

TOWN OF BEDFORD PLANNING BOARD MEETING

425 Cherry Street
Bedford Hills, New York 10507

Tuesday
January 26, 2016
8:00 PM

Conferences:

- 1. Steep Slope Permit – Pool**
Section 72.10 Block 1 Lot 4, R-4A Zone
40-44 Broad Brook Road, Bedford Hills
Owner/Applicant: **Broad Brook Realty, LLC**
(Review steep slope permit application.)
- 2. Proposed 10-Lot Subdivision**
Section 62.9 Block 1 Lot 13, R-4A Zone
Upper Hook Road, Katonah
Section 62.13 Block 1 Lot 1, R-4A Zone
131 Upper Hook Road, Katonah
Owner: **New York Bedford Castle Co.**
Applicant: **America Capital Energy Corporation**
(Continuation of review of the revised DEIS.)

Approval of Minutes:

July 14, 2015
July 28, 2015

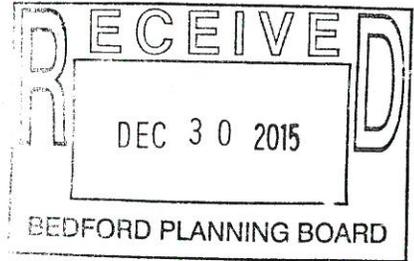
Supporting documentation for all items on this agenda is available at the Town of Bedford website.

www.bedfordny.gov

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

Agenda items subject to change.

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: Broad Brook Realty, LLC

Address: 44 Broad Brook Road, Bedford, NY 10507 Phone: 914-241-2281

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Same as above.

Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: N/A

Address _____ Phone: _____

4. IDENTIFICATION OF PROPERTY

Name or identifying title: 44 Broad Brook Road

Address: 44 Broad Brook Road, Bedford, New York 10507

Bedford tax map designation: Section 72.10 Block 1 Lot(s) 4

Property lies in a (circle one) 4A ~~2A~~ ~~3A~~ ~~4A~~ ~~5A~~ ~~6A~~ ~~7A~~ ~~8A~~ ~~9A~~ ~~10A~~ ~~11A~~ ~~12A~~ ~~13A~~ ~~14A~~ ~~15A~~ ~~16A~~ ~~17A~~ ~~18A~~ ~~19A~~ ~~20A~~ ~~21A~~ ~~22A~~ ~~23A~~ ~~24A~~ ~~25A~~ ~~26A~~ ~~27A~~ ~~28A~~ ~~29A~~ ~~30A~~ ~~31A~~ ~~32A~~ ~~33A~~ ~~34A~~ ~~35A~~ ~~36A~~ ~~37A~~ ~~38A~~ ~~39A~~ ~~40A~~ ~~41A~~ ~~42A~~ ~~43A~~ ~~44A~~ ~~45A~~ ~~46A~~ ~~47A~~ ~~48A~~ ~~49A~~ ~~50A~~ ~~51A~~ ~~52A~~ ~~53A~~ ~~54A~~ ~~55A~~ ~~56A~~ ~~57A~~ ~~58A~~ ~~59A~~ ~~60A~~ ~~61A~~ ~~62A~~ ~~63A~~ ~~64A~~ ~~65A~~ ~~66A~~ ~~67A~~ ~~68A~~ ~~69A~~ ~~70A~~ ~~71A~~ ~~72A~~ ~~73A~~ ~~74A~~ ~~75A~~ ~~76A~~ ~~77A~~ ~~78A~~ ~~79A~~ ~~80A~~ ~~81A~~ ~~82A~~ ~~83A~~ ~~84A~~ ~~85A~~ ~~86A~~ ~~87A~~ ~~88A~~ ~~89A~~ ~~90A~~ ~~91A~~ ~~92A~~ ~~93A~~ ~~94A~~ ~~95A~~ ~~96A~~ ~~97A~~ ~~98A~~ ~~99A~~ ~~100A~~

Total area of property in acres +19.977

Property abuts a State or County highway, thruway or park: Yes: _____ No: X

Property is within 500 feet of the boundary of Town of Bedford: Yes: _____ No: X

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:

The construction of a proposed in-ground pool and associated retaining wall system.

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.

[Signature] 12/6/15 _____
Signature of Owner Date Signature of Applicant Date

Name of Owner
3/05

(please print)

Name of Applicant

(please print)

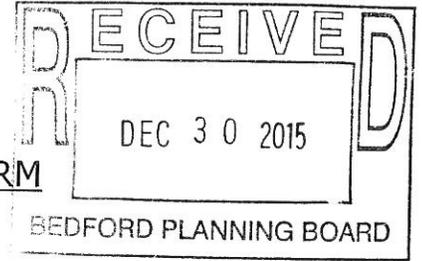
DATA REQUIRED WITH THIS APPLICATION

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 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.



TOWN OF BEDFORD
ENVIRONMENTAL CLEARANCE FORM
 (This Side to be completed by Applicant)



Identification of Applicant

Name Broad Brook Realty, LLC Address 44 Broad Brook Road, Bedford, NY 10507
 Phone 914-241-2281

Identification of Property Owner, if Other than Applicant

Name Same as above. Address _____
 Phone _____

Identification of Site Involved, if any

- a) Name or other identification of site 44 Broad Brook Road
- b) Street which site abuts Broad Brook Road
- c) Tax Map Section 72.10/1/4
- d) Total site area +19.977
- e) Does applicant have a whole or partial interest in lands adjoining this site? No

Identification of Proposed Action

- a) Description of Proposed Action Removal of existing pool and construction of new pool.
- 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: None
 - 2. List any related actions which may be undertaken as a result of 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 a 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.

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: 12/16/15

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

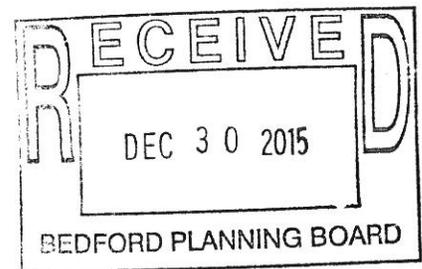
VIA HAND DELIVERED

December 29, 2015

Town of Bedford
Planning Board
425 Cherry Street
Bedford Hills, New York 10507

Attn: Ms. Deirdre Courtney-Batson,
Planning Board Chair

RE: *Broad Brook Realty, LLC*
44 Broad Brook Road
Section 72.10, Block 1, Lot 4



Dear Chair Courtney-Batson:

On behalf of our client (and project applicant) Broad Brook Realty, LLC, Kellard Sessions Consulting, P.C. is pleased to provide three (3) full sets and five (5) half-size sets of the following plans and eight (8) sets, unless otherwise noted, of the following materials in support of the applicant's request for the Planning Board's approval of a steep slope permit for the above-captioned project. One (1) full-size plan set, Stormwater Pollution Prevention Plan Report, and one (1) copy of the accompanying materials have been submitted directly to Hahn Engineering.

Application Forms

- "Application for a Steep Slope Permit", dated December 16, 2015
- "Environmental Clearance Form", dated December 16, 2015

Application Fees (one check for each application is being submitted)

- Steep Slope Application fee in the amount of \$100.00 (Check #3175, dated December 14, 2015)
- Planning Board Escrow fee in the amount of \$1,500.00 (Check #3177, dated December 14, 2015)

- ❑ Steep Slope Permit Plans prepared by Kellard Sessions Consulting, P.C. dated December 21, 2015
 - Sheet 1/5 - “Existing Conditions & Demolition Plan”
 - Sheet 2/5 - “Overall Plan”
 - Sheet 3/5 - “Site and Erosion Control Plan”
 - Sheet 4/5 - “Steep Slope Analysis Plan”
 - Sheet 5/5 - “Erosion Control Details & Notes”

- ❑ Supporting Architectural Drawings (prepared by Maurice Saragoussi Architects) dated December 21, 2015
 - Sheet T.1 - Title Sheet, General Notes, Symbols, List of Drawings
 - Sheet A.1 - Utility (Partial) Site Plan
 - Sheet A.2 - Demolition Plan
 - Sheet A.3 - Foundation Plan
 - Sheet A.4 - Ground Floor Plan
 - Sheet A.5 - Plan of Proposed Pool - Longitudinal Pool Section
 - Sheet A.6 - Shade Structure - Plan, Elevations & Details
 - Sheet A.7 - Cross Section Thru Pool - Details Thru Pool

- ❑ Supporting Structural Drawings (prepared by Grossfield Macri Consulting Engineers, PC) dated December 16, 2015
 - Sheet S-1 - Retaining Wall Plan
 - Sheet S-2 - Sections and Typical Details

- ❑ Stormwater Pollution Prevention Plan Report for 44 Broad Brook Road, prepared by Kellard Sessions Consulting, P.C. dated December, 2015 (1 copy)

The applicant is proposing to remove an existing in-ground swimming pool located at the rear of the property and replace it with a new, larger in-ground swimming pool. The proposed earthwork and retaining wall installation associated with the new pool will disturb a relatively small (703 square feet) area of Town-regulated steep slopes.

Ms. Deirdre Courtney-Batson
December 29, 2015
Page 3

It is our understanding that the proposed action is a Type II Action under SEQRA and an Environmental Assessment Form is not required to be submitted.

By cover of this letter, we are respectfully requesting that this item be placed on your January 12, 2016 meeting agenda for discussion.

We thank you for your consideration in this matter. If you should have any questions or require additional copies of the submitted materials, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "David Sessions / P.E.".

David Sessions, RLA, AICP
Kellard Sessions Consulting, P.C.

DS/pg

Enclosures

cc: Matthew Van Houten w/Enc.
Frank Annunziata, P.E. w/Enc.

Town of Bedford Planning Board

**2nd Floor Conference Room
425 Cherry Street
Bedford Hills, New York 10507**

Tuesday, July 14, 2015

Minutes

A meeting of the Planning Board was held on July 14, 2015, starting at 8:00 P.M., at 425 Cherry Street, Bedford Hills, New York. Present were Chairman Deirdre Courtney-Batson, Vice Chairman John Sullivan, Board Members: William Colavito, Felix Cacciato and Diane Lewis, Planning Director Jeff Osterman, and Secretary Anne Paglia. *[All Planning Board meetings are recorded. A CD copy of this recording may be obtained from the Planning Board Office.]*

Public Hearing:

**Special Use Permit – Accessory Structure Over 20 Feet in Height – Barn
Section 62.17 Block 1 Lot 6, R-4A Zone
20-40 Black Brook Road, Bedford
Owner/Applicant: George Bianco
(Consider Special Use Permit.)**

Present:

George Bianco, Owner

Mr. Bianco described the barn project to the Planning Board. He described the barn as 36 by 42 feet, space for six horse stalls and a hayloft, post and beam, with a cupola on top. He also explained the orientation and the access to the barn.

The Board discussed what the height of the building from the average grade to the top of the roof ridge would be.

Mrs. Courtney-Batson asked if there were any other questions or comments from the audience. *[There was no response.]*

Mr. Cacciato made a motion to close the public hearing. Mrs. Lewis seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Mrs. Courtney-Batson suggested the following conditions for approval:

1. Any lighting on the barn shall be down lighting..
2. A survey of the property shall be submitted to the Planning Board.
3. The maximum height of the barn shall be thirty-two feet.

1.

Motion: A motion was made by Mr. Sullivan to approve this application for a Special Use Permit for an accessory structure over 20 feet in height (the construction of a barn) with the conditions specified.

Motion seconded by Mr. Cacciato.

The Board reviewed the Environmental Clearance Form and unanimously determined that this proposal is a “Type II or Exempt Action” under SEQR.

Mr. Colavito endorsed the Board’s determination on the ECF. Mrs. Lewis seconded.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Conference:

Special Use Permit – Tennis Court

Section 83.13 Block 1 Lot 7, R-4A Zone

326 South Bedford Road, Bedford Corners

Owner: 326 South Bedford Road, LLC

Applicant: Carol Kurth Architecture, P.C.

(Review Field Trip notes. Consider Special Use Permit.)

Present:

Carol J.W. Kurth, FAIA, Carol Kurth Architecture, P.C.

Barry G. Naderman, P.E., Naderman Land Planning & Engineering, P.C.

Mrs. Lewis read the notes from the 7/2/15 field trip:

1. The retaining wall will be 14 to 16 feet. The applicant shall provide a sectional plan to show the appearance of the retaining wall and fencing.
2. The site is within the setback and ready view of the adjacent home.
3. The applicant requested to sturdy alternatives that meet the setback requirements and won’t have a wall dominating access to the lake.
4. The applicant will discuss the dilapidated buildings with the Building Inspector.
5. There is a question as to whether or not there are steep slope issues.

Ms. Kurth stated that she discussed the relocation of the tennis court with the owner, who agreed to the relocation, which would resolve most issues.

Motion: A motion was made by Mrs. Lewis to deny this application for a Special Use Permit for a tennis court due to building coverage.

Motion seconded by Mr. Sullivan.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Conference:

Preliminary Subdivision Approval – Two Lot Subdivision

Section 94.9 Block 1 Lot 7, R-4A Zone

385 Byram Lake Road, Bedford Corners

Owners/Applicants: Timothy and Lisa Ghriskey

(Review Field Trip notes. Consider Waiver of Subdivision Approval.)

Present:

Timothy Ghriskey, Owner

Peter Gregory, P.E., Keane Coppelman Gregory Engineers, P.C.

Mrs. Lewis read the notes from the 7/2/15 field trip:

1. Visibility problems with the driveway as currently proposed were noted.
2. One possible entrance is at the east end of the property, but concern about the sight distance to the west and possible vertical problems to sight distances to the east were raised.
3. The applicant was asked to show the Merestead hiking trails and the Bedford Riding Lane Association trails on the survey.
4. The applicant was asked to consider the possibility of a driveway further east. The driveway closer to the house would damage more trees.
5. The Planning Board asked the applicant to have an engineer assess the driveway.

Mr. Gregory described the plans to the Planning Board. Mrs. Courtney-Batson stated that they should return for a Public Hearing.

Conference:

Special Use Permit – Accessory Apartment

Section 84.17 Block 1 Lot 10, R-1A Zone

17 Gordon Avenue, Bedford

Owners/Applicants: Nicholas and Denise Delfico

(Review Field Trip notes. Consider Special Use Permit.)

Present:

Nicholas and Denise Delfico, Owners

Jeffrey Kane, Attorney

Mrs. Courtney-Batson stated that there were no field trip notes. The Planning Board had nothing to say since they saw no problems when they went to the site.

Motion: A motion was made by Mrs. Lewis to approve this application for a Special Use Permit for an accessory apartment.

Motion seconded by Mr. Sullivan.

The Board reviewed the Environmental Clearance Form and unanimously determined that this proposal is a “Type II or Exempt Action” under SEQR.

Mr. Colavito endorsed the Board’s determination on the ECF. Mr. Cacciato seconded.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Conference:

**Waiver of Site Plan Approval –
Section 72.5 Block 1 Lots 9, 10, RB Zone
527 Bedford Road, Bedford Hills
Owner – Shullman Family LP
Applicant – Russell Speeders of Bedford Hills, LLC
(Consider SEQR action.)**

Present:

Michael Shullman, Shullman Family LP
Robert A. Spolzino, Attorney at Law, Wilson Elser Moskowitz Edelman & Dicker, LLP
Maria L. Castellucci, Consultant in AV and Acoustics

Mr. Spolzino stated that the reports from Ms. Castellucci establish that there is no significant impact of the noise generated by the blowers with regard to the car wash. Therefore, in regards to SEQR, they respectfully request that the Planning Board grant a negative declaration.

Mrs. Courtney-Batson stated that the Planning Board officially declares itself as the Lead Agency, since there has been no objection.

Mrs. Courtney-Batson stated that the Planning Board needs to get their own noise consultant to review what has been said about the Sunday hours, which has not been reviewed by them yet.

Mrs. Courtney-Batson noted a few questions on Part I of the Environmental Assessment Form. She stated that the Town’s consultant has not yet reviewed the latest report on the noise. She requested that the language “...the Town’s noise consultant has concurred...” be removed from the Part I.

Members of the board continued to review the Part I, ask questions and revise the form when necessary.

It was decided to review the latest noise report at the next meeting of the Planning Board.

Conference:

**Preliminary Site Plan Approval – Estate Motors
Section 71.12 Block 2 Lot 31 and 32, RB and LI Zones
793 Bedford Road, Bedford Corners
Owner: John Nohilly
Section 71.12 Block 2 Lot 36, LI Zone
799 Bedford Road, Bedford Hills
Owner: DP 21, LLC
Applicant: John N. Galanin, Estate Motors
(Consider Lead Agency designation.)**

There were two discussions: The first discussion was from 8:55 PM to 9:03 PM. There was no representation of the owners or applicant.

Mrs. Courtney-Batson stated that the Village of Mount Kisco has sent a notice that they wish to be Lead Agency for SEQRA purposes. The purpose of the meeting is to decide as an involved agency if we have any problems with Mount Kisco being the Lead Agency. She stated that the greater part of this project is in Mount Kisco.

Mr. Sullivan asked if they would be Lead Agency for both parcels. Mrs. Courtney-Batson stated that they would handle the SEQRA review for both parcels, but only as long as the design stays the same.

Mrs. Courtney-Batson suggested that the Planning Board send a letter to the Village of Mount Kisco confirming that they are Lead Agency, but also pointing out that we ask to be informed of any changes to the entrance in Bedford, that we be informed of any traffic studies that are done and given the chance to comment on any suggestions or changes in the regulations of that intersection. Mrs. Courtney-Batson asked that the letter state that the Bedford Planning Board is taking the part of an involved agency very seriously and will want to be informed of any part of the review that involves that intersection and that property.

Mr. Osterman suggested that another joint meeting should be held.

Motion: A motion was made by Mr. Colavito to write the letter to the Village of Mount Kisco Planning Board, accepting them as Lead Agency, but as outlined by Mrs. Courtney-Batson. Motion seconded by Mrs. Lewis.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

The second discussion took place at the end of the meeting from 9:17 PM to 9:30 PM when the following representatives arrived.

Present:

Jim Diamond, Owner
Anthony J. Monteleone, Attorney at Law, Monteleone and Monteleone
Peter A. Catizone, P.E., Catizone Engineering, P.C.
John T. Collins, PH. D., P.E., Maser Consulting, P.C.

Mrs. Courtney-Batson reviewed the previous discussion for the people who just arrived.

Mr. Monteleone stated that they had just come from a meeting with the Mount Kisco Planning Board. Mr. Monteleone stated that Estate Motors would be before the Mount Kisco Planning Board next month for the traffic and parking issues in particular. He then reviewed for the Planning Board what was discussed with the Mount Kisco Planning Board.

The entrance and egress to the property as well as the traffic study required was discussed. Mrs. Courtney-Batson restated that there should be a joint meeting to the two Planning boards to discuss this issue.

The possibility of leasing parking from another property was also discussed.

Conference:

Waiver of Site Plan Approval – Outdoor Dining Canopy

49-15-4-52, CB Zone

175 Katonah Avenue, Katonah

Owner: Bgig Realty, Inc.

Applicant: Blue Dolphin Diner

(Consider Waiver of Site Plan Approval)

Present:

Alfredo Abbate, Owner, Blue Dolphin Diner

Kevin P. Helmes, The Helmes Group, LLP

Mr. Helmes explained the proposal to the Planning Board, which would be the replacement of the umbrellas shown on the photographs with one awning. He described the awning supports as six tubes, or columns, approximately 1 ¼ to 1 ½ inches in diameter. These would be structural columns which would be fastened to the brick sidewalk, and in front of the fence and in the rear. He described the awing as a “seasonal canopy.” Mr. Helmes stated that the awing company, Durkin Awnings, would set it up in the beginning of the year. Mr. Abbate stated that the canopy would be up from May through October of each year and that the color of the canopy would be a royal blue, to match the rest of the awnings on the building.

Mr. Colavito asked if there would be an issue with heavy winds. Mr. Helmes said that the awning company stated that the canopy would withstand winds up to 75 mph. Mr. Sullivan asked if the awning could be removed quickly if required. Mr. Helmes said he would ask the awning company.

Mrs. Courtney-Batson said that the Building Inspector said this counts as a structure so a building permit would be required.

Mrs. Courtney-Batson expressed concern about the heater used for the outdoor heating area and the distance from the awning. She asked what the manufacturer’s specifications were for the clearance of the heater to the awning. Mr. Helmes stated that the heaters would have a shield on top. Mrs. Courtney-Batson said that the Planning board would need to have the specifications for the heaters being used.

Mr. Abbate stated that there would be no side panels coming down, there would just be a canopy.

Mr. Osterman explained that there was a permit from the Town Board (2009) to allow for the seating area and that it would now have to be amended to include the canopy.

Mrs. Courtney-Batson said that if the Planning Board writes a letter recommending this to the Town Board, with the requirement that specifications for the heating unit shall be provided to the Planning Board.

Motion: A motion was made by Mrs. Lewis to write a memorandum to the Town Board recommending approval with the requirement noted.

Motion seconded by Mr. Sullivan.

DRAFT – DRAFT - DRAFT

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

Approval of Minutes:

Motion: Mr. Colavito made a motion to approve the minutes of the December 9, 2014 meeting. Mrs. Lewis seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

The next meeting will be on Tuesday, July 28, 2015.

At this point, 9:17 PM, the following people representing the Estate Motors applications arrived: Jim Diamond, Anthony J. Monteleone, Peter A. Catizone, and John T. Collins, and a further discussion ensued. Please refer back to the previous minutes on page 5 for the continuation of these minutes.

Mr. Cacciato moved to close the meeting. Mrs. Lewis seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

The meeting was adjourned at 9:38 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

Anne Paglia, Secretary
Town of Bedford Planning Board

Date

Town of Bedford Planning Board

2nd Floor Conference Room
425 Cherry Street
Bedford Hills, New York 10507

Tuesday, July 28, 2015

Minutes

A meeting of the Planning Board was held on July 28, 2015, starting at 8:00 P.M., at 425 Cherry Street, Bedford Hills, New York. Present were Chairman Deirdre Courtney-Batson, Vice Chairman John Sullivan, Board Members: William Colavito, Felix Cacciato and Diane Lewis, Planning Director Jeff Osterman, and Secretary Anne Paglia. *[All Planning Board meetings are recorded. A CD copy of this recording may be obtained from the Planning Board Office.]*

Public Hearing:

Special Use Permit – Cottage
Section 72.10 Block 1 Lot 11, R-4A Zone
44 West Patent road, Bedford Hills
Owner: Casa Zeta, LLC
Applicant: Phillip Ceradini, Architect
(Consider Special Use Permit.)

Present:

Phillip Ceradini, Architect, AIA
John L. Arons, Attorney at Law, Arons & Neary LLP

Mr. Ceradini described the history of the property and then described the project to the Planning Board. He described the cottage they are applying for is to have a cottage in two of the bays of the six-bay garage which would be a studio apartment. He also described the existing guest house.

Mrs. Courtney-Batson asked if there were any other questions or comments from the audience. *[There was no response.]*

Mr. Ceradini described the septic systems, both existing and planned, when asked by Mr. Colavito.

The Planning Board then discussed the history of the existing cottage with Mr. Arons and the need to legitimize it. Mrs. Courtney-Batson suggested that the applicant make the legitimization of the existing cottage part of the application to the Zoning Board of Appeals if the Building Inspector decides it should be.

Mrs. Courtney-Batson said that a condition of the Planning Board's approval, when they return to the Planning Board, would be that the lights on either side of the doorway of the cottage (new) should be visible only on the deck and not shining out to the countryside. Mr. Ceradini stated that they will make sure that they are down lights.

Mr. Sullivan made a motion to close the public hearing. Mr. Cacciato seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

Motion: A motion was made by Mr. Sullivan to deny this application for a Special Use Permit for a Special Use Permit or a cottage.

Motion seconded by Mr. Colavito.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

Conference:

Waiver of Site Plan Approval

Section 72.5 Block 1 Lot 9, RB Zone

527 Bedford Road, Bedford Hills

Owner: Shullman Family LP

Applicant: Russell Speeders of Bedford Hills, LLC

(Consider report to Zoning Board of Appeals.)

[This item was adjourned.]

Conference:

Waiver of Site Plan Approval

Section 71.12 Block 2 Lot 34, RB Zone

789 Bedford Road, Bedford Hills

Owner: 789 North Bedford Road Corp.

Applicant: Mavis Tire Supply, LLC

(Consider report to Zoning Board of Appeals.)

Present:

Robert E. Cantisani, Owner, 789 North Bedford Road Corp.

Michael Manes, Director Real Estate Development, Weldon Tire

Mr. Manes described the project to the Planning Board.

The Planning Board discussed the following recommendations be made to the Zoning Board of Appeals:

1. Ascertain that the Building Inspector approves the shed and that its proposed use meets the building code and also is compliant with the fire code.
2. The Planning Board agrees that the current location of the shed is preferable from a design point of view. The visual aspect is also considered to be good.
3. In regard to SEQRA, the Planning Board proposed a Type II Action and recommends an uncoordinated review because this would be a less intense use and there are no exterior changes proposed.

4. The Applicant should return to the Planning Board for Final Site Plan Approval with a landscaping and lighting plan.

Mr. Colavito made a motion to send the letter to the Zoning Board of Appeals recommending approval with the four recommendations listed. Mrs. Lewis seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

Discussion:

Configuration of Bedford Road South of Katonah

Mrs. Courtney-Batson stated that this was being discussed because of an application currently before the Planning Board which might affect the long-term plans for this area of Bedford Road. If the Planning Board could come up with a plan for this, then it could be used when any future proposals affecting the area come before the Planning Board.

Mr. Osterman stated that the road was, for some reason, very wide in this area. He stated that the road could be readjusted if required. The property is currently zoned as CB.

A bike path, improving the southern entrance to Katonah, traffic and speed control, and creation of sidewalks were some of the options discussed.

Mr. Sullivan suggested some improvements to the road and sketched them out for the board. The board was particularly interested in continuing the bike path.

Mr. Osterman suggested that the Planning Board do a field trip to see and study the area.

The next meeting will be on Tuesday, August 25, 2015.

Mr. Cacciato moved to close the meeting. Mr. Colavito seconded the motion.

Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato

Nays: None

The meeting was adjourned at 9:15 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

Anne Paglia, Secretary
Town of Bedford Planning Board

Date