

Meeting of the Planning Board of the Town of Lewisboro held at the Town Offices at 79 Bouton Road, South Salem, New York on Tuesday, October 16, 2018 at 7:30 p.m. The audio recording of this meeting is 181016_001.

Present: Jerome Kerner, Chair
Janet Andersen
Greg La Sorsa
John O'Donnell
Rich Sklarin
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
Jan Johannessen, AICP, Kellard Sessions Consulting, Town Planner/Wetland Consultant
Joseph Cermele, P.E., CFM, Kellard Sessions Consulting, Town Engineer
Ciorsdan Conran, Planning Board Administrator
John Wolff, Conservation Advisory Council (CAC)

Mr. Kerner called the meeting to order at 7:35 p.m. and noted the exits.

I. DECISION

Cal #11-15PB, Cal#04-16 SW, Cal#09-16 WP

(2:27 – 4:16)

Elegant Banquets – Le Chateau, 1410 Route 35, South Salem, NY 10590, Sheet 39, Block 10549, Lot 17 (1410 Rte. 35 LLC, owner of record) – Application for amendment of site development plan for shed installation.

Simon Curtis, owner, was present.

Mr. Johannessen reviewed a draft resolution and gave a brief summary of the application for an as-built 10' by 16' storage shed. He noted the word 'by,' was missing from page 2, paragraph 10 and it should read: **"BE IT FURTHER RESOLVED THAT,** the Planning Board hereby grants Amended Site Development Plan Approval and approves the following drawing prepared **by** RKW Land Surveying, dated (last revised) June 18, 2018, subject to the below conditions:"

On a motion made by Mr. Sklarin, seconded by Ms. Andersen, the resolution dated October 16, 2018 issuing an Amended Site Plan Approval (dated September 20, 2016) and retroactive approval for the storage shed to Elegant Banquets (Le Château), at 1410 Route 35, South Salem was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

II. PUBLIC HEARINGS

Cal #08-17PB, 16-17SW

(4:22 – 1:38:36)

Oakridge Commons, 450 Oakridge Common, South Salem, NY 10590, Sheet 49D, Block 9829, Lot 10 (Smith Ridge Associates, owner of record) - Application for Site Plan Review for installation of a car wash.

Phil Pine, owner; and Bob Eberts, R.A., Cross River Architects; were present.

Prior to the start of the meeting, Mr. Eberts submitted the receipt for mailing the public hearing notices and affidavit of sign posting to the Planning Board Administrator. Mr. Eberts stated the condominium board had been mailed a notice.

The Chair announced the commencement of the public hearing and asked if there were any objections to the time, place or advertisement of the public hearing. No objections were raised.

Mr. Pine stated he has read the public comments regarding the proposed car wash and concerns about the water and sewer service. He noted that he left Oakridge in 1998 and in 2003, the Town foreclosed on the water and sewer plants due to unpaid real estate taxes by the then owner, Bob Lusk. Mr. Pine stated a fifth well was added and the Dept. of Environmental Conservation's (DEC) water taking permit is for 80,000 gallons per day (gpd) and SPDES Permit for sewer discharge is also 80,000 gpd. He noted that after the final phase of Laurel Ridge, and when the daycare and car wash are built, the water system will have 22% capacity left and that having more users reduces individual costs; sewer costs should decrease 13%. Mr. Pine stated the recent high levels of trihalomethanes (THMs) were handled through flushing out the system and the Westchester County Dept. of Health (DOH) recommended a filtration system change. Mr. Pine recommended obtaining three qualified bids before installing the new filtration system. He noted he may change the existing buildings' facades to match the new daycare.

Mr. Eberts reviewed the proposed one-bay addition to the existing Lukoil gas station that is for a car wash. He noted the loop road where four cars can line up for a wash without backing up into Smith Ridge Road and cars would use the car wash as they do at the Cross River Shell (enter at the rear elevation, exit through the street elevation). Mr. Eberts stated 20 customers are expected per day and fresh water use is 347 gpd while reclaimed water use is to be 1,510 gpd or 80 percent. He noted there are three holding tanks that filter and collect the solids; 17 gal/car will enter the sewer system. Mr. Eberts stated the Board had previously approved 67,900 gpd and with the car wash, daycare and 15 remaining townhomes the proposal is to use 62,058 gpd.

The following members of the public addressed the Board:

- Francesca Moscatelli (6 Hemlock Rd, South Salem) was concerned with the water use estimates, additional traffic, signage, noise and light pollution.

Mr. Kerner noted that lighting is noted on the plan and reviewed by the Board.

Mr. Sklarin asked for more information on the economic viability of 20 car washes per day. Mr. Pine stated there is no staff at the car wash and it costs between \$3 – 4 per wash.

- Kevin O'Sullivan (234 Lakeside Dr, South Salem) was concerned about water usage/quality, disposal of Armor All wipes, commuter and lunch-time traffic, cars backing up into Smith Ridge Road. He does not believe the car wash business is viable on this thin strip of land.
- David Amerling (246 Deerhill Rd, South Salem) was concerned about chemicals in the effluent and road salt that will go into the treatment plant, whether additional water treatment equipment is required and who will pay for any upgrades.
- Marina Ekholm (270 Maplewood Dr, South Salem) stated she gathered 132 signatures from neighbors who oppose the car wash. She submitted the petition to the Planning Board Administrator.
- Greg Schwartz (31 Split Rock Rd, Pound Ridge) stated the water treatment plant is a mess and taxes/bonds/fees are going up again. He does not trust the projected water and sewer treatment capacity levels which are 85% and 90% respectively.
- Paul Geibel (183 Laurel Ridge, South Salem) was concerned about the filtration system and the 2/3rds of the car wash discharge left behind and how is it disposed.
- Flora Viale (192 Laurel Ridge, South Salem) was concerned about poor construction and water quality at the condominiums.
- Jeff Holbrook (17 Split Rock Rd, Pound Ridge) questioned the profit margin of \$200 per day at the car wash and if water costs in Conant Valley Estates will actually go down. He is concerned about the sludge into the sewer

system, decreases in property values and the additional \$400,000 in repairs to the water filtration system to address the THMs.

- Pamela Nathe (276 Maplewood Dr, South Salem) was concerned about congestion on Route 123, the change in the community's mostly residential character, increased levels of bromide in the water treatment system and whether an environmental impact statement was prepared?

Mr. Johannessen stated in this case an Environmental Assessment Form was completed on the day care and car wash. He noted that water/sewer capacities were met and there would not be an environmental impact.

- Michael Berman (15 Laurel Hollow Rd, Pound Ridge) was concerned about property values decreasing. He noted attending a Town Board meeting where the Finance Director estimated sewer costs would be flat. Mr. Berman stated the car wash will be a burden on the Town.
- Gigi Guthrie (209 Lakeside Dr, South Salem) asked about hours of operation, oversight of the car wash and will there be a generator.

Mr. Pine stated the gas station hours are 6 a.m. – 9 p.m., it is owned by the Oakridge Shopping Center and Lukoil is the tenant.

Mr. Johannessen stated the DEC mapping software did not indicate any additional spills [to those in 1989 and 2001].

Mr. O'Donnell requested an additional referral to the Vista Fire Dept., the Kellard Sessions data that was sent to the Town Board and updated reports from VRI Environmental and Delaware Engineering.

Mr. Eberts stated he received a comment letter from the DOH today.

Mr. Wolff noted the CAC's two main concerns are the chemicals used/what is in the effluent that is entering the water system and what is the worst case combined outflow after both the day care and car wash are factored in.

Mr. O'Donnell questioned the accuracy of a 2012 Kellard Sessions memo that stated the water and sewer systems could support Phase 4 of Oakridge Gardens.

Mr. O'Donnell questioned the accuracy of the parking analysis by Tim Miller Associates as it did not include the Grace Church parking agreement. Mr. Pine stated 50 cars are parked at Oakridge and people take a shuttle to New Canaan's Grace Church.

Mr. Pine stated the trees planted near Lukoil are to be smaller scale to avoid the power lines.

Mr. Sklarin asked if the water discharged from the car wash will have an adverse effect on water quality. Mr. Johannessen stated more data is needed and noted that water exiting the sewer treatment plant ultimately goes into the pond. Mr. Pine agreed. Mr. Kerner asked if the effluent can affect the water table.

- Nancy O'Sullivan (234 Lakeside Dr, South Salem) was concerned about the day care and *E. coli*.

Ms. Andersen stated she was concerned about capacity and maximum amounts of water use and sewer treatment.

The Board discussed vacating and/or reexamining the car wash portion of the EAF. Mr. O'Donnell recommended this be done by an outside independent consultant.

The Board reached consensus to adjourn the matter to its November 20, 2018 meeting.

Cal# 8-02PB

(1:38:38 – 1:42:26)

JVG Estates (formerly Popoli Subdivision), 1437 Route 35, South Salem, NY 10590 Sheet 0040, Block 10552, Lot 003 (John Luciano, owner of record) - Request for subdivision bond reduction and referral to the Town Board.

Vito DiMatteo, JVG Estates, was present.

Prior to the start of the meeting, Mr. DiMatteo submitted the receipt for mailing the public hearing notices, affidavit of mailing and proof of sign posting to the Planning Board Administrator.

The Chair announced the commencement of the public hearing and asked if there were any objections to the time, place or advertisement of the public hearing. No objections were raised.

Mr. Siebert reviewed a draft resolution and gave a brief summary of the request for subdivision road construction bond reduction from \$272,191.00 to \$105,876.00 and the Town Board's approval of same.

Mr. O'Donnell requested a signed copy of the Town Board's Resolution dated August 27, 2018. Mr. Siebert noted he had received confirmation from the Town Board that that Resolution had been adopted.

There were no additional comments from the CAC or the public.

On a motion made by Mr. O'Donnell, seconded by Ms. Andersen, the public hearing was closed at 9:14 p.m.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

On a motion made by Mr. O'Donnell, seconded by Mr. Sklarin, the resolution dated October 16, 2018 for a reduction of the bond for road construction from \$272,191.00 to \$105,876.00 to JVG Estates, 1437 Route 35, South Salem, NY was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

Cal #06-18PB

(1:42:28 – 2:10:20)

King Lumber, Meadow Street, Goldens Bridge, NY 10526, Sheet 4A, Block 11111, Lot 2, Sheet 4A, Block 11113, Lots 7 & 9, Sheet 4A, Block 12035, Lot 5 (King Lumber Realty and King Meadow Street Realty – owners of record) - Application for Site Plan Review for lumber yard and U-Haul rental facility.

Peter Lockwood, owner; Michael Sirignano, Esq.; and Jeri Barrett, J. D. Barrett & Associates, were present.

The Chair announced the commencement of the public hearing and asked if there were any objections to the time, place or advertisement of the public hearing. No objections were raised.

Mr. Sirignano stated the lumberyard has been in operation for over 100 years, is pre-existing non-conforming and never had a site plan. He noted that ten years ago, King Lumber purchased the Westchester Ford Tractor property which has a site plan (1989). Mr. Sirignano stated the application is for the entire four acres to have an overall site plan. He noted to respond to customer needs and compete with Home Depot and Lowe's, the lumberyard now has a U-Haul truck rental, usually with one pick-up truck and five vans available. Mr. Sirignano stated the revised plan would eliminate the parking of U-Haul trucks on Meadow Street.

Mr. O'Donnell requested the applicant research the current addresses of the four sites that did not receive the public hearing notices. Mr. Sirignano agreed.

Mr. O'Donnell stated he is a customer of King Lumber but will not recuse himself.

Mr. Barrett reviewed the Westchester Ford Tractor site plan; proposed site plan and hours of operation: Monday - Friday 7 a.m. – 4:40 p.m., Saturday 8 a.m. - noon and Sunday closed. He noted the number of employees varies from 19 – 22 and the lumber yard has its own 9 trucks for deliveries; eight are 24' and one is 36'. Mr. Barrett stated there are six trucks available to the public through U-Haul rentals. He noted that installation of two rolling gates and a key drop box will allow U-Haul renters to return a truck to the gated portion of the lot eliminating the need to park on Meadow Street. Mr. Barrett stated the parking requirements are for 63 spaces and 20 to be land banked. He noted the light poles, new bollards, chain link fence and loading areas on the plan. Mr. Barrett stated he will submit a revised EAF.

Mr. Sirignano stated there is a chain across Meadow Street and access to the lumberyard is via Railroad Ave.

Mr. Johannessen stated the stormwater drains to Railroad Ave or the tracks and there are no stormwater practices being proposed.

The following members of the public addressed the Board:

- Ejll Ulaj (38 Old Bedford Road, Goldens Bridge) stated he was happy with the project.
- Kevin Catone (58 Old Bedford Road, Goldens Bridge) stated the plan is straightforward and an improvement and asked if the chain across Meadow Street could be replaced with a swing gate.

Mr. Sirignano stated the chain across Meadow Street was installed by the Town and can be opened by the GBFD.

- Michael Surdej (14 Waccabuc Road, Goldens Bridge) stated the lumberyard is a stable, reliable part of the community and the U-Haul rental is convenient.
- Liz Agostino (203 Goldens Bridge Road, Goldens Bridge) stated she loves King Lumber.
- Steve Rogers (69 Goldens Bridge Road, Goldens Bridge) stated it was a good proposal and asked about the buffer requirements when commercial and residential zones meet.

Mr. Johannessen stated there are 30' landscape buffers adjacent to the residential neighbors.

There were no additional comments from the CAC or the public.

The Board reached consensus to adjourn the matter to its November 20, 2018 meeting; the applicant is to submit the revised site plan and EAF by November 1, 2018.

III. WETLAND PERMIT REVIEWS

Cal# 41-18WP

(2:10:22 – 2:26:15)

Handler Residence, 25 Woodway Road, South Salem, NY 10590, Sheet 38, Block 10549, Lots 12 & 20 (Martha and Richard Handler, owners of record) – Application for habitat restoration and herbicide application.

Jay Fain, Jay Fain & Associates, and Geraldine Tortorella, Esq., Hocherman Tortorella & Wekstein, LLP were present on behalf of the owners.

Mr. Fain stated the proposal is Type I Action under the State Environmental Quality Review Act (SEQR) due to the area of disturbance – over ten acres. He noted he will submit a revised EAF.

Mr. Johannessen stated the Board will be relying on the DEC's expertise on aquatic herbicides and recommends the DEC act as lead agency. He noted that the Board would be an involved party and the Dept. of Environmental Protection (DEP) wants to be an interested party. Mr. Johannessen stated the Board would still conduct a public hearing and be issuing a wetland permit. He noted neighbor comments could be sent to either the DEC during its public comment period or this Board.

Mr. Fain stated there is a tributary to Lake Truesdale and the Handler ponds could be drawn down during the periodic treatments so there is no outflow.

Ms. Tortorella stated she wanted to avoid a situation where neither the Town nor the DEC declared itself as lead agency.

On a motion made by Mr. O'Donnell, seconded by Mr. La Sorsa, the Board instructed Mr. Siebert to draft a letter referring the Handlers' application of aquatic herbicides within the wetland buffer to the DEC and to have the DEC act as lead agency; Mr. Siebert's letter is to include previous comment letters received by this Board and note that DEP wants to be an interested party.

In favor: Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin. Abstain: Ms. Andersen.

Mr. Johannessen stated the DEC has validated the wetland delineation.

Betsy Barnett (35 Woodway, South Salem) and the CAC recommended goats but Mr. Fain stated they will not eat phragmites. Ms. Barnett recommended a clip and drip application of the herbicide.

Cal #56-18WP, #09-18SW

(2:26:16 – 3:01:12 and 3:39:44 – 3:41:38)

Hidden Point Farms, 153 Silver Springs Road, Wilton, CT 06897, Sheet 48, Block 10057, Lot 46 (Hidden Point Farms, LLC, owner of record) – Application for a salt water pool, related structures, utilities and construction access road.

Amy Zabetakis, Esq., Rucci Law Group, LLC; Richard Regan, P.E., and Brian French, P.E., D'Andrea Surveying & Engineering, P.C.; were present on behalf of the applicant.

Ms. Zabetakis stated the septic forcemain and culvert will be protected during construction and she has not received any comment letters from the neighbors. Mr. O'Donnell requested a copy of the correspondence between the applicant and the neighbors. Ms. Zabetakis agreed and distributed an aerial view noting the closest structure is 700' away and that it is not a residence. She requested a site visit be scheduled. Ms. Zabetakis stated the construction access road is temporary and there will not be a permanent disturbance within the wetlands or buffer.

Mr. Cermele requested more notes on the plans including: how the utility lines travel under the culvert, how is stream flow maintained and dewatering details. Mr. French agreed.

The Board discussed a backup generator, ZBA review and drainage into the Scotts Reservoir.

Mr. Kerner requested letters from a water carrier and concrete company confirming that the roadway is satisfactory to carry the proposed loads across the temporary access road. Ms. Zabetakis agreed. Mr. Regan stated they will explore piping the water into the site without the water trucks crossing the access roadway. Ms. Zabetakis agreed to consider piping the water in or moving the water in smaller trucks to the pool.

Ms. Zabetakis stated the location of the infiltrator as proposed does not meet DEC requirements because it is not deep enough. She noted it is the most appropriate location for the stormwater retention unit. Mr. Cermele stated there needs to

be more separation between the infiltration galleys or a new location be considered. Mr. Regan stated he would coordinate with Kellard Sessions regarding additional perc tests.

Mr. Kerner requested the applicant appear at the ZBA prior to this Board's public hearing.

Toward the close of the meeting, the Board reached consensus to schedule a site visit (3 p.m.) and public hearing (7:30 p.m.) on December 15, 2018 and December 18, 2018, respectively.

IV. EXTENSION OF TIME REQUESTS

Cal# 3-13PB, 03-16WP

(3:01:13 – 3:03:26)

“Silvermine Preserve,” Silvermine Drive & Lockwood Road, South Salem, NY, 10590 Sheet 48, Block 10057, Lot 15 and Sheet 51, Block 10057, Lot 104 (Ridgeview Designer Builders, Inc. & Daniel Higgins, owners of record)- Applications for Subdivision, Wetland Activity and Stormwater Permits for the construction of a 13-lot subdivision.

Geraldine Tortorella, Esq., Hocherman Tortorella & Wekstein, LLP; was present on behalf of the owners.

Ms. Tortorella stated a new survey has been completed and the consulting engineers will be making an application to the WCDOH shortly.

On a motion made by Mr. La Sorsa, seconded by Mr. Sklarin, the Board granted a 6-month extension to the Resolution dated April 18, 2017 to the Silvermine Preserve Subdivision granting Preliminary Subdivision Plat Approval; the new expiration date is April 18, 2019.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

Cal #8-12PB

(3:03:27 – 3:04:07)

Petrucelli/Badagliacca, Oscaleta Road, South Salem, NY 10590 Sheet 33B, Block 11157, Lot 46 (Steven Petrucci and Teresa Badagliacca, owners of record) - Request for a 90-day Extension of Time to resolution granting Preliminary/Final Subdivision Plat, Negative Declaration Under SEQRA, dated October 21, 2014.

Michael Sirignano, Esq. was present on behalf of the owners.

Ms. Andersen recused herself.

Mr. Sirignano stated he is working on a few issues with the Westchester County Clerk's Office.

On a motion made by Mr. La Sorsa, seconded by Mr. Sklarin, the Board granted a 6-month extension to the Resolution to granting Preliminary/Final Subdivision Plat, Negative Declaration under SEQRA, dated October 21, 2014; the new expiration date is January 7, 2019.

In favor: Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin. Abstain: Ms. Andersen.

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

(3:04:11 – 3:05:47)

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

Aaron Lichtman, owner, was present.

Mr. Lichtman stated the project is nearing completion but requested a 60 day extension as the Wetland Permit expires on October 18, 2018.

On a motion made by Ms. Andersen, seconded by Mr. La Sorsa, the Board granted a 90-day extension to the Resolution granting Wetland Activity Permit and Stormwater Permit Approvals, dated October 18, 2016; the new expiration date is January 16, 2019.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, and Mr. Sklarin. Abstain: Mr. O'Donnell.

V. SKETCH PLAN REVIEWS

Cal #06-17PB

(3:05:53 – 3:26:29)

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

Janet Giris, Esq., DelBello Donnellan Weingarten Wise & Wiederkehr, LLP; Spencer Wilhelm, Wolf Conservation Center (WCC); Matt Gironda, Bibbo Associates; and Kevin Baxter, Baxter Projects; were present.

Ms. Giris stated the WCC has purchased 1 Buck Run; the WCC owns all the parcels on Buck Run except for one vacant parcel that fronts Route 35. She noted that the subdivision application will be amended, the parcels merged and applications for wetland and steep slope permits will be submitted shortly. Ms. Giris stated an education center is proposed for the current 3 Buck Run location.

Mr. Gironda reviewed the updates to the site plan: changes in parking, elimination of retaining walls and an increase in road width at Route 35 to accommodate bus turning.

Mr. Wilhelm stated the WCC will purchase a mobility quad to ferry wheelchair-bound visitors up the hill and there are 2 – 10 employees at the site. He noted that currently staff meets the school buses, walks students up to the enclosures, the pathways are lit with solar lights and the new construction is expected to take 13 months.

Mr. Baxter reviewed the architectural plans: the education center will be built into the hillside, the green roof will have solar panels and the maximum occupancy will be 115 people.

Mr. O'Donnell noted the WCC has been in operation for many years without a Special Use Permit. Ms. Giris agreed to explore interim measures to address visitor safety, both at bus drop off and within the site.

On a motion made by Ms. Andersen, seconded by Mr. La Sorsa, the Board referred the Wolf Conservation Center's education center to the Architecture and Community Appearance Review Council (ACARC) for review.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

VI. SITE DEVELOPMENT PLAN

Cal #10-15 PB, Cal #20-17WP, Cal #5-17SW

(3:27:15 - 3:39:43)

Wilder Balter Partners, NY State Route 22, Goldens Bridge, NY 10526, Sheet 5, Block 10776, Lots 19, 20 & 21 (Property Group Partners, LLC, owner of record) – Application for a 42 unit MF development on a ±35.4 acre parcel.

John Bainlardi, Wilder Balter Partners, was present.

Mr. Kerner stated the Goldens Bridge Fire District (GBFD) will be submitting written comments by October 25, 2018.

Mr. Bainlardi requested the Board refer the application to the Building Inspector.

The following member of the public addressed the Board:

- Liz Agostino (203 Goldens Bridge Road, Goldens Bridge) commented on the International Code Council's (ICC) review of the application.

Mr. Kerner stated the ICC's letter noted the ultimate decision comes from the local building official.

The Board reached consensus that Mr. Bainlardi is to give the Building Inspector a full set of current plans; requested the Building Inspector comment prior to the meeting on November 20, 2018; have the Building Inspector comments sent to the GBFD and Ms. Conran is to confirm that members of the GBFD will attend the meeting on November 20th.

VII. REQUESTS FOR RELAXATION ON SEPTIC REQUIREMENTS PER PLANNING BOARD RESOLUTIONS AND WETLAND PERMITS

(3:42:33 - 3:42:58)

The Board reached consensus to authorize Ms. Conran to send out correspondence to the next five residents who requested septic relaxation.

VIII. SITE DEVELOPMENT PLAN, CONTINUED

Cal #10-17PB

(3:43:04 – 3:58:20)

Mercedes Benz of Goldens Bridge, 321 Main Street, Goldens Bridge, NY 10526, Sheet 4E, Block 11135, Lots 1, 2, 3, 4, 5, 6, 7 & Block 11137, Lot 42 (Charisma Holding Corp., owner of record) – Application for Site Plan Review for additions to existing auto showroom and service buildings, additional parking spaces and construction of a parking garage.

Stephen Spina, P.E., John Meyer Consulting (JMC); and Michael Sirignano, Esq.; were present on behalf of the owner.

Mr. Johannessen reviewed the application: it is undergoing a coordinated review under SEQR, this Board is lead agency, there are variances and approvals that need to be sought from several outside agencies but these decisions cannot take place until this Board makes a SEQR determination. He noted the ZBA will not accept an application to review the variances until the parcel is rezoned, which is a Town Board action that cannot be done prior to the SEQR determination. Mr. Johannessen listed outstanding items including: Parts 2 and 3 of the EAF, lighting and landscape plans, prior septic and spill reports, excessive grades (17%) and relocating stormwater basin in the NYS right-of-way and two raingardens in the Town right-of-way.

Mr. Kerner recommended the access road be one way with the entrance at the north and exit at the south. He requested clarification on the dealership's use, if any, of Green Hill Road.

Mr. O'Donnell requested information on interim measures to eliminate cars being parked along Route 22 and the grassy area.

The following member of the public addressed the Board:

- Liz Agostino (203 Goldens Bridge Road, Goldens Bridge) commented on the possibility of a ring road at the site.

IX. WETLAND VIOLATIONS

Cal #02-18WV

(3:58:39 – 4:04:45)

Lupiensi Residence, 23 Elmwood Road, South Salem, NY 10590, Sheet 43, Block 10067, Lot 23 and 24 (Jeffrey Lupiensi, owner of record)

Jeffrey Lupiensi, owner; and Michael Sirignano, Esq.; were present.

Mr. Sirignano stated Beth Evans, Evans Associates, submitted a wetland mitigation plan and is waiting for a DEC response to the proposed mitigation - removal of the wood chips from the wetlands and buffer. Mr. Sirignano stated that some of the wood chips may have to be trucked off site.

Mr. Johannessen stated the DEC has visited the site, will be reviewing its wetland application and not issuing a wetland violation. He noted the applicant is not to remove the wood chips until after the DEC permit has been issued.

Mr. Sirignano requested the matter be handled administratively.

Mr. O'Donnell left the meeting 11:38 to 11:41 p.m. and stated he recused himself on the Lordi application.

On a motion made by Mr. Sklarin, seconded by Ms. Andersen, the Board determined that the removal of the wood chips from the wetlands and buffer on the Lupiensi property, 23 Elmwood Road, South Salem, will be handled administratively under a permit issued by the Wetlands Inspector.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa and Mr. Sklarin. Absent: Mr. O'Donnell

Cal #04-18WV

(4:04:48 – 4:08:10)

Lordi Residence, 2 Cheyenne Court, Katonah, NY 10536, Sheet 10, Block 11152, Lot 140 (William and Marieanne Lordi, owners of record)

Mr. O'Donnell recused himself.

Marianne Lordi, owner; was present.

Ms. Lordi stated the property has been surveyed and there are wetlands on it. She noted the next step is to submit a wetland application with a planting plan.

The Board reached consensus to adjourn the matter to its December 18, 2008 meeting.

Cal #3-16WV, 06-17WP

(4:08:12 – 4:23:05)

McGuinness Residence, 17 Schoolhouse Road, South Salem, NY 10590, Sheet 22, Block 10802, Lot 35 (Annette and Peter McGuinness, owners of record)

Jeri Barrett, J. D. Barrett & Associates; and Michael Sirignano, Esq.; were present on behalf of the owners.

Mr. Barrett stated the paddock, chicken coop and driveway have been moved. He noted the driveway was so saturated that vehicles were getting stuck so he evacuated the water from the work area and installed curtain drains; the pipe and drains have been removed. Mr. Barrett stated the site is a Woodbridge loam and the remaining steps are planting the

meadow and scheduling a site visit with Mr. Johannessen. Mr. Barrett noted \$35,000 has been spent on mitigation already and distributed information on prairie grasses to achieve filtration.

Mr. Johannessen stated some previously proposed plantings will be planted closer to the paddock and neighboring property.

Mr. Sirignano requested a 90-day extension as the Wetland Permit expires on October 31, 2018.

On a motion made by Mr. La Sorsa, seconded by Mr. Sklarin, the Board granted a 6-month extension to the Wetland Implementation Permit issued to Annette and Peter McGuiness at 17 Schoolhouse Road, Waccabuc; the new expiration date is April 30, 2019.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin

The Board reached consensus that this matter is to be placed on the April 16, 2019 agenda.

X. MINUTES OF January 16, 2018; MINUTES OF February 27, 2018; MINUTES OF March 20, 2018; MINUTES OF March 27, 2018; MINUTES OF April 17, 2018, MINUTES OF June 19, 2018, MINUTES OF July 21, 2018 MINUTES OF August 14, 2018; MINUTES OF August 21, 2018 and MINUTES OF September 11, 2018.

The Board did not discuss the unapproved minutes.

XI. ADJOURNMENT

(4:23:40 – 4:23:45)

On a motion made Mr. Sklarin, seconded by Mr. La Sorsa, the meeting was adjourned at 11:57 p.m.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Mr. O'Donnell and Mr. Sklarin.

Respectfully Submitted,



Ciorsdan Conran
Planning Board Administrator