

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 p.m.
January 9, 2012 2011**

PLANNING BOARD MEMBERS PRESENT:

John Delano, Chairman
Steve Sauro
Guy Mezzancello

ABSENT:

Beata Buhl Tatka

VACANT SEAT:

Town Board Will Appoint

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

Ryan Coyne, PE
Consulting Town Engineer
Kellard Sessions PC

Roland Baroni, Esq. Town Counsel
Stephens, Baroni, Reilly & Lewis, LLP

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Conservation Board Representative:
Lee Wagner

The meeting was called to order at 7:02 p.m.

APPROVAL OF MINUTES:

October 24, 2011

Mr. Delano asked for a motion to approve the October 24, 2011 minutes as amended.
Mr. Sauro made a motion to approve as amended. It was second by Mr. Mezzancello

and approved with three Ayes. Ms. Tatka was not present for vote. There is a vacant seat on the board at this time.

November 7, 2011 – the minutes were not voted on this evening as Mr. Mezzancello was not present at this meeting and there were only two other board members present to vote on this set of minutes.

November 21, 2011

Mr. Delano asked for a motion to approve the November 21, 2011 Planning board minutes. Mr. Sauro made a motion to approve. It was second by Mr. Mezzancello and approved with three ayes. Ms. Tatka was not present for vote. There is a vacant seat on the board at this time.

DISCUSSION:

MARGOLIN, 15 Gifford Lake Drive, 1/9/13-9, Thuesen Management Corp.
KLEIN, 14 Gifford Lake Drive, 1/9/13-11, Bibbo Associates.

The Margolin and Klein application were discussed simultaneously.

Kent Thuesen, Thuesen Management was present for the Margolin application and Tim Allen, Bibbo Associates was present for the Klein application.

Mr. Thuesen stated that the final plat from the Rolling Hills Subdivision had two conditions on the plat that he would like to have eliminated from the plat. Condition #16 stated that all new construction requires Planning Board approval and condition #1 referenced a maximum footprint size for each lot within the subdivision.

Mr. Kaufman stated that when this subdivision was originally approved these conditions were set up because the RPRC (Residential Project Review Committee) did not exist and the Gross Land Coverage (GLC) and Floor Area Ratio (FAR) worksheets were not implemented at the time, which correspond to both of these conditions on the signed plat.

Discussions were had by the board members, professionals and applicants at this time. The Board asked Mr. Kaufman his opinion on this matter. Mr. Kaufman stated in regards to item #16, the RPRC would review the integrated plot plan and use good common sense, he was not uncomfortable with removing the notes.

Mr. Delano, Mr. Sauro and Mr. Mezzancello stated that they were alright removing the notes on the plat because of the checks and balances that were in place with the RPRC and the GLC & FAR worksheets which addressed both notes on the plat.

Mr. Kaufman stated that if both notes were to be removed, the Planning Board will need

to amend the plat. Mr. Kaufman stated that no site plan is necessary for the Margolin and Klein application. The Klein application will need a wetland permit from the Town Engineer. Mr. Kaufman spoke with the Conservation Board Chairman, John Fava, earlier today, regarding the Klein application and Mr. Fava did not have concerns regarding this application. The next step is to revise the plat map and file it.

It was noted that the Margolin application had appeared before the RPRC.

The Klein application needs to go before the RPRC.

A public hearing to amend the Rolling Hills Subdivision plat was scheduled for Wednesday, February 15, 2012.

10 STERLING RD SOUTH SUBDIVISION, 10 Sterling Road South, 2/17/4.G, Westconn Custom Builders, Inc.

Present for this application was Gerry Geist, attorney for the applicant and Michael Stein, engineer for the applicant.

Mr. Geist stated that he was present this evening representing his clients Westcon Builders and Victoria Iazzetta. He would like a referral to the ZBA this evening and introduced Michael Stein to review the project at this time.

Mr. Stein stated that the zoning for this lot was Residential two acres. Beth Evans delineated the wetlands on both lots. Neither proposed lot meets the minimum lot area requirement of the Town Code. Each lot is required to have at least 2 acres of net lot area. Proposed lot 1 is deficient by 6,664 square feet and proposed lot 2 is deficient by 8,548 square feet. The Planning Board cannot approve the proposed subdivision without the applicant first obtaining variances from the Zoning Board of Appeals. Both septic systems are proposed in the front of the property and the soils show infiltration. An Enhancement of Grass Filter Strips are proposed along the rear of the site near the wetlands. There will be no work within the wetland or the wetland buffer. He is waiting on the well locations of the neighbors and that information will be provided on a future submission.

Mr. Kaufman reviewed some of the points in his memo with the applicant at this time and Mr. Stein felt that he was able to address those comments. Mr. Kaufman will send a letter requesting confirmation of the wetland delineation to our wetlands consultant.

Discussions were had at this time regarding whether or not to have an uncoordinated or a coordinated review. Mr. Kaufman suggested an uncoordinated review so that the ZBA can render a decision while the Planning

Board was working on this application at the same time. Mr. Baroni suggested a coordinated review because in the past, the ZBA prefers to know the Planning Board's decision on an application before rendering its decision. Mr. Stein explained that in order for the Planning Board to make its decision, his client would have to prepare the SSDS and all related items like deep hole test and percolation tests on both lots. This would be very costly for his client to do and then find out that the ZBA would not grant the variances. He would prefer the uncoordinated review for this application. Once this information was provided, Mr. Baroni understood the applicant's point and determined that an uncoordinated review was acceptable. Mr. Baroni suggested that the EAF (Environmental Assessment Form) be submitted with their application to the ZBA.

Mr. Delano asked for a motion to refer this application to the ZBA. Mr. Sauro made a motion to refer this application to the ZBA. It was second by Mr. Mezzancello and approved with three Ayes. Ms. Tatka was not present for the vote and the other seat is presently vacant.

RICHARD CONRAD
95 ROUND HILL ROAD

Mr. Kaufman stated that earlier today he had a phone conversation with Mr. Conrad regarding the screening that was provided for the Rolling Hills subdivision. Mr. Conrad submitted a couple dozen shots taken from different rooms in his house showing the screening as it exists today. Mr. Kaufman presented the pictures to the board members at this time.

Mr. Kaufman informed the board that Mr. Conrad had originally received a Variance for his house location to be moved further back into the rear yard than what is required. The neighboring house shown in these pictures does meet the rear yard setback. According to Mr. Conrad, In the summer there is enough screening, but in the winter this is the view, as shown in the pictures – it is subjective. The screening breaks up the mass which is what the screening is intended to do. During the phone conversation he suggested that an option for Mr. Conrad would be to do some additional plantings on his property. Mr. Conrad stated that he was going to put in a berm and \$20,000. worth of landscaping. Mr. Conrad wanted the existing screening brought to the attention of the board. Mr. Kaufman noted that screening is to break up the view, not hide it.

While at the counter making his photo submission, Mr. Conrad asked Mr. Kaufman if the screening was acceptable. Mr. Kaufman stated that it was acceptable.

Mr. Conrad came into the meeting room at this time and wanted to bring the status of the landscaping to the boards attention and did not feel it should be his responsibility to plant \$20,000 worth of landscaping to screen his property to his satisfaction. He wanted to make sure the present board would make sure that there would be sufficient screening on the Klein and Margolin sites.

The board stated that they can't do much at this point regarding the Rolling Hills Subdivision but they could certainly make sure that the landscaping is enhanced for the Margolin and Klein houses which were listed on the agenda earlier this evening.

Meeting adjourned at 7:48 p.m.