TOWN OF BEDFORD
PLANNING BOARD MEETING

425 Cherry Street
Bedford Hills, New York 10507

Tuesday
April 14, 2015
8:00 PM

Conferences:

1. Waiver of Site Plan Approval
   Section 71.8 Block 2 Lot 21, Roadside Business Zone
   655-665 Bedford Road, Bedford Hills
   Owner: **C.R. Wallauer & Co., Inc.**
   Applicant: **George Petre**
   (Consider Waiver of Site Plan Approval)

2. Waiver of Site Plan Approval
   Section 84.10 Block 1 Lot 26, PB-R Zone
   652 Old Post Road, Bedford
   Owner: **Bedford Village Plaza, Inc.**
   Applicant: **Bedford Gourmet**
   (Review revised site plan.)

3. Site Plan Approval
   Alterations and Improvements to the Upper School Campus
   Section 73.13 Block 2 Lot 5, R-2A Zone
   425 Cantitoe Street, Bedford
   Owner/Applicant **Rippowam Cisqua**
   (Consider Final Site Plan Approval.)

4. Review of Draft Environmental Impact Statement dated February 2015
   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**
   (Completeness review of DEIS, Sections I, II, IV and V.)

Approval of Minutes:

October 14, 2014
October 28, 2014

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

ENVIRONMENTAL CLEARANCE FORM

(This Side to be Completed by Applicant)

1. **INDENTIFICATION OF OWNER** C.R. WALLAUER & Co., INC

   Name of owner: ROBERT JUNCAXI, JR
   Address: 30 VIRGINIA RD, WHITE PLAINS NY Phone: 9149984000

2. **INDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER**

   Name of applicant: GEORGE PETRE
   Address: 30 VIRGINIA RD, WHITE PLAINS NY Phone: 9149984000

3. **INDENTIFICATION OF SITE INVOLVED, If any**

   a. Name or other identification of site 655 North Bedford Road
   b. Roads which site abuts Edna Street
   c. Bedford tax map designation: Section: 71.08 Block 2 Lot (s) 21
   d. Total site area 18,026 SF.
   e. Does the applicant have a whole or partial interest in lands adjoining this site? NO

4. **INDENTIFICATION OF PROPOSED ACTION**

   a. Description of Proposed Action Add a 28'-0" x 8'-6" one story addition for a New Hall between 2 Buildings
   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: No.

      2. List any related actions which may be undertaken, of which this proposed action , e.g. highway reconstruction to serve increased traffic: No

      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: No

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

RECEIVED
MAR 5 2015
BEDFORD PLANNING BOARD

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

G. Petre
Signature of Applicant

06/13/14
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

Waiver of Site Plan Approval

13 CAMPUS PLACE
Applicant's Home Address

Date: 06/13/2014

SCARSDALE, NY 10583
City, Town, Village

RECEIVED
MAR 5 2015
BEDFORD PLANNING BOARD

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 655 N. Bedford Rd, Bedford Hills, NY shown and designated on the Town Tax Maps as: Section 71.08 Block 2 Lot(s) 21.

It is my/our intention to add a 28'-0" x 8'-6" one storey addition for a Hall to connect two buildings.
(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 of Owner ~~and/or Applicant~~

Signature of ~~Owner and/or~~ Applicant

3/05

Wallauer's SINCE 1921

To: Mr. Jeff Osterman , Planner at town of Bedford Hills

Dear Mr. Osterman ,

This letter is to respond to your questions in regards to our Store located at

655 North Bedford Road, Bedford Hills , NY 10507

The reason for the extension is to create a hallway between the two buildings which we own for an easy customer flow .

Should you have any questions or concerns please do not hesitate to contact me

at: 914.948.400 ext 830 .

Truly Yours,

George Petre , Corporate Controller

G. Petre 06/30/14

RECEIVED
MAR 5 2015
BEDFORD PLANNING BOARD

PLANNING BOARD
Town of Bedford
Westchester County, New York

RESOLUTION NO. 92/30

WALLAUER FENCE AND EXPANSION OF PARKING AREA

WHEREAS, a written request, dated May 12, 1992, from C. R. Wallauer & Co., 655 Bedford Road, Bedford Hills, New York, for a waiver of the requirement of site plan approval for the installation of a fence on a portion of the rear boundary, repaving of the entire parking lot and addition of a small parking area at the southwesterly corner of the property located on Bedford Road (Rte. #117) and Edna Street, shown and designated on Town Tax Maps as Section 7A Lot 25-5, in the Central Business (CB) District, was received by the Planning Board on May 15, 1992, and

WHEREAS, the Bedford Board of Appeals, by resolution entitled, "Resolution #5-92 Three - Frank Veralli, Wallauer, Inc." dated May 6, 1992, granted a variance to permit the installation of an 8-foot high fence on a portion of the property, and

WHEREAS, the applicant submitted the following: (1) Informal drawing entitled, "Bedford Hills Store - Wallauer's", undated, prepared by C. M. Engineering Services, Ltd., and (2) Survey entitled, "Survey of Property Prepared for C. R. Wallauer & Co., Inc., dated January 17, 1992, prepared by Contractors' Line & Grade South, and

WHEREAS, the Planning Board has determined that the proposed use will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act (SEQR).

NOW, THEREFORE, BE IT RESOLVED, that due to the limited nature of the proposal, the requirement of site plan approval is hereby waived pursuant to Article IX Section 125-93 of the Code of the Town of Bedford subject to the following conditions:

1. The applicant shall submit to the Planning Board staff for its review and approval a plan for street trees along the Bedford Road frontage of the property.

2. The applicant shall make every effort to save the existing tree in the southwesterly corner of the property. The paving in this area shall not include the area within the drip line of this tree.

DATED: May 26, 1992

PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK

RECEIVED
APR 8 2015
BEDFORD PLANNING BOARD

ENVIRONMENTAL CLEARANCE FORM

(This Side to be Completed by Applicant)

1. INDENTIFICATION OF OWNER

Name of owner: Bedford Village Plaza Inc.
Address: 147 Rolling Hills Rd, Thornwood, NY Phone: 914-329-0312

2. INDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Patrick Croke for Bedford Gourmet
Address: P.O. Box 758, Bedford, NY 10506 Phone: 914-234-6093

3. INDENTIFICATION OF SITE INVOLVED, if any

a. Name or other identification of site 460 Old Post Rd.
b. Roads which site abuts Old Post Rd (Rt. 22)
c. Bedford tax map designation: Section: 84.10 Block 1 Lot (s) 26
d. Total site area 1 acre ±
e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. INDENTIFICATION OF PROPOSED ACTION

a. Description of Proposed Action Modification of sidewalk in front of building.
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: Variance for Awning & Signage

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

4/6/15
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

Waiver of Site Plan Approval

Patrick Crohe for Bed Ford Government (Tenant)
P.O. Box 758
Applicant's Home Address

Date: 4/6/15

Bedford, NY 10506
City, Town, Village

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

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APR 8 2015
BEDFORD PLANNING BOARD

Sir or Madam:

I/We am/are the (representative for the) owner (s) of property located on 460 Old Post Rd, Bedford, NY shown and designated on the Town Tax Maps as:

Section 84.10 Block 1 Lot(s) 26.

It is my/our intention to Modify the existing sidewalk in front of the building.
(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,

4/6/15
Signature of ~~Owner and/or~~ Applicant

3/05

Signature of Owner and/or Applicant

To: PB & T.O. 4/8/15

Patrick M. Croke
Architect

April 7, 2015

RECEIVED
APR 8 2015
BEDFORD PLANNING BOARD

Ms. Deirdre Courtney-Batson, Chairperson
Town of Bedford Planning Board
Bedford Town House
321 Bedford Road
Bedford Hills, NY 10507

Re: Bedford Gourmet renovation
460 Old Post Road, Bedford, NY
Section 84.10, Block 1, Lot 26

Dear Ms. Courtney-Batson and Members of the Bedford Planning Board:

On behalf of our client, Bedford Gourmet, and the property owner, Bedford Village Plaza, Inc., we have attached 8 sets of the following drawings prepared by our office, dated 6 April, 2015, for your review in support of an application for the above referenced project:

- Drawing S-01 Site plans
- Drawing S-02 Sidewalk area plan and elevations
- Drawing S-03 Graphics – Color versions
- Drawing S-04 Site photos

This application is for exterior site renovations as part of the interior renovations project currently under construction. The proposed exterior renovations include the expansion of the existing 4' concrete sidewalk to 8' of total width for the majority of the building façade. The sidewalk will be 12'-6" deep at the right side of the building to allow for a properly designed handicapped entrance with a curb ramp to be used by all occupants of the building. The left side of the expanded area will have an angled curb to maintain access to the rear of the building for larger vehicles, such as garbage trucks. The widened sidewalk area will provide handicapped access to the new Bedford Gourmet entrance, provide a buffer between the entrance and the parking lot and provide a small area for tables and chairs. A 31' wide section of the sidewalk will be covered with a retractable awning. This awning will provide some protection for customers in the area of the entrance as well as create a visual element to announce the presence of Bedford Gourmet. Unlike the adjacent buildings, this façade is set back over 200' from the street and may be easily missed by vehicles traveling on Route 22. These exterior renovations are proposed to help make the new location of Bedford Gourmet as successful as their old location.

914 - 234 - 6093
www.pmcarchitect.com
Box 758
11 Court Road
Bedford Village, New York 10506

Patrick M. Croke
Architect

I trust that the enclosed information will be helpful to the Planning Board's review and understanding of the project. I look forward to the opportunity to discuss the project at the April 14th Planning Board meeting and answer any questions the Board may have. I appreciate the Planning Board's consideration of this matter.

Sincerely,

Patrick M. Croke
LEED AP, BD+C

914 - 234 - 6093

www.pmcarchitect.com

Box 758
11 Court Road
Bedford Village, New York 10506

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

RECEIVED
JUN 11 2014
BEDFORD PLANNING BOARD

Identification of Applicant

Name Kaeyer, Garment & Davidson Architects, PC

Address 285 Main Street,Mount Kisco, NY 10549

Phone 914.666.5900

Identification of Property Owner, if Other than Applicant

Name Rippowam Cisqua School

Address 439 Cantitoe Street, Bedford, NY 10506

Phone 914.244.1240

Identification of Site Involved, if any

a) Name or other identification of site Rippowam Cisqua School Upper Campus
b) Street which site abuts Cantitoe Street and Clinton Road
c) Tax Map Section Sections 73.13 / .14 Blocks 2 / 1 Lots 5, 9 / 1
d) Total site area 27.76 Acres
e) Does applicant have a whole or partial interest in lands adjoining this site? No

Identification of Proposed Action

a) Description of Proposed Action Alterations and additions including: partial building replacement, interior renovations, driveway & parking alterations, reduction in curb cuts, landscaping, storm water management.

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: N/A

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

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: 6/10/14

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

PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK

RECEIVED
NOV 5 2014
BEDFORD PLANNING BOARD

FINAL SITE PLAN APPLICATION

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

1. IDENTIFICATION OF OWNER

Name of owner: Rippowam Cisqua School Phone: 914.244.1240

Address: 439 Cantitoe Street, Bedford, NY 10506

SIGNATURE OF OWNER: [signature] Date: 10/14/14

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Kaeyer, Garment & Davidson Architects, PC Phone: 914.666.6900

Address: 285 Main Street, Mount Kisco, NY 10549

Interest of applicant: Architect for the Rippowam Cisqua School

3. PROFESSIONAL PERSON PREPARING SITE PLAN

Name: Joseph C. Riina, P.E. Phone: 914.962.4488

Address: Site Design Consultants, 261 F Underhill Avenue, Yorktown Heights, NY 10598

4. IDENTIFICATION OF DEVELOPMENT

Bedford Tax Map Designation: Section: 73.13/.14 Block: 2/1 Lot(s): 5, 9/1 Area: 27.76

Zoning District: R-2A Proposed Use: Continuing as educational facility - no change

Number of parking spaces required by the Bedford Town Code: 2 additional spaces provided

5. SUBMISSIONS ACCOMPANYING THIS APPLICATION

a. Ten (10) copies each of 30 sheets showing data required by Article IX, Section 125-89 of The Bedford Town Code for approval of a Preliminary Site Plan.

b. Any data required by the Planning Board in addition to the above.

c. Application fee to be computed as follows: previously submitted
$25 for each parking space required by the Town Code. (Make check payable to the Town of Bedford).

(see other side)

DATA REQUIRED WITH THIS APPLICATION

All of the following information shall be indicated on the final site plan which shall be drawn on sheets no larger than 24 inches by 36 inches and at a scale of not less than one (1) inch equals 30 feet:

1. Title of development, date, revision dates, if any, 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.

2. Area and boundaries of the subject property, section and lot numbers of the subject property, adjacent 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.

3. The names of all owners of record of all adjacent properties.

4. Locations and dimensions of all existing buildings, retaining walls, fences, rock outcrops, wooded areas, single trees with a diameter of 8 inches or more measured 3 feet above the base of the trunk, watercourses, marshes, water supply, sanitary sewerage, storm drainage and any other utility facilities and of any other significant existing features on the premises. All significant existing features within 20 feet of all property lines shall also be shown.

5. Existing and proposed contours at a maximum vertical interval of two feet.

6. Proposed use or uses of all land and buildings, and, where only a portion of a property is to be occupied by the development, the boundaries and area of such portion, including required screening and setback areas.

7. Outline and elevations of the pavement of abutting streets, and of proposed means of vehicular and pedestrian access to and from the site.

8. Location, layout and numbers of proposed off-street parking and loading spaces, where provided.

9. Location and layout of proposed recreation areas, where required.

10. Finished floor elevation of buildings, finished grades of walls, pavements and storm drains.

11. Detailed construction plans of retaining walls, steps, ramps, paving and drainage structures.

12. Expected storm drainage loads.

13. Estimate of all earthwork, including the quantity of any material to be imported to or removed from the site or a statement that no material is to be removed or imported.

14. Location and dimensions of all proposed water supply, sanitary sewerage, storm drainage and other utility lines and equipment, including connections to existing facilities.

15. Detailed landscaping plan, including type, size and location of all materials used and plans for buffer screening and fencing.

16. Proposed location, type, design, size, color and illumination of all signs.

17. Proposed type, design, mounting height, location, direction, power and timing of all outdoor lighting.

18. Conditions specified by the Board of Appeals, Planning Board or Town Board in the approval of any variance or special permit related to the subject property.

ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York

RECEIVED
MAR 24 2015
BEDFORD PLANNING BOARD

Resolution #01-15 Six

Special Use Permit
Rippowam Cisqua School
Alterations and Improvement to Upper Campus

WHEREAS, on December 29, 2014 an application was submitted relating to property known and described as Section 73.13 Block 2 Lot 5 on the Tax Map of the Town of Bedford, located on Cantitoe Street in the R-2 Acre Zoning District for a Special Use Permit pursuant to Article VIII Section 125-75 of the Zoning Code of the Town of Bedford (the "Town Code") to permit the alterations and improvements to the Upper Campus of the Rippowam Cisqua School and the continued operation of a pre-existing Private School in a Residential Two Acre Zoning District; and

WHEREAS, the proposal is shown on drawings submitted on December 4, 2014 as follows:

Drawings prepared by Kaeyer, Garment & Davidson, Architects, 285 Main Street, Mount Kisco, NY 10549 as follows:

1. "KG&D Project No. 2012-1073, Rippowam Cisqua School – Upper Campus Alterations & Additions, 439 Cantitoe Street, Bedford, NY", last revised October 27, 2014 and October 29, 2014.

WHEREAS, pursuant to section 125-86 of the Town Code, the application is also subject to review by the Planning Board of the Town of Bedford; and

WHEREAS, the Board of Appeals received a memorandum from the Bedford Planning Board dated January 7, 2015 recommending conditional approval of the Special Use Permit; and

WHEREAS, on October 24, 2014, the Planning Board declared its intent to be Lead Agency for this application pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) by the circulation of a written notice sent to all involved and interested agencies; and

WHEREAS, on December 9, 2014 the Planning Board determined this proposal is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and approved a Negative Declaration for this action; and

WHEREAS, a public hearing held by the Board of Appeals with respect to this application took place on January 7, 2015 at which time all those present wishing to speak were given an opportunity to be heard; and

WHEREAS, the public hearing was closed by the Board of Appeals at the conclusion of its meeting of January 7, 2015; and

WHEREAS, all members of the Board of Appeals have had an opportunity to inspect the site; and

To: P.B. & T.O. 4/8/15

WHEREAS, all members of the Board have reviewed the record before the Board for the purpose of determining whether or not substantial evidence exists upon which to base an appropriate determination with respect to this application, and

WHEREAS, the issuance of the Special Permit is also regulated by the specific standards of Article VIII Section 125-75 of the Town Code. The Board of Appeals finds that the application complies with each of the standards of Article VIII Section 125-75 A through E.

NOW THEREFORE, on a motion by Mr. Michaelis, seconded by Mr. Petschek, it is

RESOLVED, that the extension of the Special Use Permit for alterations and improvements to the Upper Campus of the Rippowam Cisqua School and the continued operation of a pre-existing private school in a Residential 2-Acre Zoning District pursuant to Article VIII Section 125-75 of the Town Code is hereby granted, subject to the compliance with the following conditions:

1. In accordance with the application and plans submitted on December 4, 2014 prepared by KG&D Architects, dated 10/14/14, last revised 10/27/14 and 10/29/14.

2. The applicant shall return to the Planning Board for Final Site Plan approval, which will include revisions to landscaping, lighting and drainage and all other items they deem necessary.

Vote taken on the foregoing motion was as follows:

Ayes – Mr. Petschek, Ms. Black, Mrs. Spano, Mr. Michaelis

Nays – Ms. Schaefer

Peter Michaelis, Chair

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford that was filed in the Office of the Clerk of the Town of Bedford on 3-5 2015.

Alexandra J. Costello, Secretary
Zoning Board of Appeals

ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York

RECEIVED
MAR 2 4 2015
BEDFORD PLANNING BOARD

Resolution #01-15 Seven

Rippowam Cisqua School
Alterations and Improvement to Upper Campus

WHEREAS, application has been made pursuant to Article VIII Section 125-75C of the Code of the Town of Bedford for a variance to permit alterations and improvements to the Upper Campus of the Rippowam Cisqua School including partial building, replacement, interior renovations, driveway and parking alterations, reduction in curb cuts, landscaping and other site improvements resulting in 21.74% maximum of building area plus paved area as a percent of the lot where 20% is permitted, for premises located at 439 Cantitoe Street, Bedford, New York 10506, being known and designated on the Tax Maps of the Town of Bedford as Section 73.13 Block 2 Lot 5 in the R-2 Acre Zoning District, and shown on plans submitted on December 4, 2014; and

WHEREAS, a public hearing was held on January 7, 2015 at which time all those present wishing to speak were given an opportunity to be heard; and

WHEREAS, all members of the Board of Appeals have had an opportunity to inspect the site; and

WHEREAS, pursuant to section 125-86 of the Town Code, the application is also subject to review by the Planning Board of the Town of Bedford; and

WHEREAS, the Board of Appeals received a memorandum from the Bedford Planning Board dated January 7, 2015 recommending conditional approval of the subject application; and

WHEREAS, on October 24, 2014, the Planning Board declared its intent to be Lead Agency for this application pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) by the circulation of a written notice sent to all involved and interested agencies; and

WHEREAS, on December 9, 2014 the Planning Board determined this proposal is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and approved a Negative Declaration for this action; and

NOW THEREFORE, on a motion by Mr. Michaelis, seconded by, Mr. Petschek, it is

RESOLVED, that the application for a variance of Article VIII Section 125-75C to permit the alterations and improvements to the Upper Campus of the Rippowam Cisqua School including partial building, replacement, interior renovations, driveway and parking alterations, reduction in curb cuts, landscaping and other site improvements resulting in 21.74% maximum of building area plus paved area as a percent of the lot where 20% is permitted, be approved in accordance with the plans submitted on December 4, 2014 entitled "KG&D Project No. 2012-1073, Rippowam Cisqua School – Upper Campus Alterations & Additions, 439 Cantitoe Street, Bedford, NY", last revised October 27, 2014 and October 29, 2014. In particular, the Board finds that the benefit to the applicant by granting the variance outweighs any alleged detriment to the community and determined the following:

1. The benefit cannot be achieved by another means feasible means to the applicant; and

2. There will be no undesirable change to the character of the neighborhood or detriment to nearby properties; and

To: R.B. & T.O. 4/8/15

3. The variance request could be considered substantial in some aspects, but is not substantial when viewed in the context of the entire project; and

4. There will be no adverse physical or environmental effects on the neighborhood or community as evidenced by the Planning Board's determination in its role as Lead Agency under SEQRA; and

5. That the alleged difficulty is self-created, but it is only one of the factors to be considered by the Board in making its decision and is not determinative.

And, subject to the following conditions:

1. The applicant shall return to the Planning Board for final site plan approval which will include revisions to landscaping, lighting and drainage and all other items they deem necessary.

2. The applicant must apply for a building permit for the project within one (1) year of the date of the Planning Board's final approval of the project and the applicant shall diligently pursue such construction to completion.

3. The applicant shall submit an as-built survey and site plan to the Building Department prior to the issuance of a Certificate of Occupancy.

4. The applicant shall submit as-built certified coverage calculations to the Building Department prior to the issuance of a Certificate of Occupancy.

5. The approval is granted in accordance with the application and plans submitted on December 4, 2014 entitled "KG&D Project No. 2012-1073, Rippowam Cisqua School – Upper Campus Alterations & Additions, 439 Cantitoe Street, Bedford, NY", last revised October 27, 2014 and October 29, 2014.

Vote taken on the foregoing motion was as follows:

Ayes – Mr. Petschek, Ms. Black, Mrs. Spano, Mr. Michaelis
Absent – Ms. Schaefer

Peter Michaelis, Chair

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford that was filed in the Office of the Clerk of the Town of Bedford on 3-5, *2015.*

Alexandra J. Costello, Secretary
Zoning Board of Appeals

Town of Bedford Planning Board

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

Tuesday, October 14, 2014

Minutes

A meeting of the Planning Board was held on October 14, 2014, 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 Jeffrey Osterman, Secretary Anne Paglia. *[All Planning Board meetings are recorded. A CD copy of this recording may be obtained from the Planning Board Office.]*

Conference:
Site Plan Approval
Alterations and Improvements to the Upper School Campus
Section 73.13 Block 2 Lot 5, R-2A Zone
425 Cantitoe Street, Bedford
Owner/Applicant **Rippowam Cisqua**
(Discuss determination of lead agency.)

Present:
John Marwell, Attorney at Law, Shamberg Marwell & Hollis, P.C.
Erik A. Kaeyer, AIA, Vice President, KG&D Architects

Mrs. Courtney-Batson stated that the object of tonight's meeting for this is to discuss the determination of Lead Agency. She stated that the Zoning Board of Appeals feels that this should be a coordinated review and they would have no objection to the Planning Board declaring itself as Lead Agency.

Mr. Cacciato made a motion to declare the Planning Board as Lead Agency for this proposal. Mrs. Lewis seconded the motion.
Vote: Ayes: Courtney-Batson, Sullivan, Colavito, Cacciato, Lewis
Nays: None

Mr. Kaeyer will be making a supplemental submission to the Planning Board consisting of the traffic report, consisting of a letter from John Collins as well as some traffic movement patterns, a full landscape plan, photometric and site lighting plan and a lot more information related to stormwater together with the two EAF parts for the November 18, 2014 meeting..

Conference:
Special Use Permit – Cottage
Section 60.5 Block 1 Lot 6, R-4A Zone
118 Croton Lake Road, Katonah
Owner/Applicant: **Patricia Padian**
(Review decision of the Zoning Board of Appeals and consider Special Permit.)

Present:
Jerry Padian, Owner
Steven C. Helmes, AIA, The Helmes Group, LLC

Mr. Helmes stated that the application for the cottage was before the Zoning Board of Appeals on October 1, 2014 and received approval with no conditions.

Mrs. Courtney-Batson asked Mr. Helmes what the total area of the cottage will be. Mr. Helmes stated that it would be 960 square feet.

Mrs. Courtney-Batson stated that the conditions of the prior resolution *[Planning Board Resolution No. 11/17]* for the cottage would be the same conditions for this approval.

1. Satisfactory inspection by the Town of Bedford Building Inspector shall be received.
2. The duration of the permit shall be limited to five (5) years and may be renewed by application to the Building Inspector. Prior to the renewal of the permit, the Building Inspector shall inspect the building and shall determine that all of the conditions of this resolution continue to be met.
3. The total area of the cottage shall be limited to 960 square feet.
4. The existing outdoor lighting must meet the Town code and any new lighting added as a result of this change must be down lighting and must be Dark Skies compliant.
5. The owner of the lot on which the cottage is located shall occupy at least one of the dwelling units on the premises.
6. There will be a minimum of two (2) off-street parking spaces suitable for year round use provided on the lot.

Motion: A motion was made by Mrs. Lewis to approve this application for a special use permit subject with the conditions stated.
Motion seconded by Mr. Colavito.

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. Sullivan seconded.

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

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

Conference:
Preliminary Site Plan Approval – Construction of 7,000 SF Building
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**
(Review Preliminary Site Plan.)

Present:
Robert Federico, General Sales Manager, Estate Motors
Anthony J. Monteleone, Attorney at Law, Montleone and Montleone
Peter A. Catizone, P.E., Catizone Engineering, P.C.

[Mr. Sullivan disclosed, for the purpose of this meeting, that while he has had a professional relationship with this applicant in the past, he no longer has a relationship with him. He stated that he had no contractual relationships with him and, consequentially does not feel that this, in any way, restricts him from acting on this application. Mrs. Courtney-Batson stated that she agrees. Mr. Montleone concurred.]

Mr. Montleone introduced himself as the attorney for John Nohilly and Mercedes Benz and Estate Motors. He stated that this is an application that involves both the Town of Bedford and the Village of Mount Kisco. Estate Motors is under contract to purchase the John Nohilly property and has entered into a completed lease negotiation with Diamond Properties, which would involve renting what is now the Wine Enthusiast, which is approximately 113,000 square feet of the old Grand Union Diamond Properties. They would also be leasing that part of the property adjacent to the water tower.

Mr. Montleone stated that the property that is in the Town of Bedford will be a 7,000 square foot building which will have no service facilities, only sales of pre-owned vehicles. He stated that the 113,000 square-foot facility will have all of the service and sales of new vehicles. He said that there would be a driveway connecting the upper portion to the lower portion.

Mr. Catizone described the project to the Planning Board. During the presentation, Mr. Catizone stated that he treated the parking requirements as "office." Mrs. Courtney-Batson stated that she thought it should be considered "retail." Mr. Osterman stated that the tradition is that the Planning Board determines what the parking count needs to be based on what the application with an auto dealer is, because they are all different.

Mr. Catizone pointed out a display area for three cars, which will be kept off of the thirty-foot site distance triangle. He also pointed out a glass display which stacks the cars, which would be kept off of the thirty-foot visibility triangle. Mrs. Courtney-Batson asked Mr. Catizone what he would characterize the glass display as. Mrs. Courtney-

Batson said that she thought this was a sign according to zoning regulations, as such, it would be way over the sign requirements. She stated that this may be a 'hard sell.' Mr. Catizone continued to describe the plan.

Mr. Catizone stated that the property consisted of three parcels. He hoped that the two Nohilly properties would be consolidated into one parcel. He stated that they would be asking for a variance for the parking and the rear yard set back.

Mr. Colavito asked if they had an area set aside for customer parking versus employee parking. Mr. Catizone said that the stacked parking is display parking, not customer parking, and they are not counting that. Mr. Colavito stated that he was concerned about the safety aspect as well as the customer parking. Mrs. Courtney-Batson stated that this is something that the Planning Board has had issues with other dealerships about.

Mr. Sullivan said that there were some fundamental issues regarding circulation that need to be studied further. He said that he felt that the plan is fundamentally flawed in how the circulation works on this site.

Mr. Sullivan questioned why the plan says the building is 7,000 square feet, but it is shown as 8,200 square feet. Mr. Catizone stated that the building that was 8,200 square feet did not work, so the building was reduced to 7,000 square feet.

Mrs. Courtney-Batson then brought up the fact that the intersection with Route 117 does not work well today. People heading north and making a left turn onto the property will tie up the entire intersection. Since this is a full service Mercedes dealer, the Planning Board needs to look at some traffic analyses. She stated that this proposal does not mesh with what the traffic analysis for the larger development did. Mr. Sullivan made some suggestions for the intersection and traffic circulation on the property. Mrs. Courtney-Batson stated that traffic studies would have to be done and suggested the applicant give the traffic usage and actual count numbers of the current Goldens Bridge facility to the Planning Board.

Mr. Montleone discussed the parking requirements with the Planning Board and Mr. Osterman and agreed that if the parking plan changed within the wetlands/wetlands buffer, they would have to go back to the Wetlands Commission. Mr. Catizone stated that they would be increasing the amount of impervious surface. Mrs. Courtney-Batson suggested that the applicant go to the Wetland Commission as soon as possible. Mr. Sullivan suggested they consider permeable pavement.

Mrs. Courtney-Batson stated that the Planning Board will have to do a site visit. She also stated that the Planning Board should try to arrange a joint meeting with the Mount Kisco Planning Board.

Mr. Osterman wanted to make clear that the Planning Board understands what the Department of Transportation may approve for Route 117, but will not be satisfied by what the Department of Transportation says, in this case.

Mrs. Courtney-Batson suggested the Planning Board schedule a site visit before meeting with the Village of Mount Kisco Planning Board.

Mr. Catizone stated that the applicant is on the Mount Kisco Planning Board agenda for November 28, 2014. Mr. Montleone stated that they will report back to the Planning Board about the meeting with Mount Kisco. He also stated that they would agree with whoever is decided to be the lead agency.

Conference:
Final Site Plan Approval – Wash Load Building
Section 73.18 Block 1 Lot 1, R-2A Zone
535 Cantitoe Street, Bedford
Owner: **Bedgolten Corporation**
Applicant: **Bedford Golf and Tennis Club**
(Consider final site plan approval.)

Present:
Robert J. Nielsen, Jr., Superintendent, Bedford Golf and Tennis Club

Mrs. Courtney-Batson stated that the Zoning Board of Appeals declared themselves Lead Agency and that there was no reason for the Planning Board to object to this. The Zoning Board of Appeals also decided that this is a "Type II or Exempt Action" under SEQR. The Planning Board agreed with both of the Zoning Board of Appeals decisions.

Mr. Nielsen gave the Planning Board a copy of the Emergency Response Plan letter received from Peter Aquilino, Fire Chief, Bedford Hills Fire Department.

Mr. Nielsen went over the revisions to the plan which included seven trees.

After discussion with the rest of the Board and the applicant, Mrs. Courtney-Batson listed the following conditions for approval:

1. A list of the seven trees to be removed shall be submitted.
2. Seven new trees shall be planted in locations determined by the applicant. These shall be native trees with a three and one-half inch caliper for deciduous trees and an eight to ten foot height for evergreen trees.
3. A revised plan shall be submitted which shows the location of the seven new trees and an indication that the gas tanks will not be changed and/or removed.
4. The Emergency Response Plan shall be filed with the Town and the Bedford Hills Fire Department prior to the issuance of a Certificate of Occupancy.
5. Final site drainage approval by the Town Engineer shall be approved.

Motion: A motion was made by Mr. Sullivan to approve this application for a special use permit subject to the conditions stated.
Motion seconded by Mrs. Lewis.

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

The next meeting will be on October 28, 2014.

Mr. Colavito moved to close the meeting; Mr. Sullivan seconded the motion.
Vote: Ayes: Courtney-Batson, Sullivan, Colavito, Cacciato, Lewis
Nays: None
The meeting was adjourned at 9:40 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

_____ _____
Anne Paglia, Secretary Date
Town of Bedford Planning Board

Town of Bedford Planning Board

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

Tuesday, October 28, 2014

Minutes

A meeting of the Planning Board was held on October 28, 2014, 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 Jeffrey Osterman, 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 – Tennis Court
Section 83.8 Block 1 Lot 14, R-4A Zone
196 Baldwin Road, Bedford Corners
Owner: **E. Alexandria Stewart**
Applicant: **Benedek & Ticehurst**
(Review proposed Special Use Permit.)

Present:
Glenn Ticehurst, RLA, ASLA, Benedek & Ticehurst Landscape Architects & Site Planners, P.C.

Mr. Ticehurst described the tennis court to the Planning Board. The Planning Board discussed the elevation of the tennis court in relation to the road. Mr. Ticehurst described the grading of the road to the property line and from there to the location of the tennis court.

Mrs. Courtney-Batson asked about the fencing to be used. Mr. Ticehurst responded that it would be black chain link with black metal posts.

Mrs. Courtney-Batson then asked about plantings. Mr. Ticehurst said that they would put plantings in if they were needed for screening. She then suggested that the Planning Board do a site visit.

Mrs. Courtney-Batson stated that the Planning Board would deny the application tonight because it requires a variance from the Zoning Board of Appeals. Mr. Ticehurst stated that they would be merging the property with another lot, which would then meet the coverage requirements when the tennis court is built.

Mr. Colavito asked what the distance would be from the edge of the tennis court to Baldwin Road. Mr. Ticehurst stated it would be eighty four (84) feet.

Mrs. Courtney-Batson proposed that the Planning Board deny the application and that the Planning Board do a field trip to visit the site to determine if any additional landscaping is necessary.

Mr. Colavito made a motion to close the Public Hearing which was seconded by Mr. Cacciato.
Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

Mr. Sullivan made a motion to deny the application on the basis that the proposal does not meet the standards for approval in the Town Code as follows:

1. The proposal does not meet the requirements for building coverage.
2. The proposal does not meet the requirements for building setbacks.

The motion was seconded by Mrs. Lewis.
Vote: Ayes: Courtney-Batson, Lewis, Sullivan, Colavito, Cacciato
Nays: None

Conference:
Amendment to Approved Final Site Plan Approval
– 7,000 SF Office Building
Section 49.11 Block 2 Lot 14, NB Zone
40 Deer Park Road, Katonah
Owner/Applicant: **RPS Family Investments, LLC**
(Consider Amendment to Final Site Plan.)

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

John Sullivan recused himself from this agenda item.

Mr. Sessions reviewed the site plan and the amendments to it with the Planning Board.

The first revision was the removal of the dumpster and the use of 96-gallon totes instead. They will pave an 8-foot by 5-foot area by the driveway so the trucks can have access to the totes.

The next revision discussed was the generator. The original plan was for a twenty kilowatt generator. They have changed it to a twenty-two watt generator. The twenty kilowatt generator was single-phase, but they will need a three-phase generator to operate the elevator in the building. Mr. Osterman questioned whether they would come back to request a larger generator. Mr. Sessions stated that they only wanted a generator to

operate the elevator, lights and heat. The generator will be 62 inches long by 29 inches deep by 33.5 inches high, which will use a buried propane tank.

Mrs. Courtney-Batson asked Mr. Sessions to describe the planting plan. Mrs. Lewis asked that the Kousa dogwood be changed to the Florida dogwood.

Mr. Sessions then discussed the J. T. Moran and Associates, Inc., Tree Assessment Report, *[dated October 17, 2014]* which states that the evergreens have not been compromised. *[These evergreens are on the neighbor's property, but provide screening of the building for the neighbor.]* Mrs. Courtney-Batson asked what the plan was if something happened to those trees. It was agreed that the trees should be sprayed because of the wooly adelgid infestation. Mrs. Courtney-Batson asked if the applicant would be willing to spray the trees if the owner agreed. Mr. Sessions thought that the applicant would be agreeable to spraying. After much discussion, it was agreed that the Planning Board would request the applicant spray the trees *[if the owner of the neighboring property agrees]* for the next five years. The spraying would include any new hemlock planted in that line.

Mrs. Courtney-Batson asked Mr. Osterman if the Town had any issue with the plantings being done in the Town right-of-way. Mr. Osterman suggested that the approval of the planting plan would be subject to approval by the Highway Department. It was agreed that if the Highway Department required the plantings by the generator to be removed, the applicant would have to come back to the Planning Board.

Another condition discussed was the times the generator would be exercised. It was agreed that this should be done during business hours.

Mrs. Courtney Batson then listed the conditions of approval of the amendment to the final site plan:

1. The Kousa dogwood shall be changed to Florida dogwood.
2. The applicant shall offer to pay for spraying of the evergreen trees. The Planning Board strongly recommends that the spraying at least begin with horticultural oil and insecticidal soap.
3. The plan for planting within the Town right-of-way shall be approved by the Commissioner of Public Works.
4. All testing of the generator shall be done during weekday business hours.

Motion: A motion was made by Mrs. Lewis to approve this application for the amendment to the site plan with the conditions stated.
Motion seconded by Mr. Colavito.
Vote: Ayes: Courtney-Batson, Colavito, Cacciato, Lewis
Nays: None

Conference:
Subdivision Approval –Lot Line Change (Two Lots)
Section 84.13 Block 1 Lot 24, R-4A Zone

50 Bayberry Lane, Bedford Corners
Section 84.17 Block 1 Lot 1, R-4A Zone
90 Fox Lane, Bedford Corners
Owners/Applicants: **J. Ronald Morgan III and Adrienne D. Morgan**
(Consider Subdivision Approval.)

Present:
J. Ronald Morgan III, Owner
John L. Arons, Attorney at Law, Arons & Neary LLP
Edward J. Delaney, Jr., Project Manager, Bibbo Associates, L.L.P., Consulting Engineers

Mr. Arons explained the application to the Planning Board.

Mr. Osterman brought up the potential for a driveway which would have undesirable site line distance on Fox Lane. Mrs. Courtney-Batson suggested the Planning Board do a site visit to determine feasibility of the possible driveway. She also stated that the Public Hearing, which is required, could be for a Preliminary Subdivision Approval and , at the option of the Planning Board, a Final Subdivision Approval. The Board and the applicant also discussed the possibility of an easement for a shared driveway.

The existence of a gore was pointed out and the fact that since both abutting properties are owned by the same owner, the subdivision will eliminate this gore. *[Ed Delaney defined a gore as something that happens when two people write two deeds and the land description does not come together which creates a gap, or a gore.]*

It was decided that the Planning Board would do a site walk of the area of the Fox Lane existing driveway and potential driveway on November 21, 2015 and the Public Hearing will take place on November 25, 2015.

2015 Planning Board Schedule:
After discussion, it was decided that the 2015 Planning Board Schedule will be discussed and/or approved at the November 25, 2014 meeting.

The next meeting will be on November 18, 2014.

Mr. Cacciato moved to close the meeting; Mr. Sullivan seconded the motion.
Vote: Ayes: Courtney-Batson, Sullivan, Colavito, Cacciato, Lewis Nays: None
The meeting was adjourned at 9:05 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

_____ _____
Anne Paglia, Secretary Date
Town of Bedford Planning Board