

**NORTH CASTLE PLANNING BOARD MEETING  
15 BEDFORD ROAD – COURT ROOM  
7:00 P.M.  
May 8, 2017**

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PLANNING BOARD MEMBERS PRESENT: Christopher Carthy – Acting Chairman  
Steve Sauro  
Michael Pollack  
Jim Jensen

ALSO PRESENT: Adam R. Kaufman, AICP  
Director of Planning  
  
Roland Baroni, Esq. Town Counsel  
Stephens, Baroni, Reilly & Lewis, LLP  
  
Joe Cermele, PE  
Consulting Town Engineer  
Kellard Sessions PC  
  
Valerie B. Desimone  
Planning Board Secretary  
Recording Secretary

Conservation Board Representative: Absent

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

**APPOINT ACTING CHAIRMAN**

Mr. Carthy noted that Chairman Delano had recently retired.

Mr. Sauro made a motion for Mr. Carthy to be acting Chairman. Mr. Pollack second the motion and it was approved with four Ayes. There is a vacant seat on the board at this time.

**APPROVAL OF MINUTES:**

**April 24, 2017**

Mr. Sauro made a motion to approve the minutes as amended. Mr. Pollack second the motion and they were approved with four Ayes. There is a vacant seat on the board at this time.

**PUBLIC HEARING:**

**10 NEW KING STREET**

**10 New King Street**

**118.02-2-2**

**Application #17-001**

**Landscape Equipment and Vehicle Storage**

**Dennis Noskin, Dennis Noskin Architecture, PC**

**Discussion**

**Consideration of amended site plan approval**

Present for this application was Dennis Noskin.

The public hearing did not take place because the notice was not published timely in the newspaper. The applicant asked this be placed on the May 22, 2017 agenda.

**CONTINUING BUSINESS:**

**ZINMAN**

**73 Round Hill Road**

**102.03-1-46.1**

**Application # 17-007**

**Site Plan**

**Joseph Risoli, Engineers, Planners, Surveyors**

**Discussion**

The site plan application for the construction 7,334 square foot new single family home on the above referenced property. The Planning Board, at the time of subdivision plat approval, determined that site plan review by the Planning Board is required for this lot.

Present for this application was Joseph Risoli.

Mr. Baroni recused himself from this application.

Mr. Risoli stated that the original subdivision showed a shared driveway and his client would like his own driveway as shown on the plan. He noted they have spoken with the neighbor who was in agreement with the new driveway proposal. He then reviewed the location of the house and motor court. He will provide a water quality system to be treated before it runs off site. The applicant is proposing six bedrooms and is before the board of health regarding septic approval. An accessory structure of a pool house is also proposed and is over 800 square feet. He will work with the fire department regarding the proposed 20,000 cistern on site. He will be able to address the comments in the memos provided by the professionals. Landscaping is proposed screening the immediate neighbor.

Discussions were had regarding the pool house and the possibility of accessory apartment conversion of the pool house. Mr. Risoli noted his client did not have a wet

bar or cooking facilities in the pool house and it could not be converted to an apartment. The pool house will be heated twelve months a year. He noted there was a full bathroom on the second floor where the gym will be located as well as a washer and dryer. He presented color photos of the lot to the board and professionals at this time.

The applicant will stake the house and pool house and tree to be removed. He will let the Planning Board secretary know once accomplished and a site walk will be scheduled. A public hearing will be scheduled once the site walk has been scheduled.

In response to Mr. Pollack's comments, Mr. Risoli was aware of the Gross Land Coverage calculation errors and will address them.

**St. CHRISTOPHER'S, INC.  
1700 OLD ORCHARD ROAD  
118.01-1-2**

**Application #17-004**

**Referral from Town Board – Animal Assisted Therapy**

**Ann Marie Sasso, Willow Hill Equities LLC**

**Discussion**

The Town Board referred to the Planning Board a special permit amendment to create a noncommercial, private Animal-Assisted Therapy Program for on-site residents. The Applicant is looking to utilize 6 goats and 18 heads of poultry for the program housed in a new 12'x20' barn, 12'x20' chicken coop and 60'x72' fenced paddock area. The program will be part of the County 4H program sponsored by Cornell Cooperative Extension.

Present for this application was Ann Marie Sasso, Willow Hill Equities and Lakshmi Bhagavatula, Program Director.

Ms. Sasso discussed the comments from the professional's memos and noted she would have her professionals incorporate those comments to her plans. She noted the barn was a prefab and would not have a foundation. Pine shavings would be used as bedding in the barn and that would be the refuse container that is removed once or twice a month.

Mr. Carthy was surprised the applicant was not recycling the refuse. Ms. Sasso stated at some point down the road but not at this time. A farm hand will be hired as well.

Mr. Kaufman noted this was a low impact project and with plenty of room to do this on site. He stated the Town Board suggested the Planning Board be lead agency on this application and this would lengthen the process for the applicant. After discussing various options with the Town Attorney and Planning Board they concluded that this could be considered an unlisted action and the Planning Board could make a positive recommendation the Town Board.

In response to Mr. Sauro's comment, the closest neighbor would be boces which is

several acres away. He is alright with an uncoordinated review.

In response to Mr. Carthy's comment regarding timing of this application. Ms. Sasso noted that she was fostering some goats until the approvals were granted and things were built as the children were hoping to benefit from the state fairs in July, August and September this year with the animals. The board agreed it was not necessary to do a site walk for this application.

Sue Capolla from North White Plains stated this was an excellent, excellent program and was in favor of it as well as her neighbors. She was concerned about the Vue proposal for 200 homes and would not want the Vue approval to impact or shut this program down. This program is similar to Green Chimneys program in Brewster and noted this was an excellent program for kids. She does not want anything to impact this applicant. Ms. Sasso stated she has worked with Green Chimneys but this is a non commercialized project whereas Green Chimneys is a much larger program. Ms. Sasso noted that the kids have been thriving with the program.

Mr. Sauro asked for a motion to positively recommend this special use permit back to the Town Board with an uncoordinated review. Mr. Pollack second the motion and it was approved with four ayes. There is a vacant seat on the board at this time.

## **TURET**

**East Lane, West Lane, Nichols Road**

**Final Subdivision, Tree Removal, Steep Slope and Wetlands Permit**

**108.03-3-36, 108.03-3-38, 114.01-1-4, 108.03-3-39, 114.01-1-5**

**Application #08-018**

**Tim Allen, PE Bibbo Associates**

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

### **Discussion**

#### **Consideration of Final Subdivision approval**

The subject application involves the subdivision of an existing 8.28-acre lot into four Residential building lots for final subdivision plat, tree removal, steep slopes and wetlands permit approvals.

Present for this application was Dr. & Mrs. Lee Turet and their professional Nicholas Gaboury, PE from Bibbo Associates.

Mr. Gaboury stated that he has been working with the Board of Health and the NYSDOT regarding sign off for this application.

Mr. Sauro inquired if the regulations changed a lot since this application started. Mr. Cermele stated that the applicant has been incorporating the current mitigation practices.

Mr. Baroni updated the board regarding the cistern status of the Armonk Fire Department and how they are unwilling to maintain the cistern. He noted that Banksville Fire Department put money in their budget for maintenance of the cisterns and the Armonk Fire Commissioners would not put money in a budget to maintain a cistern.

Mr. Turet reviewed the conditions of the resolution with the board and professionals. All of his questions were answered to his satisfaction.

Mr. Jensen noted a minor typo in the resolution, Mr. Kaufman will look into that and if the resolution has to be update he will do that.

Mr. Sauro made a motion to approve the resolution as amended, if necessary, Mr. Pollack second the motion and it was approved with four Ayes. There is a vacant seat on the board at this time.

## **TEDESCO**

**1462 Old Orchard Street**

**Section 123.01-1-1 & 15**

**Application #15-121**

**2 Lot Subdivision**

**Nathaniel J. Holt, Holt Engineering & Consulting**

### **Discussion**

The application for preliminary subdivision approval of a two lot residential Subdivision in the R-1A Zoning District. The site is currently a 1.7-acre single family lot and a 1.05 acre abandoned right-of-way parcel.

Mr. Carthy suggested that any of the board members who have not been out to the site should visit the site. He noted the board could go together if they wanted to.

Mr. Holt stated that he was last before the board over a year ago and we were considering scheduling a public hearing and a lot of the technical issues could be addressed once we make a decision on which way the subdivision was going to go either a private road standard or public road standard. The public hearing was not scheduled because a wetland recommendation was needed from the Conservation Board. His client has received a support recommendation from the Conservation Board regarding the common driveway private road standard. He would like to schedule the public hearing, Mr. Cermele's comments notwithstanding, a lot of them are technical and a lot of them are duplicated by doing two sets of parallel plans – private road vs. public road. He would like the board to agree with the private road standards for this application.

In response to Mr. Carthy's comment, Mr. Holt stated that he has ruled out the public road standard. He stated when the law was written it was really about how do we minimize disturbance, how do we keep public roads out of the way for the town to maintain especially when only serving one house, how do we maintain the environment,

all of those things came into play. The Wyman application was a good example of why this legislation was created.

Mr. Kaufman stated that the point of designing the town road standard is the code requires that you don't rely upon the private road to meet all the zoning requirements. If you demonstrate that this is a conforming subdivision with a town road, that then enables the board to consider the less impactful alternative of the private road.

After continued discussions were had between Mr. Holt and Mr. Cermele; Mr. Cermele stated that we need to create a record that this is a conforming subdivision with a public road and from there the board can decide to go to private road standard or not.

Mr. Holt was instructed to submit the information requested from both professionals' memos which is necessary to create the paper trail needed for the Planning Board to consider the private road standard. Once the material is submitted the board will continue its review and then determine if any variances are needed for this application and this additional information will enable the Planning Board to continue their SEQR review.

Mr. Sauro made a motion to adjourn the meeting. Mr. Pollack second the motion and it was approved with four ayes. There is a vacant seat on the board at this time.

Meeting was adjourned at 8:03 p.m.