are contributing to phosphorus pollution of the East of Hudson MS4, which has a TMDL for phosphorus. The wastewater treatment plant will be constructed on property owned by the town and is designed to enable future expansion. A low-pressure collection system will connect the homes. This will require formation of the Lewisboro Sewer District which will be administered by the Town of Lewisboro. The Sewer District will administer the project will maintain the sewer system and sewer services on individual properties. The project should improve water quality in lakes Truesdale, Rippowam, Oscaleta, and Waccabuc, which have experienced toxic harmful algal blooms. It will also improve drinking water quality for the area homes, which are reliant upon wells or draw from Lake Waccabuc, and improve water quality of streams and reservoirs within EOH.		
Name of Applicant/Sponsor: Town of Lewisboro		Telephone: 914 763-3151
		E-Mail: supervisor@lewisborogov.com
Address: PO Box 500		
City/PO: South Salem	State: NY	Zip Code: 10590
Project Contact (if not same as sponsor; give name and title/role): Tony Goncalves		Telephone: 914 763-3151
		E-Mail: supervisor@lewisborogov.com
Address: PO Box 500		
City/PO: South Salem	State: NY	Zip Code: 10590
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R 1/2 A and Special Overlay District

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site?

C.4. Existing community services.

- a. In what school district is the project site located? Katonah-Lewisboro School District

- b. What police or other public protection forces serve the project site?

Town of Lewisboro Police

- c. Which fire protection and emergency medical services serve the project site?

South Salem Fire Department, Town of Lewisboro Volunteer Ambulance Corps

- d. What parks serve the project site?

Lewisboro Town Park, Mountain Lakes Park, Ward Pound Ridge Reservation

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Installation of residential wastewater treatment plant and collection system

- b. a. Total acreage of the site of the proposed action? 6.0 acres

- b. Total acreage to be physically disturbed? 3 acres

- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.0 acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

- i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

- iii. Number of lots proposed?

- iv. Minimum and maximum proposed lot sizes? Minimum Maximum

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

- i. If No, anticipated period of construction: months

- ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition) month year

- Anticipated completion date of final phase month year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres: _____
The proposed action could increase the flow in the stream and would be permitted through NYSDEC SPDES permit.

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 61,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
sanitary wastewater from residential properties

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☒ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Annual demand estimate at 65,000 kWh for operation of pumps and equipment

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
Electricity to be supplied by the local utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> Monday - Friday: _____ 8 am - 5 pm Saturday: _____ none Sunday: _____ none Holidays: _____ none 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> Monday - Friday: _____ 8 am - 5 pm Saturday: _____ as needed Sunday: _____ as needed Holidays: _____ as needed
---	---

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

• _____ Tons/month, if transfer or other non-combustion/thermal treatment, or

• _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): municipal government

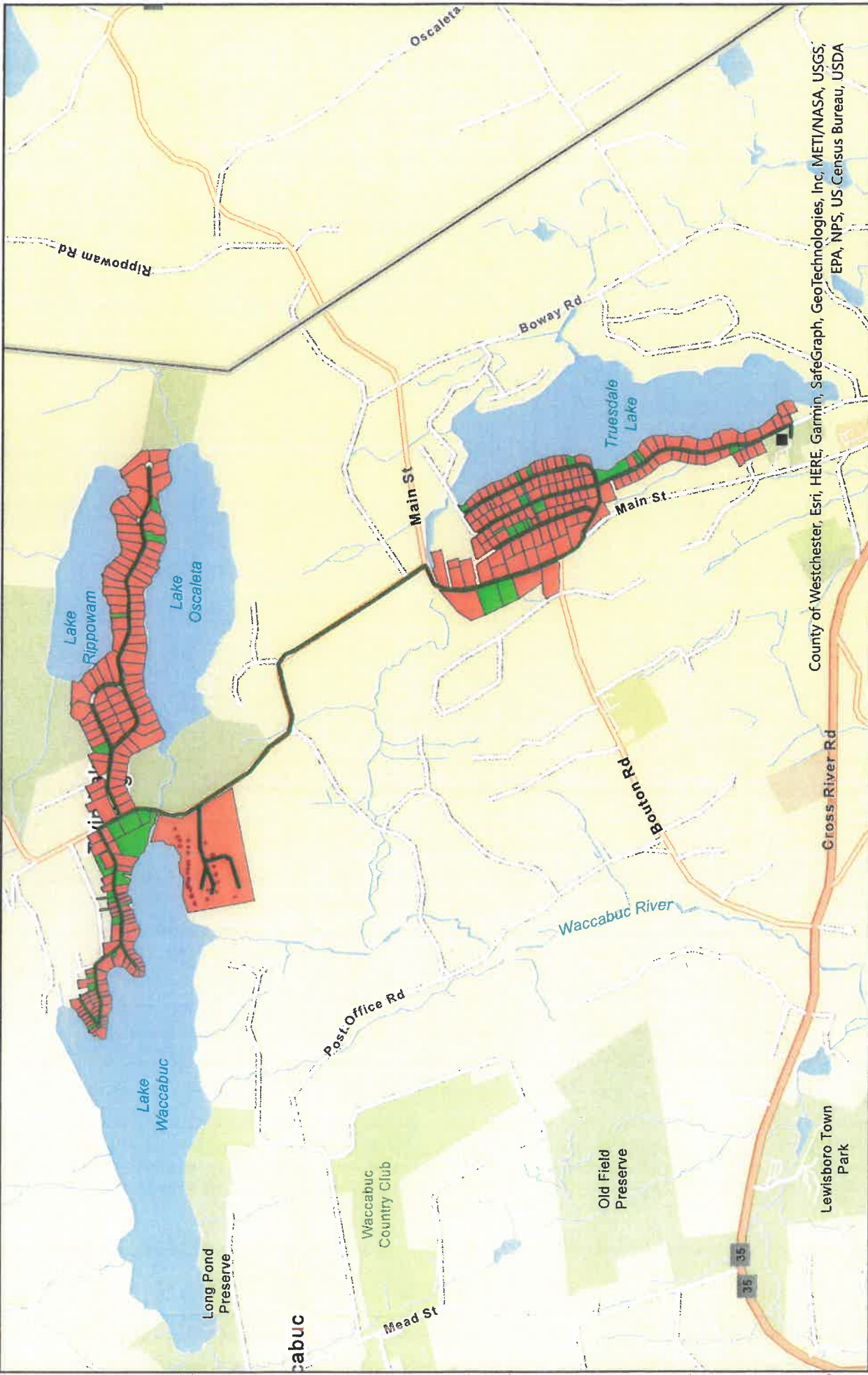
ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.7	1.7	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site?	3 - 6 feet
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site:	
Paxton fine sandy loam	100 %
_____	_____ %
_____	_____ %
d. What is the average depth to the water table on the project site? Average:	1.5 - 3 feet
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____ 100 % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ 100 % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____	
• Lakes or Ponds: Name _____ Classification _____	
• Wetlands: Name _____ Approximate Size _____	
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	S Salem Presbyterian Church Cemetery
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



Lake Waccabuc and Truesdale Lake Combined Sewer Approach EOH Study

- ## Legend
- Main Street WWTP
 - Low Pressure Sewer
 - Pipe
 - Group
 - Sewer
 - Vacant





Woodward & Curran
Project #: 0214797.00
Map Created: May 2023

County of Westchester, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources:

TOWN OF LEWISBORO TOWN BOARD
COORDINATED ENVIRONMENTAL REVIEW
LEAD AGENCY AGREEMENT

Waccabuc/Truesdale Wastewater Collection System and Treatment Plant
Lewisboro, NY 10590

On behalf of the Town of Lewisboro Zoning Board of Appeals,

I acknowledge receipt of the Lead Agency Notice on the above referenced matter, which was mailed on June 13, 2023.

The above-named Involved Agency hereby:
(Please Check One)

() AGREES that the Lewisboro Town Board serve as Lead Agency for the coordinated environmental review of the proposed action and requests that the undersigned continue to be notified of all filings and hearings on this matter.

() DOES NOT AGREE to the Lewisboro Town Board serving as Lead Agency and wishes that _____ serve as Lead Agency. To contest Lead Agency designation, the undersigned intends to follow the procedures in accordance with SEQRA 6 NYCRR Part 617.6.

Please return within 30 days of the mailing of this correspondence. In addition, please specify the jurisdiction that your agency has over this project, what issues you believe are relevant in connection with this project and any additional comments or questions.

Supervisor Tony Gonçalves
Town of Lewisboro
PO Box 500, South Salem, NY 10590
Phone: (914) 763-3151
Email: Supervisor@lewisborogov.com