

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
February 25, 2013**

PLANNING BOARD MEMBERS PRESENT:

John Delano, Acting Chairman
Steve Sauro
Guy Mezzancello
Christopher Carthy

PLANNING BOARD MEMBERS ABSENT:

Arthur Adelman, Chairman

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

Joseph Cermele, 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:
Dr. John Stamatov

The meeting was called to order at 7:00 p.m.

CONTINUING PUBLIC HEARING:

SAMAD
100 Buckout Road
Section 3, Block 14, Lot 4A
New accessory apartment
Brad Demotte, RA De Motte Architects
Discussion
Consideration of Special Permit Resolution

No noticed neighbors were present for this application.

Present for the Samad application was Mr. Samad, property owner and his attorney Seth Mandelbaum,

Mr. Mandelbaum stated that this was an accessory apartment which requires a Special Use Permit and Wetland Permit. The applicant received Zoning Board of appeals approval on January 10, 2013. The Planning Board public hearing was originally opened on Monday January 28, 2013 and adjourned to resolve matters before the Conservation Board and with the Town Engineer with respect to the septic systems on site. Both matters have been addressed and we are ready to continue our public hearing with the board this evening.

In response to Mr. Delano's statement, the board had no comments regarding this application at this time.

Mr. Delano noted some minor revisions to the resolution at this time which were incorporated into the final draft.

Mr. Sauro made a motion to close the public hearing. Mr. Mezzancello second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

Mr. Sauro made a motion to approve the resolution as amended. Mr. Mezzancello second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

CONTINUING BUSINESS:

GJONAJ
7 Pine Ridge Road
Section 1, Block 05, Lot 1.D02
Preliminary Subdivision
Paul Sysak, RLA, ASLA John Meyer Consulting, PC
Discussion

Present for this application was Paul Sysak, John Meyer Consulting, PC.

Mr. Sysak stated that this lot has frontage on Pine Ridge Road and Bedford Banksville Road. The lot is just over 12 acres in size and is zoned R-2A. There is an existing single family lot on site which has septic and well. The applicant is proposing 3 lots. There are existing wetlands and a stream on site. The applicant would like a positive referral to the ZBA for minimal contiguous building area next to a wetland buffer, the dimensions are not met according to the code.

Mr. Delano stated that he would like the Town Engineer to confirm the steep slopes calculations in writing, he would also like the USDA soil types on the plan and he would like comments from the Conservation Board before he would be comfortable making a recommendation to the ZBA. Mr. Cermele and Mr. Kaufman agreed with these comments. Mr. Sysack noted that the Conservation Board Chairman, John Fava, was at the site walk and did not have too much input at the time. He has done some preliminary soil investigation on site regarding the septic availability and storm water infiltration with 8 minute perks for the septic system and at least five feet until bedrock in some areas. The design will be finalized.

Mr. Kaufman noted that there would be minor tweaks to the steep slopes map based on conversation had early today. He also asked Mr. Sysak to send a CAD file on steep slopes. Mr. Sysak will comply with that request.

Mr. Sysak stated that he will work on reducing the wetland buffer impacts on Lot #2. Mr. Kaufman noted the goal would be to not have any wetland buffer impacts from construction of the residence, recreation structures and stormwater as well. That would help make the Planning Board and Conservation Board more comfortable with the variance request from the ZBA.

Mr. Kaufman noted that in the submission the applicant said he would sprinkler the house instead of installing a 20,000 gallon cistern. Mr. Kaufman has spoken with the fire department and the sprinklers were acceptable.

In response to Mr. Kaufman's comment. Mr. Sysak stated that his client would place a deed restriction on no further subdivisions of that lot.

Mr. Kaufman noted that additional environmental impact information was submitted.

There will be a wetland buffer disturbance of about 18,000 square feet, 2,500 square feet of Steep Slope Disturbance and the removal of 220 trees. Mr. Sysak stated that those figures sound alarming but they are minuscule and most of the lot is a forest and you need to get a driveway to the proposed lots.

Discussions were had regarding the sprinkler system vs. cistern on site. If the cistern were built there would be additional impacts on the wetland buffer. Financially it may work out to install a cistern vs. the three sprinkler systems. It was also noted that the cistern would also benefit the neighbors as well if built. Mr. Sysak stated that some buoyancy calculations would have to be done in that area due to the wetlands.

In response to Mr. Carthy's comment, Mr. Kaufman explained the comment in his memo regarding a Conservation Subdivision. A Conservation Subdivision would allow a minimum reduction in the minimum lot area for these three lots as well as creating an open lot. This is a decision the Planning Board would make. The point would be to minimize the impacts here and it would not be a significant reduction in impacts unless the applicant relocates one of the lots. The board can have the applicant explore this option but he did not think that it would be much of a benefit.

Mr. Sauro agreed with Mr. Delano's comments that additional information is needed before he would be comfortable with a recommendation to the ZBA.

Mr. Cermele stated that in regards to access to Lot #3 off of the common drive, the common drive itself meets the code. The driveway to lot #3 does not meet the code. Mr. Sysak stated that he will work on that with Mr. Cermele and noted that parts of the driveway are at grade of 14% and parts are at 16% or 17%. Mr. Cermele stated that the applicant should show what needs to be done and to make it compliant and see if it is worth it. Mr. Sysak will submit the shared driveways access easement which was requested.

KAHN

85 Whippoorwill Road East

Section 2, Block 11, Lot 3F-2

Glen Gate Company

Discussion of site walk

Proposed alteration of originally approved clearing and grading limit line

Present for this application was Cheryl Russ, Glen Gate Company.

Ms. Russ has received the memos and resolution from the town's web site. She reviewed some of the comments for clarification with the board. Mr. Cermele noted that he would like some updated topographical plans. Mr. Delano noted some minor revisions to the resolution.

Ms. Russ stated that her client would like to revise the walkway and would minimize the impact to the property. She presented a plan reflecting the proposed walkway to the

board. The board agreed to the revised plan with the new location of the walkway and agreed to the alternate location of the stair. The plan presented to the board was plan C-P-1 which was last revised (no revised date on plan) and originally dated 7/1/12. The applicant will submit the plans as part of the record. The resolution will be updated with the new plan submitted this evening.

Mr. Sauro made a motion to approve the Kahn resolution as amended per the new plan. Mr. Mezzancello second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

TURET

East Lane, West Lane, Nichols Road

Preliminary Subdivision, Tree Removal, Steep Slope and Wetlands Permit

Section 2, Block 16, Lots 18.B, 18.B3A, 18.D01, 18.E, 18.E01

Tim Allen, PE Bibbo Associates

Subdivision of an existing 8.28 acre lot into four residential building lots.

Consideration of approving 6th Extension of time resolution for Preliminary Subdivision.

Mr. Sauro made a motion to approve the Turet preliminary subdivision extension of time resolution. Mr. Mezzancello second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

MBIA

King Street, Cooney Hill, Weber Place

Site Plan

Sec 3, Blk 4, Lots 3,3A,3A1,3B, 3D,3F,3G,3G1,3h,3-1,3-3,3-6,3-7,3-8,3-9

Mark Miller, Esq. Veneziano & Associates

Discussion

Consideration of extension of time site plan amendment resolution

Mr. Miller stated that this extension of time will be co terminus with the Town Board special use permit resolution of approval. The board members read the submission and had no comments at this time.

Mr. Carthy made a motion to approve the MBIA extension of time resolution. Mr. Sauro second the motion and it was approved with four ayes. Mr. Adelman was not present for the vote.

STAMATELOS

36 Mianus River Road

The board made a motion to schedule the neighbor notification for the Stamatelos application at the Planning Board meeting on Monday, March 11, 2013.

Meeting adjourned at 7:35 p.m.