

**TOWN OF BEDFORD  
PLANNING BOARD MEETING**

**425 Cherry Street  
Bedford Hills, New York 10507**

**Tuesday  
July 29, 2014  
8:00 PM**

**Public Hearings:**

8:00 PM Special Use Permit – Accessory Structure over 20 Feet in Height  
Section 84.11 Block 1 Lot 9, R-4A Zone  
497 Old Post Road, Bedford  
Owner: **Mary A. Cox**  
Applicants: **Jeff and Mary Cox**  
(Review Special Use Permit.)

8:05 PM ~~Special Use Permit – Accessory Apartment  
Section 60.10 Block 4 Lot 10, R-1/4 A Zone  
64 Park Avenue, Bedford Hills  
Owner/Applicant: **Jeanmarie Morales**  
(Review Special Use Permit.)~~

**-CANCELLED**

8:10 PM Special Use Permit – Cottage  
Section 60.5 Block 1 Lot 6, R-4A Zone  
118 Croton Lake Road, Katonah  
Owner/Applicant: **Patricia Padian**  
(Review Special Use Permit.)

**Conferences:**

1. Waiver of Site Plan Approval  
Section 60.13 Block 1 Lot 20, CB Zone  
9 Haines Road, Bedford Hills  
Owner: **Robert Lee/Apache Oil Company**  
Applicant: **Lewis Roane**  
(Review revised Site Plan.)  
(Review decision of the Zoning Board of Appeals)
2. Steep Slopes Permit  
Section 83.12 Block 1 Lot 9, R-4A Zone  
701 South Road, Bedford Corners  
Owner/Applicant – **Andrew Roos**  
(Review latest submissions.)

- 3. Preliminary and Final Site Plan Approval – Splash Car Wash**  
Section 72.5 Block 1 Lots 33, 39 and 39.1, RB Zone  
570 Bedford Road, Bedford Hills  
Owner: **Onab Corp. – 570 Bedford Road, LLC – Valerio Court LLC**  
Applicant – **Splash Car Wash**  
(Review Site Plan last revised 1/14/14.)  
(Review decision of the Zoning Board of Appeals)

**Supporting documentation for all items on this agenda is available at the Town of Bedford website.**

**([www.bedfordny.gov](http://www.bedfordny.gov)) – Enter - Town Meetings**

**Larger documents and plans are available at the office of the Planning Board.**

**Agenda items subject to change.**

**PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN**, the Planning Board of the Town of Bedford will hold a public hearing on the application of **Jeff and Mary Cox**, 497 Old Post Road, Bedford, New York 10506, for approval of a Special Use Permit for an accessory structure greater than 20 feet in height, pursuant to Article VIII Section 125-27 D(3) of the Code of the Town of Bedford on Tuesday, July 29, 2014, at 8:00 P.M., or as soon thereafter as is possible, at the Town House Offices, 425 Cherry Street (Second Floor), Bedford Hills, New York, for construction of a new garage located on property at 497 Old Post Road, Bedford, in the Town of Bedford. Said property is shown and designated on Town Tax Maps as Section 84.11 Block 1 Lot 9, and is in the Residence Four Acre District.

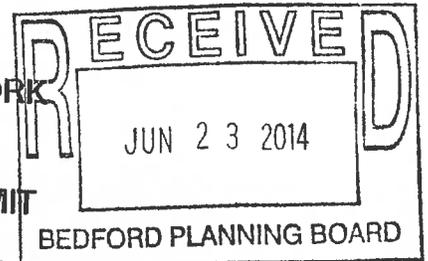
Copies of the application and plan will be available for public inspection for ten (10) days prior to the public hearing at the Town House Offices, 425 Cherry Street, Bedford Hills, New York, during regular business hours. Except for the applicants or their representatives, attendance at this hearing is not required. All persons appearing in favor of or in opposition to this application will be heard.

DATED: July 15, 2014

Anne Paglia, Secretary

Town of Bedford Planning Board

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK



APPLICATION FOR A SPECIAL USE PERMIT

Submit to: Bedford Planning Board, Town House, Bedford Hills, N.Y. 10507

1. IDENTIFICATION OF OWNER

Name of owner: JEFF & MARY COX

Address: 497 OLD POST RD, BEDFORD, NY Phone: 914-234-7032

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: DARREN MERCER, ARCHITECT, PLLC darrenpm@

Address: 32 FLINTLOCK RIDGE RD, KATONAH, NY Phone: 914-767-4490 gmail.com

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: N/A

Address \_\_\_\_\_ Phone: \_\_\_\_\_

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title COX RESIDENCE, 497 OLD POST RD

b. Roads which property abuts OLD POST RD / 172122

c. Bedford tax map designation: Section 84.11 Block 1 Lot(s) 9

d. Property lies in a (circle one) 4A 2A 1A 1/2A 1/4 A TF VA NB CE PB-R PB-O LI  
Zoning District.

e. Total area of property in acres 2.7 +/-

5. REQUEST

The applicant requests that the Planning Board approve the issuance of a Special Use Permit under the following section of the Code of the Town of Bedford:

Article: 111, Section: 125-27 D(1)

The applicant proposes the following Special Permit Use:

PROPOSED NEW GARAGE - ROOF HEIGHT OF 21'-2" @ AV. GRADE  
\* HEIGHT @ DRIVEWAY = 18'-9" / GRADE FALLS AWAY AT BACK  
\* WOULD LIKE TO MATCH ROOF PITCH OF EXISTING, ADJACENT  
BUILDING THAT IS BEING RENOVATED.

6. PUBLIC NOTICE

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit mailing with the Board Secretary prior to the hearing.

7. SITE PLAN

Attach a Preliminary Site Plan Application Form, fee and eleven (11) copies of a Preliminary Site Plan complying with all requirements of Article IX, Section 125-88 of the Bedford Town Code.

8. FEES (make checks payable to the Town of Bedford)

Special Use Permit Application: \$ \_\_\_\_\_ \$ \_\_\_\_\_

Preliminary Site Plan:  
\$500 plus \$25 per parking space required by  
the Bedford Town Code: \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

Permission is hereby given to the Town of Bedford, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession.

All applications shall be signed by the owner of the property affected by this application and by the applicant, if other than the owner.

J. Jeff Cox 6-16-2014  
Signature of Owner Date

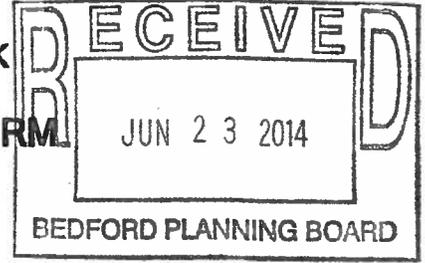
[Signature] 6/23/14  
Signature of Applicant Date

JEFF COX 6/16/2014  
Name of Owner (Please Print) Date

DARREN MERCER, ARCHT. 6/16/2014  
Name of Applicant (Please Print) Date

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

ENVIRONMENTAL CLEARANCE FORM  
(This Side to be Completed by Applicant)



1. IDENTIFICATION OF OWNER

Name of owner: JEFF & MARY COX  
Address: 497 OLD POST RD, BEDFORD NY Phone: 914-234-7032

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: DARREN MERCER, ARCHITECT, PLLC  
Address: 32 FLINTLOCK RIDGE RD, KATONAH, NY Phone: 914-767-4490

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site: COX RESIDENCE, 497 OLD POST ROAD
- b. Roads which site abuts: OLD POST RD / 172/22
- c. Bedford tax map designation: Section: 04-11 Block 1 Lot(s) 9
- d. Total site area: 2.7 ACRES +/-
- e. Does the applicant have a whole or partial interest in lands adjoining this site? NO

4. IDENTIFICATION OF PROPOSED ACTION

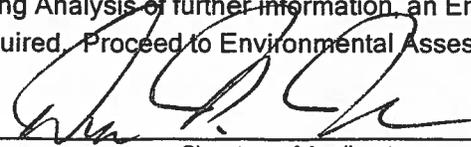
- a. Description of Proposed Action: SPECIAL USE PERMIT IS FOR HEIGHT OF ROOF OF NEW GARAGE FROM AV. GRADE. WANT TO MATCH ROOF PITCH OF
- b. Relationship to other actions: ADJACENT, EXISTING BUILDING. HEIGHT @ AV. GRADE = 21' - 21'
  - 1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: NONE
  - 2. List any related actions which may be undertaken, of which this proposed action, e.g. highway reconstruction to serve increased traffic: NONE
  - 3. List any actions which are dependent upon this proposed action, and therefore should be reviewed as part of this action, e.g. house construction in the case of a residential subdivision: NONE

All such actions must be reviewed in conjunction with the action proposed.

5. CLASSIFICATION OF PROPOSED ACTION (see lists of Type I, II, Exempt, Excluded Actions)

- Type I.** An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
- Type II or Exempt Action.** No Environmental Impact Statement is needed. Submit this form only.
- Unlisted Action.** Pending Analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

04/05

  
Signature of Applicant

6/23/14  
Date

**TOWN OF BEDFORD  
ENVIRONMENTAL CLEARANCE FORM**  
(This side only for Official Use Only)

**1. CLASSIFICATION APPROVED; FURTHER ACTION REQUIRED:**

- Type I Action.** The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
  
- Type II or Exempt or Excluded Action.** No Environmental Impact Statement is needed. No further action required.
  
- Unlisted Action.** The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

**2. COMMENTS:**

---

---

---

---

---

\_\_\_\_\_  
Town Agency

\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

# LETTER OF PERMIT DENIAL



Town of Bedford  
Building Dept.  
425 Cherry St.  
914-666-8040

Application #:

Date: 6/24/2014

Parcel ID: 84.11-1-9

## Owner Information

Cox, Mary

## Applicant Information

Cox, Mary

497 Old Post Rd

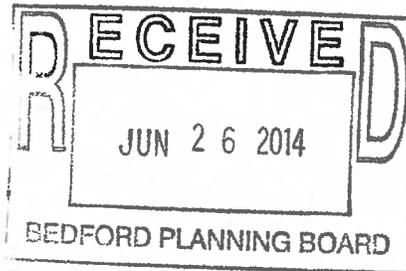
Bedford NY 10506

Location: 497 Old Post Rd

Parcel ID: 84.11-1-9

Permit Type: Garage

Work Description: New 2- Bay Garage Structure



Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-2A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The height of the new 2-bay garage structure is 21' 2" where 20' feet is permitted for an accessory structure and will require a Special Use Permit from Planning Board in accordance with Article III Section 125-27D (1). The property is located in the Bedford Village Historic District Review Commission boundaries

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Steven Fraietta  
Building Inspector

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN**, the Planning Board of the Town of Bedford will hold a public hearing on the application of **Patricia Padian**, 118 Croton Lake Road, Katonah, New York 10536, for approval of a Special Use Permit pursuant to Article VIII Section 125-79.1 of the Code of the Town of Bedford on Tuesday, July 29, 2014, at 8:00 P.M., or as soon thereafter as is possible, at the Town House Offices, 425 Cherry Street (Second Floor), Bedford Hills, New York, for the expansion of an existing cottage located on property at 118 Croton Lake Road, Katonah, in the Town of Bedford. Said property is shown and designated on Town Tax Maps as Section 60.5 Block 1 Lot 6, and is in the Residence Four Acre District.

Copies of the application and plan will be available for public inspection for ten (10) days prior to the public hearing at the Town House Offices, 425 Cherry Street, Bedford Hills, New York, during regular business hours. Except for the applicants or their representatives, attendance at this hearing is not required. All persons appearing in favor of or in opposition to this application will be heard.

DATED: July 15, 2014

Anne Paglia, Secretary

Town of Bedford Planning Board

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

APPLICATION FOR A SPECIAL USE PERMIT

Submit to: Bedford Planning Board, Town House, Bedford Hills, N.Y. 10507

1. IDENTIFICATION OF OWNER

Name of owner: JERRY & PATRICIA PADIAN

Address: 118 CROTON LAKE ROAD

Phone: 232-1970

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: THE HELMES GROUP, LLP,

Address: 184 KATONAH AVENUE  
KATONAH, NY 10580

Phone: 232-4633

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: N/A

Address: —

Phone: —

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title 118 CROTON LAKE ROAD

b. Roads which property abuts CROTON LAKE ROAD

c. Bedford tax map designation: Section 60-5 Block 1 Lot(s) 6

d. Property lies in a (circle one) (4A) 2A 1A 1/2A 1/4 A TF VA NB CE PB-R PB-O LI  
Zoning District.

e. Total area of property in acres 4.004 AND/OR 174,414 SF.

5. REQUEST

The applicant requests that the Planning Board approve the issuance of a Special Use Permit under the following section of the Code of the Town of Bedford:

Article: VIII, Section: 125-79.1.

The applicant proposes the following Special Permit Use:

ALTERATIONS & IMPROVEMENTS TO EXISTING  
OUTLAGE INCLUDING CONVERTING EXISTING SCREENED-IN  
PORCH TO LIVING AREA.

(NO INCREASE IN BUILDING FOOTPRINT.)

6. PUBLIC NOTICE

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit mailing with the Board Secretary prior to the hearing.

7. SITE PLAN

Attach a Preliminary Site Plan Application Form, fee and eleven (11) copies of a Preliminary Site Plan complying with all requirements of Article IX, Section 125-88 of the Bedford Town Code.

8. FEES (make checks payable to the Town of Bedford)

Special Use Permit Application: \$ 200 \$ 200.00

Preliminary Site Plan:  
\$500 plus \$25 per parking space required by the Bedford Town Code: \$ \_\_\_\_\_

Total: \$ 200.00

Permission is hereby given to the Town of Bedford, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession.

All applications shall be signed by the owner of the property affected by this application and by the applicant, if other than the owner.

REFER TO AUTHORIZATION LETTER  
Signature of Owner Date

[Signature] 6-28-14  
Signature of Applicant Date  
STAR HELMES GROUP, LLP

PATRICIA PADON, 6-26-14  
Name of Owner (Please Print) Date

STEVEN C. HELMES, AIA 6-26-14  
Name of Applicant (Please Print) Date



TOWN OF BEDFORD ENVIRONMENTAL CLEARANCE FORM

(This Side to be completed by Applicant)

Identification of Applicant

Name JERRY & PATRICIA PADLAN Address 118 CROTON LAKE ROAD KATONAH, NY 10536 Phone 914-232-1970

Identification of Property Owner, if Other than Applicant

Name THE HELMES GROUP, LLP Address 184 KATONAH AVENUE KATONAH, NY 10536 Phone 914-232-4633

Identification of Site Involved, if any

- a) Name or other identification of site 118 CROTON LAKE ROAD
b) Street which site abuts CROTON LAKE ROAD
c) Tax Map Section SECTION 60.5, BLOCK 1, LOT C
d) Total site area 4.004 ACRES AND/OR 174,414 SF
e) Does applicant have a whole or partial interest in lands adjoining this site?

Identification of Proposed Action

a) Description of Proposed Action CONVERT EXISTING SCREENED-IN PORCH TO LIVING AREA IN BOOSTING COTTAGE.

b) Relationship to other actions:

- 1. List of further actions which may be undertaken, of which this proposed action is a part or first step, e.g. further subdivision of a large parcel of land: PLANNING BOARD APPROVAL / DIRECTION REQUIRED FOR ZBA-VARIANCE FILING.
2. List any related actions which may be undertaken as a result of this proposed action e.g. highway reconstruction to serve increased traffic: N/A
3. List any actions which are dependent upon this proposed action and therefore should be reviewed as a part of this action, e.g. house construction in the case of a residential subdivision: N/A BUILDING PERMIT REQUIRED. ZBA-VARIANCE REQUIRED.

All such actions must be reviewed in conjunction with the action proposed.

Classification of Proposed Action (see lists of Type I, II, Exempt, Excluded Actions)

- Type I. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
Type II or Exempt Action. No Environmental Impact Statement is needed. Submit this form only.
Unlisted Action. Pending Analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

Signature of Applicant: [Signature] Date: 6-26-14 THE HELMES GROUP, LLP STEVEN C. HELMES, LLC

# TOWN OF BEDFORD – ENVIRONMENTAL CLEARANCE FORM

(This Side for Official Use Only)

Classification Approved; Further Action Required:

- Type I Action. The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
- Type II or Exempt or Excluded Action. No Environmental Impact Statement is needed. No further action required.
- Unlisted Action. The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

Comments:

---

---

---

---

---

---

---

---

---

---

\_\_\_\_\_  
Town Agency

\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

# LETTER OF PERMIT DENIAL



Town of Bedford  
Building Dept.  
425 Cherry St.  
914-666-8040

Application #:

Date: 6/24/2014

Parcel ID: 60.5-1-6

## Owner Information

Padian, Patricia

## Applicant Information

Padian, Patricia

116 Croton Lake Rd

Katonah NY 10536

**Location:** 118 Croton Lake Rd

**Parcel ID:** 60.5-1-6

**Permit Type:** Alteration

**Work Description:** Alterations and improvements to existing cottage - convert existing screened-in porch to living area.

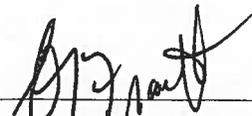
Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-4A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

Conversion of the the existing screened porch to living area will require a Special Use Permit from the Planning Board and variances from the Zoning Board of Appeals because the cottage has a pre-existing, non-conforming side yard setback and the proposal is to increase the living area of the cottage from 682 square feet to 960 square feet. Article VIII Section 125-79.1A. (2) (5).

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

  
Steven Fraietta  
Building Inspector

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

ENVIRONMENTAL CLEARANCE FORM

(This Side to be Completed by Applicant)

1. IDENTIFICATION OF OWNER

Name of owner: APACHE OIL COMPANY INC  
Address: 261 LEDYARD STREET, NEW LONDON CT 06320 Phone: 860-432-6200

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site \_\_\_\_\_  
b. Roads which site abuts \_\_\_\_\_  
c. Bedford tax map designation: Section 60.13 Block 1 Lot (s) 20, CB  
d. Total site area \_\_\_\_\_  
e. Does the applicant have a whole or partial interest in lands adjoining this site? \_\_\_\_\_

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action SEE ATTACHED  
b. Relationship to other actions:  
1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: \_\_\_\_\_  
2. List any related actions which may be undertaken, of which this proposed action, e.g. highway reconstruction to serve increased traffic: \_\_\_\_\_  
3. List any actions which are dependent upon this proposed action, and therefore should be reviewed as part of this action, e.g. house construction in the case of a residential subdivision: \_\_\_\_\_

All such actions must be reviewed in conjunction with the action proposed.

5. CLASSIFICATION OF PROPOSED ACTION (see lists of Type I, II, Exempt, Excluded Actions)

- Type I.** An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
- Type II or Exempt Action.** No Environmental Impact Statement is needed. Submit this form only.
- Unlisted Action.** Pending Analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

04/05

Walter Hernandez  
Signature of Applicant

11/8/13  
Date

W ALIXA HERNANDEZ

**TOWN OF BEDFORD  
ENVIRONMENTAL CLEARANCE FORM**  
(This side only for Official Use Only)

**1. CLASSIFICATION APPROVED; FURTHER ACTION REQUIRED:**

- Type I Action.** The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
  
- Type II or Exempt or Excluded Action.** No Environmental Impact Statement is needed. No further action required.
  
- Unlisted Action.** The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

**2. COMMENTS:**

---

---

---

---

---

\_\_\_\_\_  
Town Agency

\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

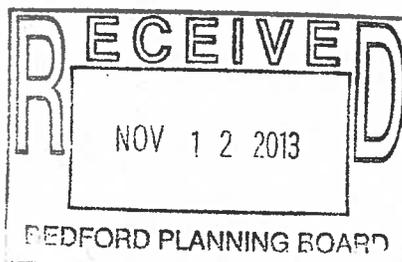
Waiver of Site Plan Approval

Date: 11/8/2013

201 LEDYARD ST  
Applicant's Home Address

NEW HANNOON CT 06320  
City, Town, Village

Town of Bedford Planning Board  
Town House  
Bedford Hills, New York 10507



Sir or Madam:

I/We am/are the owner (s) of property located on 9 HAINES ROAD

Bedford Hills NY 10507 shown and designated on the Town Tax Maps as:

Section <sup>60.</sup>13 Block 1 Lot(s) 20 CB

It is my/our intention to PENOVATE EXIST STRUCURE - SEE ATTACHED  
(Describe proposal)

Because of the limited nature of the proposed development or change of use, or to special conditions peculiar to this site, I/we am/are requesting a waiver of the requirement of site plan approval pursuant to Article IX Section 125-93 of the Code of the Town of Bedford.

Very truly yours,

[Signature]  
Signature of Owner and/or Applicant

\_\_\_\_\_  
Signature of Owner and/or Applicant

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

APPLICATION FOR A STEEP SLOPE PERMIT

Submit to: Bedford Planning Board, Town House, Bedford Hills, N.Y. 10507

1. IDENTIFICATION OF OWNER

Name of owner: Andrew Roos

Address: 58 SHAD RD. W., Pound Ridge NY Phone: \_\_\_\_\_

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: SAME

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: Plans  
Tim Allen P.E. - BIBBO ASSOCIATES

Address Rs 100 Somers, NY Phone: 277 5805

4. IDENTIFICATION OF PROPERTY

Name or identifying title: Roos Property

Address: 701 So. Bedford Rd

Bedford tax map designation: Section 83.2 Block 1 Lot(s) 9

Property lies in a (circle one) 4A 2A 1A 1/2A 1/4A TF VA NB CE PB-R PB-O LI

Total area of property in acres 11.5

Property abuts a State or County highway, thruway or park: Yes:  No: \_\_\_\_\_

Property is within 500 feet of the boundary of Town of Bedford: Yes: \_\_\_\_\_ No:

5. SITE PLAN

Attach eleven (11) copies of a Site Plan complying with all requirements of Chapter 102-4B(1) of the Bedford Town Code. (See back of this sheet for details)

6. FEES (Make checks payable to the Town of Bedford)

\$100 plus \$250.00 for each 10,000 square feet of disturbed steep slope or portion thereof over 1,000 square feet.

7. REQUEST

The applicant requests that the Planning Board approve the issuance of a Steep Slope Permit under Chapter 102 of the Code of the Town of Bedford. The applicant proposes the following:

To continue to stabilize a past steep slope  
disturbance of 1300 sq ft

Permission is hereby given to the Town of Bedford, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession.

All applications shall be signed by the owner of the property affected by this application and by the applicant if other than the owner.

Andrew Roos 8/6/13  
Signature of Owner Date Signature of Applicant Date

Andrew Roos  
Name of Owner (please print) Name of Applicant (please print)  
3/05 (over)

## DATA REQUIRED WITH THIS APPLICATION

This application shall include the following:

1. Eleven copies of a site plan drawn at a scale of not less than one (1) inch equals thirty (30) feet, prepared by an engineer, licensed by the State of New York, showing within the lot or lots containing steep slopes, the following:
  - (a) Proposed location of major buildings, septic systems, wells and driveways.
  - (b) The location of the proposed area of disturbance and its relation to neighboring properties, together with buildings, roads, affected trees as defined in Chapter 112 of the Town Code, and affected wetlands as defined in Chapter 122 of the Town Code, if any, within one hundred (100) feet of the boundaries of the said area. An inset map at a reduced scale may be used if requested by the Town Engineer.
  - (c) Existing topography of the proposed area of disturbance at a contour interval of not more than two feet. Contours shall be shown for a distance of fifty (50) feet or greater beyond the limits of the proposed area of disturbance, if determined necessary by the Town Engineer in order to fully evaluate the application.
  - (d) Proposed final contours and proposed surface materials or treatment at the maximum contour interval of two feet.
  - (e) Existing topography of the area proposed to be disturbed and the entire watershed tributary to said area presented at a scale of not more than one hundred (100) feet per inch. This map shall show existing and, if required by the Town Engineer, proposed controls and diversions of upland water.
  - (f) Existing soils on the property, taken from field investigations by a soils scientist and and classified into Hydrologic Soil Groups, The depth to bedrock and depth to water table, K-factor and soil and rock strata in all areas of disturbance shall be identified.
  - (g) The details of any surface or subsurface drainage system proposed to be installed, including special erosion control measures, designed to provide for proper surface or subsurface drainage, both during the performance of the work and after its completion.
  - (h) Cut/Fill Map delineating proposed areas of disturbance at affected depths in feet of 0-3, 3-6, 6-10, and 10 and over.
  - (i) Slope Map showing existing and proposed slopes for each of the soil types described in paragraph (f) above.
  - (j) Any special reports deemed necessary by the Town Engineer to evaluate the application, including but not limited to geologic or hydrogeologic studies.
2. A written narrative explaining the nature of the proposal, including any future development proposals for the property and whether alternative locations exist for the proposed activity.

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

ENVIRONMENTAL CLEARANCE FORM

(This Side to be Completed by Applicant)

1. IDENTIFICATION OF OWNER

Name of owner: ANDREW ROOS  
Address: 58 SWAD RO W., POND RIDGE, NY Phone: \_\_\_\_\_

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: SAME  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site 701 So. Boro Rd
- b. Roads which site abuts Rt 172
- c. Bedford tax map designation: Section 83.12 Block 1 Lot (s) 9
- d. Total site area 11.2 ACRES
- e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action TO CONTINUE SLOPE STABILIZATION OF A SMALL STEEP SLOPE DISBURANCE
- b. Relationship to other actions:
  - 1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: FUTURE POOL CONSTRUCTION
  - 2. List any related actions which may be undertaken, of which this proposed action, e.g. highway reconstruction to serve increased traffic: NONE
  - 3. List any actions which are dependent upon this proposed action, and therefore should be reviewed as part of this action, e.g. house construction in the case of a residential subdivision: NONE

All such actions must be reviewed in conjunction with the action proposed.

5. CLASSIFICATION OF PROPOSED ACTION (see lists of Type I, II, Exempt, Excluded Actions)

- Type I. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
- Type II or Exempt Action. No Environmental Impact Statement is needed. Submit this form only.
- Unlisted Action. Pending Analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

04/05

A Roos  
Signature of Applicant

8/6/13  
Date

**TOWN OF BEDFORD**  
**ENVIRONMENTAL CLEARANCE FORM**  
(This side only for Official Use Only)

**1. CLASSIFICATION APPROVED; FURTHER ACTION REQUIRED:**

- Type I Action.** The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
  
- Type II or Exempt or Excluded Action.** No Environmental Impact Statement is needed. No further action required.
  
- Unlisted Action.** The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

**2. COMMENTS:**

---

---

---

---

---

\_\_\_\_\_  
Town Agency

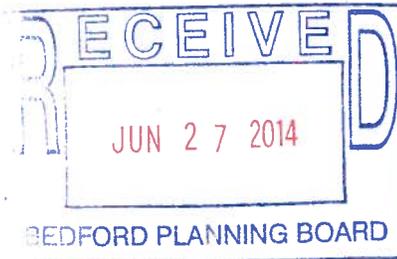
\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

June 26, 2014

BY EMAIL & FEDERAL EXPRESS

Ms. Deirdre Courtney-Batson, Chair, and  
Members of the Planning Board  
Town of Bedford  
425 Cherry Street  
Bedford Hills, NY 10507



Re: Application of Andrew & Susan Roos (Premises: 701 South Bedford Road)

Dear Honorable Chair Courtney-Batson and Members of the Planning Board:

On behalf of Mr. and Mrs. Andrew Roos, the owners of the above-referenced Premises, we respectfully enclose a copy of a letter forwarded to the Roos' neighbors, Ms. Andi Davis and Mr. & Mrs. Gregory Fleming. By that letter, we have provided them with both digital and hard copies of the certain documents, including the plans, as submitted to the Planning Board on June 10, 2014. (Enclosed is a copy of today's email forwarding a letter to the neighbors together with copies of documents).

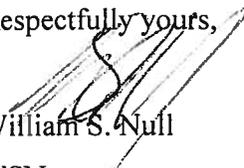
Mr. and Mrs. Roos wrote to Ms. Davis and Mr. & Mrs. Fleming in late May and, again, in early June in order to coordinate meeting with them. Recently, they were advised that their neighbors' travel schedules prevented them from meeting and would continue to prevent any meeting until mid-July. Accordingly, we have forwarded the plans and asked Ms. Davis and Mr. & Mrs. Fleming to provide the Planning Board with any comments.

Please note that Mr. and Mrs. Roos consider it a very high priority to address this matter and have insisted that their consultants promptly respond to any issues raised by the Town. For that reason, we plan to submit documents responsive to the Memorandum from Hahn Engineers within the next few days. In addition, we will submit a revised Landscaping Plan showing that (a) the size of the proposed Norway Spruce trees have been increased to 10 to 12 feet in height; and (b) the size of the proposed Sugar Maple trees have been increased to 3 ½" caliper.

We look forward to appearing before the Planning Board on July 8, 2014, so that we may hear the Planning Board's comments to our June 10, 2014 submission and the follow-up documents that will be submitted shortly.

Thank you for your consideration in this matter.

Respectfully yours,

  
William S. Null

WSN:yp

Enclosures

cc: (w/o enclosures): Mr. Jeffrey Osterman, Planner; Mr. and Mrs. Andrew Roos; Mr. Jeffrey M. White; Mr. Edward Delaney, P.E.; and Ms. Diane Dreier

## Null, William

---

**From:** Null, William [WNull@CUDDYFEDER.COM]  
**Sent:** Thursday, June 26, 2014 1:21 PM  
**To:** Andi Davis; Gregory Fleming (Gregory.Fleming@morganstanley.com)  
**Cc:** Andrew Roos (Andrew.Roos@colliers.com); Susan Roos  
**Subject:** Forwarding documents on behalf of Mr. and Mrs. Andrew Roos [C&F-iManage.FID389034]  
**Attachments:** 6\_26\_14 Ltr to Ms. Andi Davis and Mr. & Mrs. Gregory Fleming forwarding plans and photographs.PDF; Roos Pool Details PDF 6-4-14 (Part of Submission set to Planning Board).PDF; Roos - 6-5-14 PLAN SET Bibbo Associates.PDF; L101-105 Site 2014-06-05 (Submission set to Planning Board).PDF; Planting\_Plan\_6-6-14dwg\_FINAL\_pdf.PDF; 6\_10\_14 PB Submission - Photos.PDF; 6\_10\_14 PB Submission - Tree Plan Drawing, L-106, dated 6\_5\_14.PDF; 6\_10\_14 PB Submission Letter for Tree Removal Permit Application (hand delivered by Ed Delaney).PDF

Dear Ms. Davjs and Mr. & Mrs. Fleming:

At the direction of Mr. and Mrs. Roos, as a courtesy to you and in the interest of expediting any input you may wish to provide, we are enclosing a letter to each of you and the enclosures identified therein, including plans and photographs submitted to the Planning Board of the Town of Bedford on June 10, 2014.

Please review them and provide the Planning Board and our clients with any comments. Our clients remain willing to meet with you, but understand that you will not be available until mid-July. Thank you.

Sincerely,

WILLIAM S. NULL

**CUDDY&  
FEDER**

ATTORNEYS AT LAW

445 Hamilton Avenue

Fourteenth Floor

White Plains, New York 10601

Telephone: 914.761.1300 x1865

Facsimile: 914.761.5372

Website: <http://www.cuddyfeder.com>

June 26, 2014

BY EMAIL & REGULAR MAIL

Ms. Andi S. Davis  
40 Clark Road  
Bedford, New York 10506

Mr. and Mrs. Gregory Fleming  
24 Clark Road  
Bedford, New York

Re: Application of Andrew & Susan Roos  
Premises: 701 South Bedford Road, Bedford, New York

Dear Ms. Davis and Mr. and Mrs. Fleming:

At the direction of Mr. and Mrs. Andrew Roos, owners of the above-referenced Premises, we are writing to provide you with copies of the below-described documents they have submitted to the Planning Board.

As you know, in late May and early June, Mr. and Mrs. Roos sent letters to you asking that you contact them to arrange a meeting. Recently, they were advised that your travel schedules prevented you from meeting sooner. Although Mr. and Mrs. Roos remain available to meet with you to review these plans, we understand that your travel schedules continue to prevent any meeting this month and that you will not be available to meet until mid-July.

Therefore, so that you may review our clients' submission to the Planning Board and provide comments, if any, as a courtesy, we are forwarding to you, both digitally and as hard copies, the following documents submitted to the Planning Board by Mr. and Mrs. Roos on June 10, 2014:

1. Plans prepared by Bibbo Associates, entitled "Roos Residence", dated June 5, 2014 (unless otherwise noted), numbered and titled, as follows:
  - a. (SS-1) Steep Slopes Plan;
  - b. (SP-1) Site Plan;
  - c. (EC-1) Erosion Control Plan; and
2. (D-1) Details. A landscaping plan (P-1) prepared by Diane Dreier Designs, landscape architect, entitled "Planting Plan", dated June 9, 2014 [Please note, however, that: (a) the size of the proposed Norway Spruce trees will be increased to 10 to 12 feet, rather than 7 to 8 feet in height; and (b) the size of the proposed Sugar Maple trees will be increased to 3 ½" caliper, rather than 1 ¾" to 2" caliper];
3. Plans prepared by Jeffrey M. White, Architect, entitled "Roos Residence 701, Bedford, NY", dated June 2, 2014, last revised June 5, 2014 (unless otherwise noted) and numbered and titled, as follows:
  - a. (L101) Site Layout Plan;
  - b. (L102) Pool + Terrace Plan;

- c. (L103) Pool Terrace Elevations;
- d. (L104) Residence Terrace Plan;
- e. (L105) Residence Gates; and
- f. "Pool Schematic Details", last revised June 4, 2014.

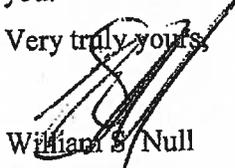
We also enclose copies of the following photographs submitted to the Planning Board on June 10, 2014:

- A. An aerial photograph taken from the easterly side of the properties showings the former house. Two images of this photograph are enclosed (i) zoomed in to show the close-up view, (ii) zoomed out to show the more distant view, including the adjacent property owned by Mr. and Mrs. Fleming.
- B. A plan (L-106), dated June 5, 2014, entitled "Tree Plan" was prepared by Jeffrey M. White, Architect and shows the easterly slope of the property. The Tree Plan indicates the locations of existing and prior trees on the Premises, based upon information from comparisons of aerial photographs with surveyed information. A tree marked with an open circle symbolizes a "Removed Tree", whereas the solid dot represents an "Existing Tree".
- C. A photograph of the winter view from the house prior to its demolition shows the white birch and two trees that were removed.
- D. An aerial view of the foundation of the new house, the existing swimming pool and pool house that also shows the area of construction.
- E. A photograph of the current view of the hillside with the white birch to the right showing that two trees have been removed (i.e., those trees identified above as being 18 inches or more dbh and requiring a Tree Permit).
- F. A photograph of the new house from below the slope shows the pool house and larger trees remaining on the hillside above.

Please provide us or the Planning Board with comments regarding these documents, if any. Please note that we intend to proceed with processing the Application before the Planning Board at its next meeting on July 8, 2014.

Should you have any questions, please do not hesitate to contact Mr. and Mrs. Roos or me. Thank you.

Very truly yours,

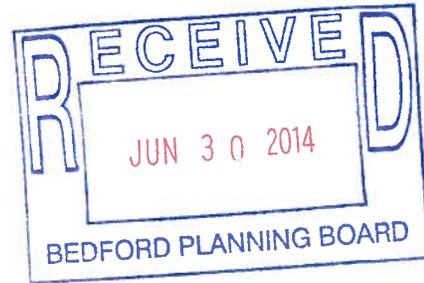
  
William S. Null

WSN:yp

Enclosures

cc: (w/o enclosures): Ms. Deirdre Courtney-Batson, Chair, and Members of the Planning Board; Mr. Jeffrey Osterman, Planner; and Mr. and Mrs. Andrew Roos

June 27, 2014



BY EMAIL & REGULAR MAIL

Ms. Deirdre Courtney-Batson, Chair, and  
Members of the Planning Board  
Town of Bedford  
425 Cherry Street  
Bedford Hills, NY 10507

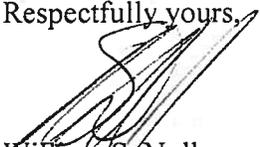
Re: Application of Andrew & Susan Roos (Premises: 701 South Bedford Road)

Dear Honorable Chair Courtney-Batson and Members of the Planning Board:

On behalf of Mr. and Mrs. Andrew Roos, the owners of the above-referenced Premises, we respectfully enclose a copy of an email sent today to the Roos' neighbors, Ms. Andi Davis and Mr. & Mrs. Gregory Fleming, providing them with a copy of the Stormwater Pollution Prevention Plan, dated June 9, 2012, prepared by Bibbo Associates, which was submitted to the Planning Board on June 10, 2014.

We look forward to appearing before the Planning Board on July 8, 2014 to discuss this Application and respond to comments. Thank you for your consideration in this matter.

Respectfully yours,



William S. Null

WSN:yp  
Enclosure

cc: (w/o enclosures): Mr. Jeffrey Osterman, Planner; Mr. and Mrs. Andrew Roos; Mr. Jeffrey M. White; Mr. Edward Delaney, P.E.; and Ms. Diane Dreier

## **Null, William**

---

**From:** Null, William [WNull@CUDDYFEDER.COM]  
**Sent:** Friday, June 27, 2014 10:14 AM  
**To:** Gregory Fleming (Gregory.Fleming@morganstanley.com); Andi Davis  
**Cc:** Bedford Planning Board; Jeff Osterman  
**Subject:** Mr. & Mrs. Andrew Roos (Bibbo Associates, SWPPP, dated June 9, 2014.PDF) [C&F-iManage.FID389034]  
**Attachments:** Bibbo Associates, SWPPP, dated June 9, 2014.PDF

Dear Ms. Davis and Mr. & Mrs. Fleming:

At the direction of Mr. and Mrs. Roos and in furtherance of correspondence yesterday regarding the Application pending before the Planning Board, enclosed please find a copy of the Stormwater Pollution Prevention Plan, dated June 9, 2012, prepared by Bibbo Associates, which was submitted to the Planning Board on June 10, 2014.

Very truly yours,

WILLIAM S. NULL

**CUDDY**

**FEDER** LLP

ATTORNEYS AT LAW

445 Hamilton Avenue

Fourteenth Floor

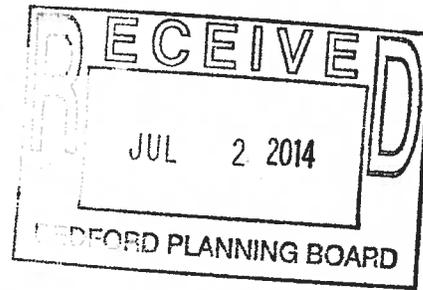
White Plains, New York 10601

Telephone: 914.761.1300 x1865

Facsimile: 914.761.5372

Website: <http://www.cuddyfeder.com>

July 1, 2014



BY FEDERAL EXPRESS

Ms. Deirdre Courtney-Batson, Chair, and  
Members of the Planning Board  
Town of Bedford  
425 Cherry Street  
Bedford Hills, NY 10507

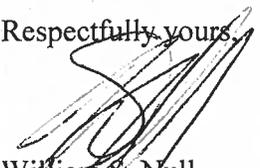
Re: Application of Andrew & Susan Roos (Premises: 701 South Bedford Road)

Dear Honorable Chair Courtney-Batson and Members of the Planning Board:

On behalf of Mr. and Mrs. Andrew Roos, the owners of the above-referenced Premises, we respectfully enclose ten (10) sets of a revised Planting Plan (P-1), dated June 30, 2014, prepared by Diane Dreier Designs, Landscape Architecture/Site Planning. This revised Planting Plan increases the sizes of the Norway Spruce to between 10 and 12 feet in height and increases the size of the Sugar Maples to 3" to 3 ½ " caliper. Under separate cover, Edward Delaney, P.E., of Bibbo Associates will be forwarding a revised Stormwater Pollution Prevention Plan ("SWPPP"), which responds to comments raised by Hahn Engineering in its Memorandum, dated June 19, 2014.

We look forward to appearing before the Planning Board to discuss this Application and respond to comments. Thank you for your consideration in this matter.

Respectfully yours,

  
William S. Null

WSN:yp  
Enclosures

cc: (w/o enclosures): Mr. Jeffrey Osterman, Planner; Mr. and Mrs. Andrew Roos; Mr. Jeffrey M. White; Mr. Edward Delaney, P.E.; and Ms. Diane Dreier



# **BIBBO ASSOCIATES, L.L.P.**

*Consulting Engineers*

Joseph J. Buschynski, P.E.

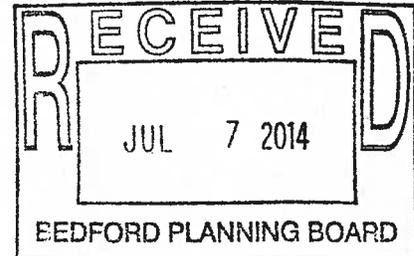
Timothy S. Allen, P.E.

Sabri Barisser, P.E.

July 3, 2014

Town of Bedford Planning Board  
425 Cherry St  
Bedford Hills, NY 10507-1308

Attn: Ms. Deirdre Courtney-Batson, Chair



Re: Site Plan Approval Response  
Roos Property  
701 South Bedford Road  
Sec. 83.12, Blk. 1, Lot 9

Dear Ms. Courtney-Batson:

On behalf of our client, please find the following enclosed for review and approval:

- 5 Plan Sets – 5 sheets containing:
  - Steep Slopes Plan, revised 6/25/2014
  - Site Plan, revised 6/25/2014
  - Erosion Control Plan, revised 6/25/2014
  - Details, dated 6/25/2014
  - Planting Plan, 6/30/2014
- 3 copies - Stormwater Pollution Prevention Plan (SWPPP), revised 6/30/2014
- 3 copies - Notice of Intent (NOI)

Our office has revised the plans in response to the June 19, 2014 memorandum prepared by the Town Engineer. We offer the following responses to the Town Engineer's comments for your consideration:

- 1) We are filing a Notice of Intent (NOI) signed by the owner and will file a Notice of Termination (NOT) when the project is completed.
- 2) The disturbance of 18,878 sf shown on the previous Plan SS-1 is the disturbance of land from 2013. All of the disturbance of land shown on our current plans EC-1 and P-1 are the proposed disturbance of land for the construction of the pool, terrace and stormwater filtration system. We have revised the plans and the SWPPP accordingly, so the proposed disturbances are consistent.
- 3) The stormwater discharges from the new residence are now shown on the plans.

*Site Design ♦ Environmental*

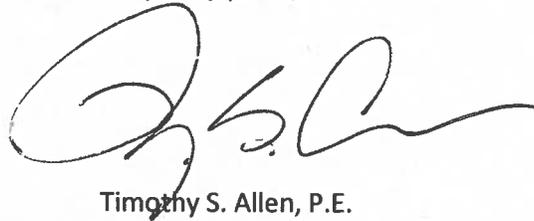
---

Mill Pond Offices · 293 Route 100, Suite 203 · Somers, NY 10589  
Phone: 914-277-5805 · Fax: 914-277-8210 · E-Mail: bibbo@optonline.net

- 4) Deep soil tests in the location and depth of the proposed filtration system have been provided on the plans.
- 5) Direct access to the infiltration practice for maintenance and rehabilitation is provided by an existing utility access, and is now shown on the plans.
- 6) We have also added an offline diversion manhole to bypass any flows that exceed the system's maximum capacity.

We respectfully request this matter be placed on your next agenda for consideration of approval.

Very truly yours,



Timothy S. Allen, P.E.

TSA/neh/mme  
Enclosures

cc: A. Roos (w/SWPPP & Plans)  
James Hahn, Town Consulting Eng. (w/SWPPP, Plans & NOI)  
Jeffrey Osterman; Planning Dept. (w/Plans)  
Bill Null, Esq. (w/Plans)  
File

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

PRELIMINARY SITE PLAN APPLICATION

Submit to: Town of Bedford Planning Board, Bedford Hills, N.Y. 10507

1. IDENTIFICATION OF OWNER

Name of owner: 570 North Bedford Road 4 ONAB Corp Phone: 914-242-6200

Address: 562 4 570 Bedford Road, Bedford, N.Y. 10506

SIGNATURE OF OWNER: \_\_\_\_\_ Date: 1/28/14

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Splash Bedford Hills LLC (Attn: Mark Curtis) Phone: 203-324-5400

Address: 625 West Putnam Avenue, Greenwich, CT 06830

Interest of applicant: Business Owner

3. PROFESSIONAL PERSON PREPARING SITE PLAN

Name: Kellard-Sessions Consulting 4 The Helmes Group, LP Phone: KS: 273-2323  
THG: 292-4633

Address: KS-500 Main St, Armonk, N.Y. 10504 4 THG: 184 Katonah Ave, Katonah, N.Y. 10536

4. IDENTIFICATION OF DEVELOPMENT

Bedford Tax Map Designation: Section: 72.05 Block: 1 Lot(s): 39, 39.1, 433 Area: lots 39 4 39.1 (1.13 acres) lot 33 (6.54 acre) Total 1.67 acres

Zoning District: RB4 R 1/2 A Proposed Use: New Car Wash 4 Detailing Facility

Number of parking spaces required by the Bedford Town Code: 12

5. SUBMISSIONS ACCOMPANYING THIS APPLICATION

- Ten (10) copies each of 10 sheets showing data required by Article IX, Section 125-89 of The Bedford Town Code for approval of a Preliminary Site Plan.
- One (1) copy of any additional sketches, renderings, or other information which the Applicant may wish to present to the Planning Board.
- Fee in amount of \$500, plus \$25 per parking space required by the Bedford Town Code. (make check payable to the Town of Bedford).

(See reverse side of this form for information required with this application)

## DATA REQUIRED WITH THIS APPLICATION

All of the following information shall be indicated shall be indicated on the preliminary site plan drawn at a scale of not less than one (1) inch equals 30 feet:

- a. Title of development, date, north point, scale, name and address of owner of record and applicant, if other than owner; and of engineer, architect, landscape architect or surveyor preparing the plan.
- b. Area and boundaries of the subject property, section and lot numbers of the subject property, adjacent and existing zoning and special district boundaries, building or setback lines as required by the Code, lines of existing streets and adjoining lots as shown on the Town's Official Tax Maps, and reservations, easements, and other areas dedicated to public or special use.
- c. Existing and proposed contours at a maximum vertical interval of two (2) feet.
- d. Outline and elevations of the pavement of abutting streets, and of proposed means of vehicular access to and from the site.
- e. Locations of existing wetlands, watercourse, storm drains, and utility facilities, and proposed modifications or additions thereto.
- f. The proposed use or uses of land and buildings, existing and proposed, and location and finished floor levels of all buildings.
- g. Number of proposed parking and loading spaces, and location and elevation of these areas. (See Article X, Section 125-102)
- h. Location and layout of proposed recreation areas, where proposed.
- i. General plan for buffer screening and other site landscaping.
- j. General plan showing staged development, if intended.

PLANNING BOARD  
TOWN OF BEDFORD  
WESTCHESTER COUNTY, NEW YORK

ENVIRONMENTAL CLEARANCE FORM

(This Side to be Completed by Applicant)

1. IDENTIFICATION OF OWNER

Name of owner: 570 North Bedford Road, LLC & ONAB Corp.  
Address: 562 & 570 Bedford Road, Bedford, NY 10506 Phone: 914-242-6200

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Splash Bedford Hills, LLC Attn: Mark Curtis  
Address: 625 W. Putnam Ave, Greenwich, CT 06830 Phone: 203-324-5400

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site Old Carvel Building & Used Car lot  
b. Roads which site abuts Bedford Road & Valerio Court  
c. Bedford tax map designation: Section: 7205 Block 1 Lot(s) 39, 39.1, & 33  
d. Total site area Lots 39 & 39.1 (1.13 Acres) & Lot 33 (0.524 acres)  
e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. IDENTIFICATION OF PROPOSED ACTION

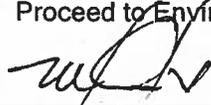
- a. Description of Proposed Action New Car Wash and Detailing Facility  
b. Relationship to other actions:  
1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: N/A  
2. List any related actions which may be undertaken, of which this proposed action, e.g. highway reconstruction to serve increased traffic: N/A  
3. List any actions which are dependent upon this proposed action, and therefore should be reviewed as part of this action, e.g. house construction in the case of a residential subdivision: N/A

All such actions must be reviewed in conjunction with the action proposed.

5. CLASSIFICATION OF PROPOSED ACTION (see lists of Type I, II, Exempt, Excluded Actions)

- Type I.** An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
- Type II or Exempt Action.** No Environmental Impact Statement is needed. Submit this form only.
- Unlisted Action.** Pending Analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

04/05

  
Signature of Applicant

1/28/14  
Date

**TOWN OF BEDFORD  
ENVIRONMENTAL CLEARANCE FORM**  
(This side only for Official Use Only)

**1. CLASSIFICATION APPROVED; FURTHER ACTION REQUIRED:**

- Type I Action.** The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.
  
- Type II or Exempt or Excluded Action.** No Environmental Impact Statement is needed. No further action required.
  
- Unlisted Action.** The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

**2. COMMENTS:**

---

---

---

---

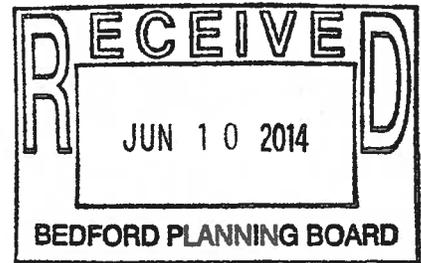
---

\_\_\_\_\_  
Town Agency

\_\_\_\_\_  
Agency Signature

\_\_\_\_\_  
Date

**CHARLES V. MARTABANO**  
Attorney at Law



9 McKeel Street  
Katonah, New York 10536  
[cmartabano@gmail.com](mailto:cmartabano@gmail.com)  
(914) 242-6200 Telephone  
(914) 242-3291 Facsimile  
(914) 760-9241 Cell

June 9, 2014

VIA EMAIL DELIVERY

Chairman Peter Michaelis and  
Members of the Zoning Board of Appeals  
Town of Bedford  
425 Cherry Street  
Bedford Hills, New York 10507

Re: New Car Wash & Detailing Facility for Splash Bedford Hills, LLC  
(Old Carvel Site - Bedford Road, Bedford Hills, NY)  
Section 72.05, Block 1, Lots 39, 39.1 & 33  
Owners: ONAB Corp. and 570 North Bedford Road LLC

Dear Chairman Michaelis and  
Members of the Zoning Board of Appeals:

As you will recall from the content of my letter of April 29, 2014 regarding the above-referenced application, said letter was submitted prior to the Planning Board issuing, as lead agency for the Revised Project, its SEQRA determination with respect thereto. As set forth at the conclusion of my letter, I indicated my belief that the lead agency's SEQRA determination could only conceivably take the form of a negative declaration as (a) the Planning Board had previously issued a negative declaration in connection with the prior, more ambitious iteration of the Project; the Planning Board's negative declaration in connection with the prior, more ambitious iteration of the Project had been sustained upon judicial challenge; and the Revised Project presented significant decreases in impacts as a consequence of the modifications applicable to the Revised Project as confirmed by the Planning Board's receipt of updated traffic and acoustic studies as referenced in my letter. I also indicated my belief that issuance of the negative declaration and the Planning Board's report and recommendation to the Zoning Board of Appeals based upon the factors specified in the Bedford Code for issuance of a special permit would be issued sometime in May.

Consistent with the foregoing, on May 13, 2014 the Planning Board made its SEQRA determination with respect to the Revised Project and, during such meeting, also specifically set forth its intended recommendation to the Zoning Board of Appeals pursuant to its obligations under section 125- 59 of the Code. Unfortunately, as of June 6, 2014 the actual written

documentation authorized by the Planning Board was not yet available. By reason of the foregoing and at the suggestion of the Director of Planning, I obtained a copy of the recording of the meeting for the purpose of providing to your Board an accurate summary of what transpired at such meeting. I am of the belief that at the time of the public hearing on this matter, your Board will be in receipt of the actual documentation which will verify the information set forth below. I simply wanted to ensure that your members were provided with this information in time sufficient to become familiar with same. Obviously, the information set forth below is subject to confirmation through the actual documentation to be provided to the Zoning Board of Appeals.

With the foregoing as a caveat, at its meeting of May 13, 2014, the Planning Board:

1. completed part 3 of the EAF setting forth in detail the factual basis for the Planning Board's determination that the Revised Project would not have significant environmental impacts including references to specific expert consultant reports;
2. adopted specific findings to support issuance of a negative declaration based on the EAF; and,
3. adopted a negative declaration under SEQRA; and,
4. authorized preparation of a report to the Zoning Board of Appeals recommending approval of issuance of a special permit by the Zoning Board of Appeals based upon the specific factors for issuance of a special permit as set forth in section 125- 60 of the Code.

As set forth above, in my letter of April 29, 2014 I specifically anticipated issuance of a negative declaration by the Planning Board as lead agency under SEQRA for the Revised Project. My belief was predicated upon the fact that:

- a. after more than two years of review the Planning Board, as lead agency under SEQRA previously adopted a negative declaration with respect to the original and significantly more ambitious iteration of the Project; and,
- b. such SEQRA determination was challenged through a proceeding prosecuted under the name of a neighboring property owner; and,
- c. the reviewing court analyzed each and every challenge made to the issuance of the negative declaration and determined that such property owner's "*substantive challenges to the [Planning Board's] SEQRA determination are without merit*"; and,

- d. the Revised Project was significantly reduced in scale resulting in a plan which eliminated any need for variances such as those granted by your Board in December of 2012; and,
- e. the reduction in scale of the Revised Project as fully articulated in my letter of April 29, 2014 significantly reduced the impacts associated with the original project as to which, as aforesaid, the reviewing court determined that issuance of a negative declaration was appropriate; and,
- f. in what could only be described as an overabundance of caution, the Planning Board sought additional review of the traffic and noise impacts associated with the Revised Project, which such reports completely supported issuance of a negative declaration.

Consistent with the foregoing, it is significant to note that, as your Board will observe from the content of the negative declaration itself, at its meeting of May 13, 2014, the Planning Board, made specific note of the fact that such Board had made an earlier determination of no significant environmental impact with respect to the original project and that such determination was sustained in its entirety by the October 4, 2013 determination by Supreme Court. The Board went on to state that as the Revised Project eliminated the oil lube facility, the Revised Project presents even less impacts than the earlier version which was the subject matter of their judicially sustained negative declaration. The Board further went on to point out that despite the foregoing, the Planning Board continued to study a number of issues pertaining to the Revised Project specifically citing additional studies pertaining to traffic, noise, and compliance with the Comprehensive Plan. Further, and this has specific relevance to the factors to be considered in connection with the issuance of the special permit, the Director of Planning caused the Planning Board's retained consultant to comment on the issue of air emissions with the result that the Planning Board's retained consultant advised the Board that there existed no significant impacts relating to air quality associated with the Revised Project.

Turning to the issue of its recommendation to the Zoning Board of Appeals, and again subject to confirmation through receipt and review of the actual documentation, the Planning Board stated its opinion that the changes reflected by the Revised Project represented an improvement over the prior plan which was the subject matter of their earlier negative declaration and approval, specifically noting that these changes have improved the prior plan from a planning, design and impact perspective, reducing traffic, visual and other environmental impacts. The Planning Board made note of the applicant's willingness to implement those recommendations made by the independent consultants retained by the Planning Board and further made note of the intention of the Planning Board to cause the project to be reviewed one year subsequent to issuance of site plan approval, specifically pointing out that the

implementation of such a condition was sustained by the reviewing court upon challenge in the prior article 78 proceeding.

Moreover, at my request the Planning Board specifically reviewed each of the five factors specified in section 125-60 of the Code, pointing out in this regard that the intensity of the Planning Board's review of the proposed site plan has been devoted specifically to the content of the standards set forth in section 125-60 of the Code. The standards include the following:

**§ 125-60. General standards.**

- A. The proposed use will serve a community need or convenience and will not adversely affect the public health, safety and general welfare.
- B. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located.
- C. The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- D. Operations in connection with any special permit use will not be more objectionable to nearby properties by reason of noise, fumes, vibration, light or other characteristics than might be the operations of any permitted use not requiring a special use permit.
- E. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses; and the entrance and exit drives shall be laid out so as to achieve adequate safety.

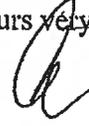
At the meeting of May 13, 2014, the Director of Planning read each of the standards and the Planning Board commented as to the nature and extent of the Planning Board's review of the factors set forth in each such standard, specifically pointing out how the Revised Project met each of the standards and how the Planning Board, in making its recommendation, had intensively studied the facts pertaining to same so as to result in its recommendation that the Zoning Board of Appeals approve the issuance of the special permit. After each standard was read, the Planning Board recited the intense nature of its study of the underlying factors applicable to each with perhaps the most significant comments pertaining to subsections B and D. With respect to subsection B, the Planning Board made specific reference to the amount of time devoted to the study of the compliance of the original project and the Revised Project with the Comprehensive Plan, noting that the Planning Board's determination as to the compliance of the original project with the Comprehensive Plan was also sustained by the reviewing court, pointing out further that the changes made to the Revised Project merely provided more support

for such determination by providing additional protections for adjoining residential properties. With respect to subsection D, the Planning Board pointed out that the impacts referenced in subsection D had been "studied in detail" so as to result in the recommendation to the Zoning Board of Appeals to approve issuance of the special permit. It should be noted in this regard, as I believe will be specifically recited in the part 3 of the EAF and the findings underlying issuance of the negative declaration, that the Planning Board reviewed no less than ten separate traffic reports to support its determination and recommendation as well as multiple expert submissions on the issue of noise and the compliance of the original project and the Revised Project with the provisions of the Bedford Code pertaining to noise. I am confident that your Board will receive, by the time of the public hearing, all of the final documentation constituting the Planning Board's final part 3 of the EAF as well as the negative declaration and the Planning Board's report and recommendation with respect thereto and I look forward to your Board's review of the content thereof.

As you know, your Board unanimously approved issuance of the special permit for the original, more ambitious version of the Project. Your Board issued such special permit simultaneously with issuance of a use variance and two area variances. The members of the Board are respectively referred to the content of my letter of April 29, 2014 for a recitation of the significant modifications made to the prior plan, resulting in the Revised Project proposed for issuance of the special permit. Simply stated, the Revised Project eliminates the need for any variances. The Revised Project eliminates the need for any variances through the elimination of the quick lube facility and the removal of lanes of traffic and parking from the residentially zoned portions of the property. In conjunction with the elimination of the quick lube facility therefore, 100% of the previously proposed commercial activities were removed from the residentially zoned portion of the property. Lanes of travel have been eliminated from the residentially zoned portion of the property, thereby essentially creating a buffer area twice the size of the buffer previously proposed and required by your Board. Parking has been relocated to eliminate the need for a variance for setback/buffer purposes. The slope has been preserved. Additional landscaping has been added to the plan. Simply stated, and as confirmed by the Planning Board, the Revised Project represents a significant improvement over the previously proposed and approved project and plan by significantly reducing impacts through the changes referenced above. By reason of the foregoing, and consistent with the environmental determination made by the lead agency under SEQRA and the recommendation of the Planning Board as referenced above, and consistent with your Board's prior unanimous action, it is respectfully submitted that the Zoning Board of Appeals should issue the special permit by reason of its compliance with the factors specifically set forth for the issuance of same as set forth in the Code.

We look forward to appearing before the Zoning Board of Appeals at its meeting of June 11 at which time we can respond to any other questions that members of the Zoning Board of Appeals might have.

Yours very truly,



Charles V. Martabano

cc: Splash Bedford Hills, LLC  
Peter Helmes  
Martabano Family Representatives  
Joel Sachs, Esq.  
Planning Board