

**TOWN OF BEDFORD
PLANNING BOARD MEETING**

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

**Tuesday
October 13, 2015
8:00 PM**

Public Hearings:

8:00 PM 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**
(Consider Preliminary Subdivision Approval.)

Conferences:

1. 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)
2. 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.**
(Consider Special Use Permit.)
3. Special Use Permit – Barn
– Accessory Structure Over 20 Feet in Height
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.**
(Consider Special Use Permit.)
4. Special Use Permit – Cottage
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.**
(Consider Special Use Permit.)

5. **Special Use Permit**
Section 60.6 Block 3 Lots 63, 65 & 66, R-½A Zone
62, 60 and 64-68 Oak Road, Bedford Hills
Section 60.9 Block 2 Lots 23 & 24, R-½A Zone
Roosevelt Drive and Woodfield Road, Bedford Hills
Owner/Applicant: **The Stepping Stones Foundation**
(Review field trip notes.)
(Review latest submission dated September 21, 2015.)

6. **Four Lot Subdivision**
 - Preliminary Subdivision Approval
 - Steep Slopes PermitSection 49.19 Block 2 Lots 31, 32, 33, 41 & 42, R-¼A Zone
36 Hillside Avenue, Katonah
Owner/Applicant: **KED Partners**
(Review field trip notes.)

7. **Preliminary Subdivision approval – four Lot Subdivision**
Section 82.12 Block 1 Lot 3, R-2A zone
28 McLain Street, Bedford Corners
Owner: **Northern Westchester Professional Park**
Applicant: **Merv Blank**
(Review field trip notes.)

8. **Waiver of Site Plan Approval – Public Garage**
Section 60.11 Block 3 Lot 4, LI Zone
332 Adams Street, Bedford Hills
Owner: **Markland Development Corp.**
Applicant: **536 Bedford Road, LLC**
(Consider recommendations to ZBA for Special Permit.)
(Review latest submission dated October 8, 2015.)

Approval of Minutes:

May 12, 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 PRELIMINARY SUBDIVISION APPROVAL

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

1. IDENTIFICATION OF OWNER

Name of owner: Timothy M. and Lisa B. Ghiskey

Address: 385 Byram Lake Road, Mount Kisco, NY Phone: (914) 241-2324

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Same as owner

Address: 385 Byram Lake Road, Mount Kisco, NY Phone: (914) 241-2324

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: Peter J. Gregory, P.E. - Keane Coppelman Gregory Engineers, PC

Address: 113 Smith Avenue, Mount Kisco, NY 10549 Phone: (914) 241-2235

4. IDENTIFICATION OF PROPERTY

- a. Subdivision name or identifying title Ghiskey Two Lot Subdivision
b. Roads which property abuts Byram Lake Road & Sarles Street
c. Bedford tax map designation: Section 94.90 Block 1 Lot(s) 7
d. Property lies in a (circle one) 4A 2A 1A 1/2A 1/4A TF VA NB CE PB-R PB-O LI
e. Total area of property in acres 9.347 acres

5. REQUIRED INFORMATION

- a. Items required as part of this application are shown on the checklist on the other side of the application. Indicate all items submitted and, if necessary, submit a statement explaining the absence of any items.
b. Waivers: Attach a list of any waivers of the provisions of the Subdivision of Land Chapter of the Town of Bedford requested and an explanation of the special circumstances therefor.
c. Fees: An application fee of \$500 plus \$150 for each new lot or dwelling unit.
Lots or Units 2 Fee \$ 800.00
d. Consideration of conservation subdivision of the property (is) (is not) requested Date of Town Board authorization: _____

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.

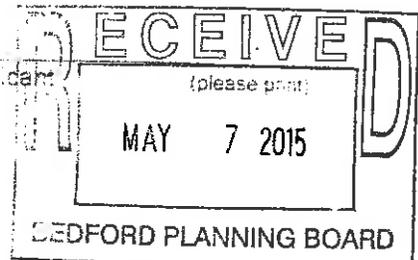
All applications shall be signed by the owner of the property affected by this application and by the applicant if other than the owner.

Lisa B. Ghiskey 4/3/15
Signature of Owner Date Signature of Applicant Date

Lisa B. Ghiskey (please print) Name of Owner
Name of Applicant (please print)

10/09

(over)



ITEMS TO ACCOMPANY APPLICATION

- (1) Eleven (11) copies each of the preliminary subdivision plat____, final construction plans____, topographic map____, and map of contiguous holdings_____.
- (2) Copy of deed or deeds to the subject property as well as copies of easement agreements affecting said property_____.
- (3) The engineer's or surveyor's certification of the total area of the subdivision shown on the on the plat____, the length of all proposed roads shown on the plat____, and the staking of the subdivision as required under Section 107-31 of the Town Code.
- (4) Proof of approval by the Wetlands Control Commission of any alterations to existing terrain conditions which are subject to the issuance of a permit by such Commission. (See Wetlands Chapter of the Town Code)
- (5) Such additional information, maps or studies, including but not limited to soils studies, hydrographic studies, as the Planning Board may deem necessary to study and determine the capacity of the land in relation to the proposed subdivision and any required assessment and/or impact statements.
- (6) Any required assessment and/or impact statements required pursuant to the New York State Environmental Quality Review Act (SEQRA)

CONSERVATION SUBDIVISIONS ONLY

- (7) Approval by resolution of the Town Board authorizing the Planning Board to consider a conservation subdivision of the subject property.
- (8) Statement requesting application of the conservation subdivision procedure, stating the purpose of the plan and listing proposed Town Code modifications_____.
- (9) Four copies each of a sketch layout and preliminary construction plans for a conventional subdivision, in accordance with Section 107-31 of the Town Code.
- (10) Site development plan where authorization to construct attached buildings is requested_____.

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: Timothy M. and Lisa B. Ghriskey
Address: 385 Byram Lake Road, Mount Kisco, NY 10549 Phone: (914) 241-2324

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Same as owner
Address: _____ Phone: _____

3. IDENTIFICATION OF SITE INVOLVED, if any

a. Name or other identification of site Ghriskey Two Lot Subdivision
b. Roads which site abuts Byram Lake Road & Sarles Street
c. Bedford tax map designation: Section: 94.9X Block 1 Lot (s) 7
d. Total site area 9.347 acres
e. Does the applicant have a whole or partial interest in lands adjoining this site? Yes

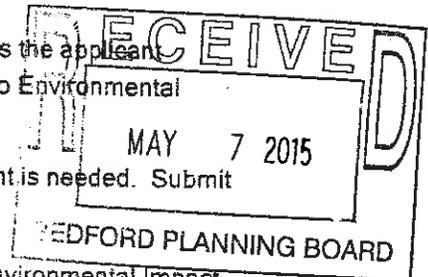
4. IDENTIFICATION OF PROPOSED ACTION

a. Description of Proposed Action A proposed two (2) lot subdivision (creation of one new lot).
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: Construction of a single family four (4) bedroom dwelling.

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

Lisa B. Ghriskey
Signature of Applicant

4/3/15
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

113 SMITH AVENUE
MOUNT KISCO, NY 10549
T:(914) 241-2235 F:(914) 241-6787

September 23, 2015

Mr. Jeffrey Osterman, Director of Planning
Town of Bedford
425 Cherry Street
Bedford Hills, New York 10507

Re: Timothy & Lisa Ghriskey
Proposed Two Lot Subdivision
585 Braham Lake Road

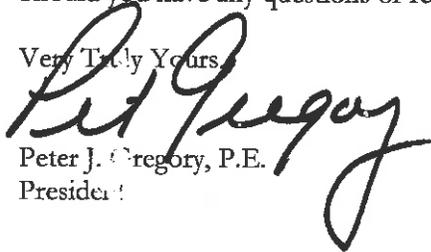
Dear Mr. Osterman:

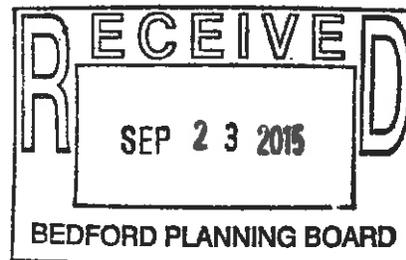
Attached please find a copy of the Integrated Plot Plan and Preliminary Plat for the above referenced application. Plans have been revised to reflect sight lines at the driveway entrance into the proposed lot as well as a Development/Disturbance Envelope to be considered in the development of Lot 2.

We are submitting these plans for your review, prior to formally submitting the revised plan set to schedule a Public Hearing.

Should you have any questions or require any further information, feel free to contact me.

Very Truly Yours,


Peter J. Gregory, P.E.
President





TOWN OF BEDFORD ENVIRONMENTAL CLEARANCE FORM

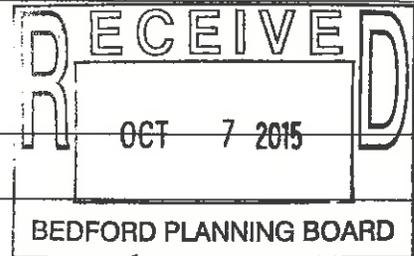
(This Side to be completed by Applicant)

Identification of Applicant

Name BGL Realty inc. Address Katenah, n. y. 10536
173-175 Katenah Ave. Phone _____

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 173-175 Katenah Ave.
- b) Street which site abuts Katenah Avenue
- c) Tax Map Section 49.15-4-52
- d) Total site area 0.23 AC.
- e) Does applicant have a whole or partial interest in lands adjoining this site? _____

Identification of Proposed Action

a) Description of Proposed Action INSTALL A SEASONAL OUTDOOR CANOPY ON THE EXISTING BRICK PATIO.

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: 10/7/10

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

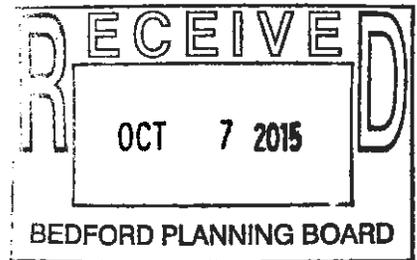
Waiver of Site Plan Approval

Date: 10/7/15

12 Manor Lane
Applicant's Home Address

Camus New York 10539
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 173-175
Katnah Ave. shown and designated on the Town Tax Maps as:
Section 4915 Block 4 Lot(s) 52

It is my/our intention to install a seasonal
(Describe propose)
outdoor canopy on the existing
brick patio.

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

BLUE DOLPHIN DINER - OUTDOOR DINING CANOPY



HTP
style

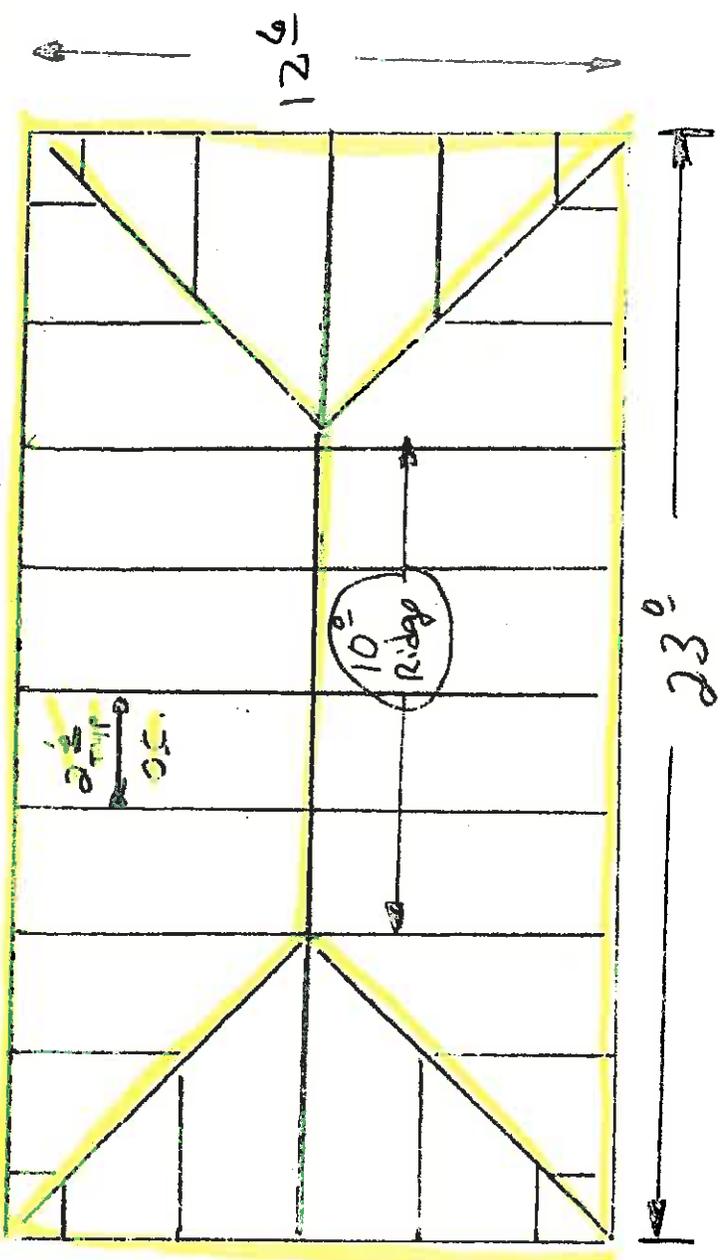
Date _____
90 Beaver Brook Road
Danbury, CT 06810
Phone (203) 748-2142

1/4" = 1'0"



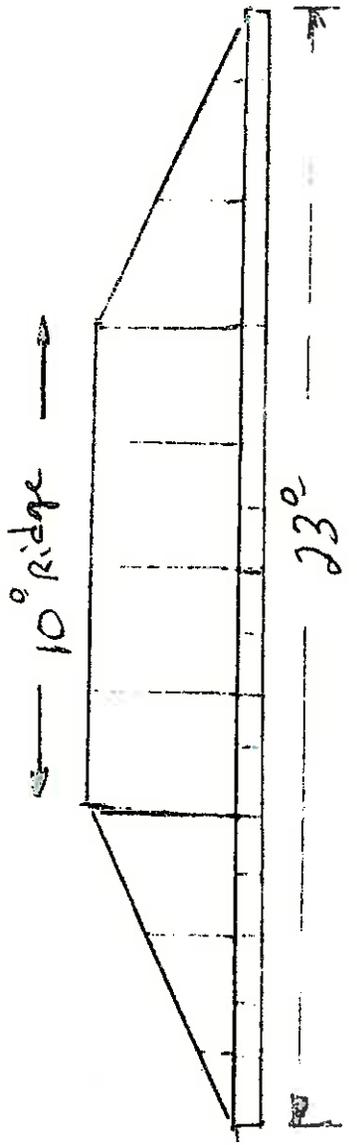
Cust. Name Bliss Dolphin
Street _____
City Keenish
Phone _____

1" galvanized steel frame; hard welded joints



overhead
view
frame
structure

option B ✓
ridged
design
structure



3" pipe
6" pipe

BLUE DOLPHIN - EXISTING CONDITIONS



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: 326 South Bedford Road LLC

Address: 326 South Bedford RD, Bedford Corners NY Phone (212)492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carol Kurth Architecture, PC

Address: 644 Old Post Rd, Bedford NY 10506 Phone (914)234-2595

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name N/A

Address _____

Phone _____

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title _____

b. Roads which property abuts RE 172 / South Bedford Rd

c. Bedford tax map designation: Section 83.13 Block 1 Lot(s) 7

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

e. Total area of property in acres 10.395 AC

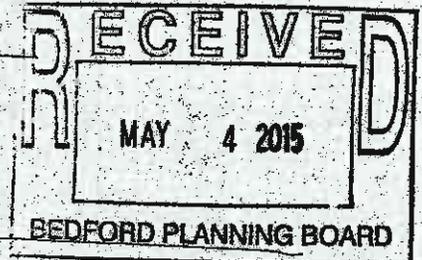
5. REQUEST

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: V Section: 125-50

The applicant proposes the following Special Permit Use:

NEW TENNIS COURT



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)

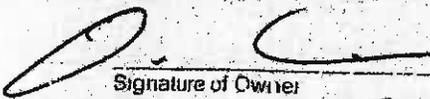
Special Use Permit Application: \$ _____ \$ _____

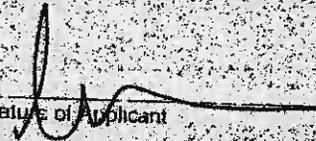
Preliminary Site Plan:
\$500 plus \$25 per parking space required by the Bedford Town Code. \$ _____

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


Signature of Owner _____ Date _____
01 BEHALF OF
326 SOUTH BEDFORD ROAD LLC


Signature of Applicant _____ Date 4/30/15

Name of Owner (Please Print) _____ Date _____


Name of Applicant (Please Print) _____ Date 4/30/15

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: 326 South Bedford Road LLC
Address: 326 South Bedford Rd, Bedford Corners NY Phone: (212)492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carol Kurth Architecture, PC
Address: 644 Old Post Rd, Bedford NY 10506 Phone: (914)234-2595

3. IDENTIFICATION OF SITE INVOLVED, if any

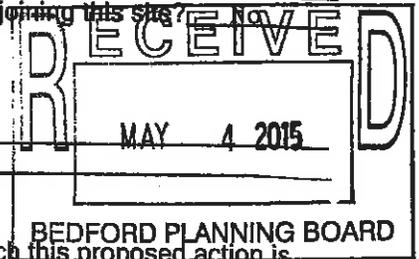
- a. Name or other identification of site 326 South Bedford RD
- b. Roads which site abuts Rt172 / South Bedford Rd
- c. Bedford tax map designation: Section: 83.13 Block 1 Lot (s) 7
- d. Total site area 10.395 AC
- e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. IDENTIFICATION OF PROPOSED ACTION

a. Description of Proposed Action NEW TENNIS COURT

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]
Signature of Applicant

4.30.15
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

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: 326 South Bedford Rd LLC

Address: 326 South Bedford Rd, Bedford Corners, NY

Phone: 212-492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carol Kurth Architecture

Address: _____

Phone: 914-234-2595

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: N/A

Address: _____

Phone: _____

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title _____

b. Roads which property abuts Rte 172

c. Bedford tax map designation: Section 83.13 Block 1 Lot(s) 7

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

e. Total area of property in acres 10.395

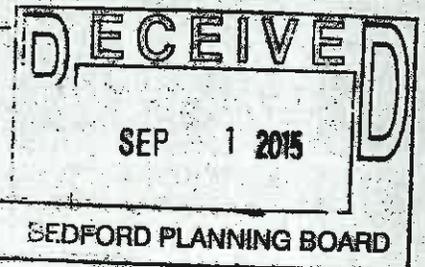
5. REQUEST

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:

Barn



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. \$ _____

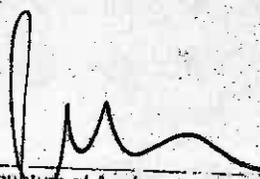
Total: \$ _____

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

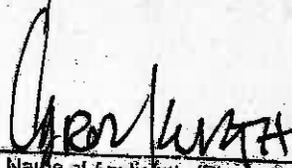
X

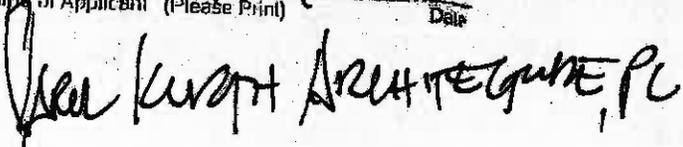
Signature of Owner Date



Signature of Applicant Date 9.1.15

Name of Owner (Please Print) Date



Name of Applicant (Please Print) Date 9.1.15


Name of Applicant (Please Print) Date

6. PUBLIC NOTICE

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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.

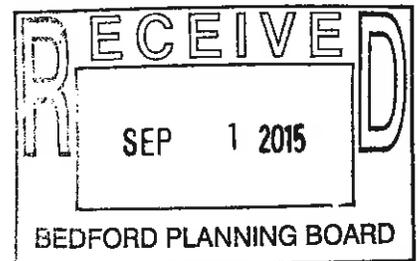
All applications shall be signed by the owner of the property affected by this application and by the applicant, if other than the owner.

X [Signature] 8-31-15
Signature of Owner Date

Signature of Applicant Date

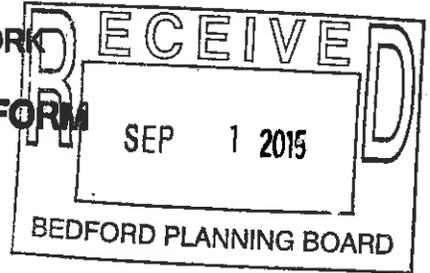
Name of Owner (Please Print) Date

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: 326 South Bedford Road LLC
Address: 326 South Bedford Rd, Bedford Corners, NY 10549 Phone: 212-492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carol Kurth Architecture
Address: 644 Old Post Rd, Bedford, NY 10506 Phone: 914-234-2595

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site 326 South Bedford
- b. Roads which site abuts Rte 172
- c. Bedford tax map designation: Section: 83.13 Block 1 Lot(s) 7
- d. Total site area _____
- e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. IDENTIFICATION OF PROPOSED ACTION

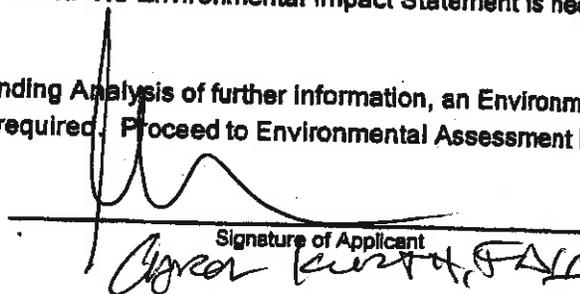
- a. Description of Proposed Action Demo and Rebuild Barn
- b. Relationship to other actions:
 - 1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: _____
 - 2. List any related actions which may 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


Signature of Applicant

9.1.15
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

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: 326 South Bedford Rd LLC

Address: 326 South Bedford Rd, Bedford Corners, NY

Phone: 212-492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carel Kurth Architecture

Address: _____

Phone: 914-234-2595

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: N/A

Address: _____

Phone: _____

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title _____

b. Roads which property abuts: Rte 172

c. Bedford tax map designation: Section 83.13 Block 1 Lot(s) 7

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: 10.395

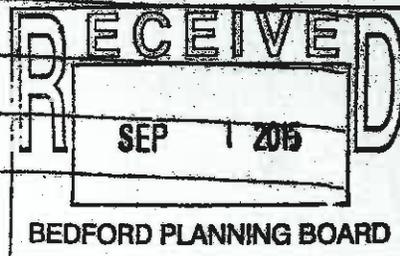
5. REQUEST

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:

2 Bedroom Cottage



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 \$ _____

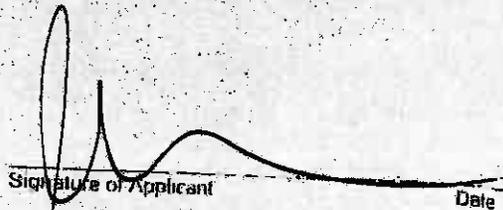
Total \$ _____

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.

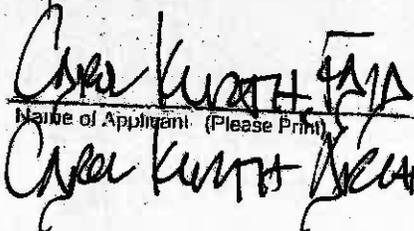
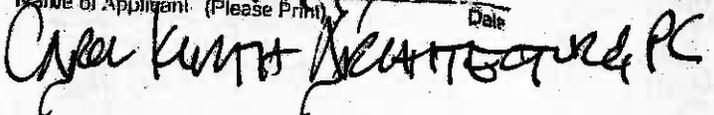
All applications shall be signed by the owner of the property affected by this application and by the applicant, if other than the owner.

X

Signature of Owner _____ Date _____

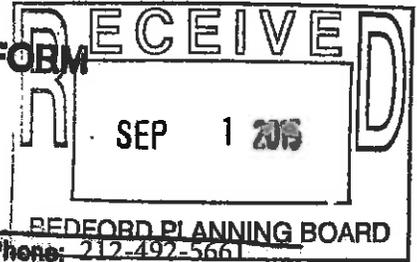
 Signature of Applicant _____ Date 9.1.15

Name of Owner (Please Print) _____ Date _____

 Name of Applicant (Please Print) _____ Date 9.1.15
 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: 326 South Bedford Road LLC
Address: 326 South Bedford Rd, Bedford Corners, NY 10549 Phone: 212-492-5661

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Carol Kurth Architecture
Address: 644 Old Post Rd, Bedford, NY 10506 Phone: 914-234-2595

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site 326 South Bedford
- b. Roads which site abuts Rte 172
- c. Bedford tax map designation: Section: 83.13 Block 1 Lot (s) 7
- d. Total site area _____
- e. Does the applicant have a whole or partial interest in lands adjoining this site? No

4. IDENTIFICATION OF PROPOSED ACTION

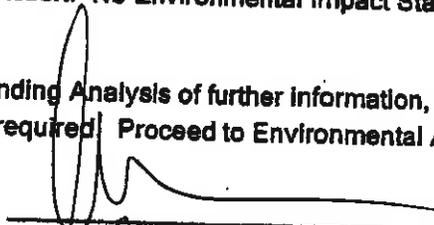
- a. Description of Proposed Action Demo and Rebuild cottage
- b. Relationship to other actions:
 - 1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: _____
 - 2. List any related actions which 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)

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04/05


Signature of Applicant
Carol Kurth, FATA

9.1.15
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.
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- 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



SINGLETON, DAVIS & SINGLETON PLLC

ATTORNEYS AT LAW

THOMAS J. SINGLETON
ROBERT F. DAVIS
WHITNEY W. SINGLETON*

ALEXANDER D. SALVATO

OF COUNSEL: PETER V. SPAGNUOLO**

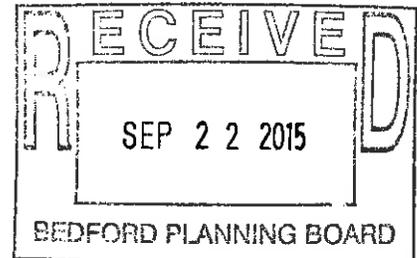
* ALSO MEMBER CONNECTICUT & FLORIDA BARS
** ALSO MEMBER CONNECTICUT BAR

120 EAST MAIN STREET
MOUNT KISCO, NY 10549

914.666.4400
FAX: 914.666.6442
WWW.SDSLAWNY.COM

September 21, 2015

Hon. Deirdre Courtney-Batson, Chairperson
Town of Bedford Planning Board
Town of Bedford Annex
425 Cherry Street
Bedford Hills, New York 10507



Re: **The Stepping Stones Foundation**
62 Oak Road, Bedford Hills, New York
Tax I.D. Nos. 60.9-2-23 and 24 and 60.06-3-63, 65 and 66

Dear Chairperson Courtney-Batson and Members of the Planning Board:

Please accept this correspondence and the accompanying plans/documents as Stepping Stones' last step in finalizing a minor site plan amendment to permit a one-way access and 13 pervious parking spaces.

As you will recall, Stepping Stones was before your Board for nearly two (2) years in conjunction with its application for a site plan amendment and recommendations to the Town Board in connection with the issuance of a special use permit (SUP) and a variance from the Zoning Board of Appeals. As relates to the site plan, the concept has been to create 13 pervious off-street parking spaces in an area screened from adjoining properties, in replacement of the impervious parking that was removed as part of the last approval by your Board and the Town Board. It creates no additional capacity and excepting the removal of a few trees, the plan only has positive impacts. The design: a) shields view of parking from the neighboring properties, b) provides for hundreds of plants to be installed, c) encourages off-street parking consistent with the present practice and as required by the Town Code and d) minimizes the need for backing up of vehicles, and the associated beeping noises, as requested by former Chairman Coe.

Now that the Town Board and Zoning Board have each issued the requisite approvals (copies attached), the Applicant is now returning to your Board to conclude the site

plan amendment process. You will note that the Town Board substantially incorporated your "Recommended Operating Guidelines" into its resolution of approval. The only SUP condition of approval warranting special note is condition #7B (sign locations), which tracks your Board's prior Recommended Operating Guideline #7B. What was once identified by your Board as an item to be "considered", has now been required by the Town Board as a condition of approval. Stepping Stones has no objection to the imposition of this condition.

We would greatly appreciate being placed on your next agenda so that we can all bring this matter to conclusion. As always, Stepping Stones greatly appreciates your time and consideration in this matter.

Sincerely,



Whitney Singleton

Memorandum

TO: Bedford Town Board
FROM: Bedford Planning Board
DATE: September 11, 2012
SUBJECT: Stepping Stones Special Use Permit

The Town Board has requested the recommendations of the Planning Board on the application of Stepping Stones, Inc. ("Stepping Stones") for approval of a special use permit for their operation located at 62-66 Oak Road. The Planning Board has engaged in a series of discussions regarding the operation of this use with representatives of Stepping Stones and members of the neighborhood.

As a part of these discussions, the Planning Board has reviewed correspondence from Stepping Stones and a number of interested parties including, but not limited to the following attached documents:

- "Stepping Stones Protocol for Special Use Permit" last revised April 2, 2012, prepared by Whitney Singleton, Esq., which details the conditions under which Stepping Stones has suggested that they will operate in accordance with a new Special Permit.
- Traffic Reports "Stepping Stones 2011 Visitor and Vehicle Count," dated April 18, 2011 prepared by John Collin Engineers, P.C.
- "Suggested Protocol for Stepping Stones" dated April 2, 2012, prepared by a group of forty-five neighbors recommending operating guidelines for Stepping Stones.
- Table prepared by Deirdre Courtney-Batson indicating the levels of daily activity at Stepping Stones during 2011.

The Planning Board has prepared the document on page 2 titled "Planning Board Recommended Operating Guidelines for Stepping Stones," dated September 11, 2012. In the Planning Board's opinion, these recommended operating guidelines contain elements of all of the above documents and reflect the current use of the Stepping Stones property. These guidelines provide for continuing operation of the Stepping Stones property and include modifications to mitigate the impacts this use currently has on the surrounding neighborhood.

The Planning Board recommends approval of the proposed Special Use Permit in accordance with these guidelines. With the implementation of these guidelines, the Planning Board recommends that the proposed operation will not have a negative effect on the environment as defined in the New York State Environmental Quality Review Act (SEQRA) and that the Town Board should issue a Negative Declaration under SEQRA for this proposal.

The Planning Board also recommends that the Town Board's approval be limited to a period of one year to evaluate the effectiveness of these guidelines.

September 11, 2012

Planning Board Recommended Operating Guidelines for Stepping Stones

1. Normal Operations

- A. Hours for normal operations shall be between 9 a.m. and 5 p.m. Monday through Sunday. Tours or other activities may not be held earlier than 10 a.m. or later than 5 p.m. Monday through Saturday. Only prescheduled tours may occur on Sunday. On any day, tours are requested to be between the hours of 12 p.m. to 3 p.m.
- B. Total daily visitor attendance on the property shall not exceed 50 persons without constituting a Large Event.
- C. One indoor night meeting may be held once a month with not more than 25 attendees.
- D. All parking shall occur on the property at the parking areas accessed from Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.
- E. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- F. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

2. Small Events

- A. A Small Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance is greater than 20 and less than 50 persons. The attendance at a Small Event shall not be included in the total daily attendance in item 1B above. No more than one small event shall be held each day. *not more*
- B. No more than three events shall be held per month on a weekend, no more than two of which may be Large Events.
- C. Total daily visitor attendance on the property shall not exceed 50 persons without constituting a Large Event.
- D. Not more than one Small Event may be held each month on Sunday. No Small or Large event may occur on the preceding Saturday.
- E. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- F. All parking shall occur on the property at the parking areas accessed from Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.
- G. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

September 11, 2012

Planning Board Recommended Operating Guidelines for Stepping Stones, p.2

3. Large Events (Other Than The Annual Picnic)

- A. A Large Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance at the event is greater than 50 but less than 200 persons with the exception of the Annual Picnic (see #4 below). No more than one Large Event shall be held each day.
- B. No more than 6 Large Events, including the Annual Picnic, shall be held per year.
- C. No more than 2 Large Events, including the Annual Picnic, shall be held in any one month.
- D. No Large Event shall be held on Sunday.
- E. Advance written or email notice of each Large Event shall be given to all adjoining property owners as shown on the attached map at least 10 days prior to the event.
- F. The parking area behind the gate at Woodfield Road may be used for Large Events. No parking shall be permitted on local roads. Stepping Stones shall utilize all reasonable measures in their literature, website, and communications to remind prospective visitors of the requirement to utilize on-site parking.
- G. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- H. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

4. Annual Picnic

- A. The Annual Picnic shall be held not more than once a year and shall be limited to a maximum attendance of 600 persons. The Annual Picnic shall not be held on Sunday.
- B. On-site parking shall be restricted to staff, handicapped and emergency personnel only. No parking shall be permitted on local roads.
- C. Other visitors shall be brought to the site using mini-buses shuttling passengers from other permitted parking areas in the Town. Mini-buses shall load and unload passengers within the Stepping Stones property and not on a public street. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.

September 11, 2012

Planning Board Recommended Operating Guidelines for the Stepping Stones Foundation, p.3

- D. Mini-buses exiting the site shall turn left and access Cherry Street over Lily Pond Road to reduce the traffic impacts on Woodfield Road.
 - E. A public address system may be used, provided that noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times.
5. Total Annual Visitation
- A. Notwithstanding the attendance permitted in items 1-4 above, the total annual attendance at the site shall not exceed 3000 persons, a modest increase over the Year 2011 actual attendance.
6. Neighborhood Communications and Record Keeping
- A. Stepping Stones shall schedule two meetings with the residents of the neighborhood, one in early May and one in late September, to discuss operations at the property. Members of the Town staff shall be invited to each meeting by contacting the Planning Department.
 - B. Stepping Stones shall establish a pre-registration system for groups greater than 10 persons. This system shall be shown on the Stepping Stones web site.
 - C. Stepping Stones shall maintain a daily log of activities on the property including the numbers of visitors, tours, types of vehicles, shuttle trips and arrival times. This log shall be submitted to the Town Planning Department annually.
7. Site Plan Considerations
- A. The site plan submitted by Stepping Stones including two sheets titled "Proposed Parking & Landscape Plan," and "Woodfield Road Landscape Plan," prepared David DeLucia Designs, LLC shall be implemented with any revisions required by the Planning Board's site plan approval.
 - B. During the site plan review process, the Planning Board will consider whether the Oak Road entrance sign shall be moved to the interior of the property to give safer opportunities for visitors' photographs. The Board will also consider the construction of a small replacement sign at the site entrance as well as a similar exit sign.
 - C. The Town Board may wish to authorize the use of temporary directional signs to be placed on Cherry Street for Large and Small Events.

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

**Resolution #12-13 Two
Stepping Stones Foundation
Variance**

WHEREAS, on May 9, 2011, the Stepping Stones Foundation (referred to as "Applicant") submitted an application relating to properties at 64-68 Oak Road and 62 Oak Road, Katonah, New York 10536, being known and designated on the Tax Maps of the Town of Bedford as Section 60.6 Block 3 Lot 63, 65, 66 and Section 60.9 Block 2 Lot 23 and 24, located in the Residential 1/2 Acre District, for a variance to permit the continuation of the existing eleemosynary/philanthropic use and the addition of a new pervious parking area for 14 parking spaces on a property that does not have frontage and access on a county or state road; and

WHEREAS, the proposal is shown on drawings as follows:

- "Proposed Parking & Landscape Plan, Stepping Stones Foundation, 62 Oak Road, Katonah, New York, Plan B, Incorporating Bedford Planning Board Suggested Changes as of August 23, 2011," prepared by David DeLucia Designs, LLC; and
- Survey entitled "Survey of Property Prepared for Stepping Stones Foundation Situate in the Town of Bedford, Westchester County, New York," prepared by Robert S. Johnson, P.L.S, dated October 17, 2008, last revised April 25, 2012.

WHEREAS, the proposal would result in:

WHEREAS, pursuant to Article VIII Section 125-82 the application is also subject to issuance of a Special Use Permit by the Town Board and a review by the Planning Board of the Town of Bedford; and

WHEREAS, the applications are subject to the requirements of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, as three agencies of the Town of Bedford have permit issuing authority, coordinated review of the applications under SEQRA was required; and

WHEREAS, in recognition of the need for coordinated review pursuant to SEQRA, the Town Board declared its intention to assume Lead Agency status for this application referenced above by notice given on May 6, 2011 and a copy of such notice was transmitted to the Board of Appeals; and

WHEREAS, the Town Board determined to issue a Negative Declaration under SEQRA dated January 22, 2013; and

WHEREAS, on September 11, 2012, the Planning Board transmitted to the Bedford Town Board a memorandum including "Planning Board Recommended Operating Guidelines for Stepping Stones," dated September 11, 2012 and said information was transmitted to the Zoning Board of Appeals on May 10, 2013; and

WHEREAS, copies of the Negative Declaration and the documents upon which it was based were provided to the Board of Appeals prior to this Board's review of these applications; and

WHEREAS, public hearings held by the Board of Appeals with respect to this application took place on June 12, 2013 and September 12, 2013, and October 2, 2013 at which time all those present wishing to speak were given an opportunity to be heard; and

**Resolution #12-13 Two
Stepping Stones Foundation
Page Two**

WHEREAS, the public hearing was closed by the Board of Appeals at the conclusion of its meeting of October 2, 2013; and

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

WHEREAS, all members of the Board have reviewed the record before the Board for the purpose of determining the existence of substantial evidence upon which to base an appropriate determination with respect to this application; and

WHEREAS, the Board has made the following determinations and conclusions regarding this application; and

WHEREAS, the Zoning Board of Appeals has received numerous letters in support of the application and has reviewed the impact of allowing the Stepping Stones Foundation to permit the continuation of the existing eleemosynary/philanthropic use and the addition of a new pervious parking area on a parcel having frontage on a town road, rather than a state or county road; and

WHEREAS, the Board acknowledged the receipt of a petition and many letters from residents expressing concern with the applicants current use and the proposed use of the properties, as well as the impact of the use on the neighboring properties, but not opposed to the continuation of Stepping Stones, given certain conditions; and

WHEREAS, Mrs. Spano made a motion to rescind Resolution #11-13 One. Ms. Black seconded the motion. Thereafter the Board voted to rescind Resolution 11-13 One.

WHEREAS, Ms. Schaefer made a motion to issue a revised resolution granting a variance to include the language changes to the five factors. Mr. Petschek seconded the motion. Thereafter, the Board unanimously resolved to approve Resolution #12-13 Two.

RESOLVED, that the Board adopts the instant revised resolution granting Stepping Stones a variance to permit the continuation of the existing eleemosynary/philanthropic use on a property that does not have frontage on and access to a county or state road, and the addition of a new pervious parking area for 13 parking spaces, in conjunction with the application for a Town Board Special Permit by the Stepping Stones Foundation, and Site Plan approval be approved in accordance with the plan submitted on May 9, 2011 entitled "Proposed Parking & Landscape Plan, Stepping Stones Foundation, 62 Oak Road, Katonah, New York, Plan B, Incorporating Bedford Planning Board Suggested Changes as of August 23, 2011," prepared by David DeLucia Designs, LLC, and a survey entitled "Survey of Property Prepared for Stepping Stones Foundation Situate in the Town of Bedford, Westchester County, New York," prepared by Robert S. Johnson, P.L.S, dated October 17, 2008, last revised April 25, 2012, and because of the following:

1. **The granting of the variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.**

The issuance of the area variance from the above-referenced frontage and access requirement creates no change of existing conditions, and indeed, no change of conditions which have existed for over 70 years. The site has had no road frontage on a State or County highway for that entire period, although it did originally have access to a County highway throughout the period that Cherry Street was designated as such, via easement over land which is now Woodfield Road, over which it continues to have access. No increase or change in activity

**Resolution #12-13 Two
Stepping Stones Foundation
Page Three**

or operations is proposed as a result of the variance.

The only anticipated physical alteration that the Applicant will pursue with the Planning Board and Town Board, which the variance will effectively facilitate, is a small, pervious parking lot of 13 spaces, which will have no lighting and which is designed solely to address and mitigate neighbor concerns about on-street parking. In essence, this parking area replaces a paved parking area, which existed adjoining the former garage, now the visitor's center. Importantly, the parking area will be sited in such a fashion that an existing rock outcropping and stand of deciduous and non-deciduous trees between the road and the parking area would offer complete visual screening. The access to the parking areas is proposed to be one way in and one way out so that driveway widths are minimized. The existing driveways would be utilized and overall impervious surface will be reduced in connection with the plan.

As reflected in the conditions imposed herein to which the Applicant has stipulated, the Applicant has made extensive efforts over the past 2½ years with this Board, the Town Board and the Planning Board, and with the neighbors, to reduce any impacts from the use of the site to the maximum extent practicable.

2. **The benefit sought by the Applicant cannot be achieved by some method, feasible for the Applicant to pursue, other than an area variance.**

Clearly, the Applicant cannot create a State or County highway, or redesignate any road to be a State or County highway, so as to afford its property frontage and access thereon.

Similarly, it is not feasible for the Applicant to relocate its operations, as the site itself with its associated history, is the destination that people seek. Indeed, the site constitutes a National Historic Landmark.

Thus, it is the history of the site, and its designation as a National Historic Landmark, which are important and which therefore, preclude the Applicant's relocation of its use. As neither the road designation nor site location can realistically be altered, an area variance from the frontage/access requirement is the only feasible means of achieving the benefit sought by the Applicant, i.e., the continuation of its philanthropic and eleemosynary uses in the same manner as it has done for many years.

3. **In context, the requested area variance is not substantial.**

While it is not practically possible to quantify the property's complete lack of road frontage and access on a State or County highway mathematically, from a purely abstract view, the complete lack of frontage and access and therefore, a variance obviating same, could be deemed "substantial". However, the law requires that the criteria of substantiality be evaluated by the Board not merely as a mathematical calculation, but in the context in which the variance would be granted.

Here, where there is no change in the use of the site for many years, where the record demonstrates that visitation levels have remained roughly consistent during that period, with relatively low levels of vehicular traffic, even as compared to permitted residential alternatives, and where the Applicant has attempted to minimize potential adverse impacts of its existing use on the neighborhood to the maximum extent practicable, it cannot reasonably be said that the variance is substantial.

In this regard it bears noting that the apparent legislative intent in requiring frontage/access on a State or County highway is to eliminate the potential for adverse traffic impacts on residential roads. The record

demonstrates that the Applicant's consistent traffic generation for many years is of a relatively small magnitude. This leads the Board to the inevitable conclusion that the Applicant's long-standing use is consistent with the goal of reduced traffic on residential streets.

4. The proposed variance will have no adverse effect or impact on the physical or the environmental conditions in the neighborhood or district.

The Town Board, as lead agency, has previously issued its Negative Declaration under the State Environmental Review Act (SEQRA), i.e., its determination that the Applicant's continuation of its existing use and the issuance by the respective Boards of a special permit, site plan approval, and the subject area variance respectively, will have no significant adverse environmental impact. The Town Board's Negative Declaration is binding upon this Board.

Moreover, a variance will result in nothing more than the continued preservation of open space and the continuation of a use that has existed for over 70 years. The only material alteration to the site, which would be facilitated by the granting of the variance, is the above-referenced small, pervious parking area, which will be fully screened and which is designed to relocate visitors to the site from permitted, on-street parking to private off-street parking, so as to lessen any impact in connection with that parking on the neighborhood. Additionally, the plan will result in a net decrease in impervious surfaces and there will be no lighting, sound systems or other potential impacts.

5. The alleged difficulty was self-created.

This consideration is relevant to the decision of the Board, but does not preclude the granting of the area variance. Moreover, in this case, there are mitigating factors in this regard. The Applicant did not purchase the property, but took ownership by way of a devise under Lois Wilson's Last Will and Testament, and therefore, should not be charged with constructive knowledge of the applicable zoning provisions. Moreover, at the time the Wilsons purchased the property in 1941, it was their residence, and they had no idea what would happen in the future, or in particular, that the property would ultimately evolve into its current use, culminating in National Historic Landmark status, thereby subjecting the property to the special permit frontage/access requirement for such uses, which requirement is not applicable to a single-family residence. The Applicant also contends that the long-standing use predates the subject requirement.

Furthermore, the variance is granted subject to the following condition attached hereto:

1. The Zoning Board of Appeals Protocol dated November 6, 2013.

Vote taken on the foregoing motion was as follows:

Ayes – Mr. Petschek, Ms. Black, Ms. Schaefer, Mrs. Spano, Mr. Michaelis
Nays – None


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 2-27, 2014.


Alexander J. Costello, Secretary
Zoning Board of Appeals

November 6, 2013

Zoning Board of Appeals Protocol for Stepping Stones Operation

1. Normal Operations

- A. Hours for normal operations shall be between 9 a.m. and 5 p.m. Monday through Sunday.
- B. Total daily visitor attendance on the property shall not exceed 50 persons without constituting a Large Event.
- C. One indoor night meeting may be held once a month and end by 10 p.m.
- D. All parking shall occur on the property at the parking areas accessed from 62 Oak Road with exit at 66 Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.
- E. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.

2. Small Events

- A. A Small Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance is greater than 20 and less than 50 persons. The attendance at a Small Event shall not be included in the total daily attendance in item 1B above. No more than one small event shall be held each day.
- B. No more than three Small Events shall be held per month on a weekend.
- C. Not more than one Small Event may be held each month on Sunday. No Small or Large event may occur on the preceding Saturday.
- D. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- E. All parking shall occur on the property at the parking areas accessed from 62 Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.

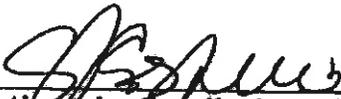
3. Large Events (Other Than The Annual Picnic)

- A. A Large Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance at the event is greater than 50 but less than 200 persons with the exception of the Annual Picnic (see #4 below). No more than one Large Event shall be held on any given day.
- B. No more than 6 Large Events, including the Annual Picnic, shall be held per year.
- C. No more than 2 Large Events, including the Annual Picnic, shall be held in any one month.

- D. No Large Event shall be held on Sunday.
- E. The parking area behind the gate at Woodfield Road may be used for Large Events. No parking shall be permitted on local roads.
- F. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.

4. Annual Picnic

- A. The Annual Picnic shall be held not more than once a year and shall be limited to a maximum attendance of 600 persons. The Annual Picnic shall not be held on Sunday.
- B. On-site parking shall be restricted to staff, handicapped and emergency personnel only. No parking shall be permitted on local roads.
- C. Other visitors shall be brought to the site using mini-buses shuttling passengers from other permitted parking areas in the Town. Mini-buses shall load and unload passengers within the Stepping Stones property and not on a public street. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- D. Mini-buses exiting the site shall turn left and access Cherry Street over Lily Pond Lane to reduce the traffic impacts on Woodfield Road.



Alexandra Costello, Recording Secretary
Zoning Board of Appeals

Protocol approved by the Zoning Board of Appeals on November 6, 2013, and filed in the Office of the Town Clerk of the Town of Bedford on November 14, 2013 and refiled on February 27, 2014 with Resolution #12-13 Two.

RESOLUTION

WHEREAS Stepping Stones Foundation (“Stepping Stones”) is the own certain real property (the “Property”) located at 62 Oak Road, Bedford Hills, New York, which property is designated on the Town of Bedford Tax ID No. 60.9-2-23 and 24 and 60.06-3-63, 65, 66, and

WHEREAS, on or about April 8, 2011, Stepping Stones filed an application with the Town Board for a special use permit pursuant to Section 125-82 of the Zoning Code (the “Code”) in order to allow Stepping Stones to utilize the Property located at 65 Oak Road for a philanthropic or eleemosynary use, and

WHEREAS, the Zoning Code requires that a, philanthropic or eleemosynary use have frontage and access on a State or County road, and

WHEREAS, on May 4, 2011, Stepping Stones filed an application with the Town Zoning Board of Appeals (“ZBA”) for an area variance with respect to such requirement even though Stepping Stones believes that it is a prior legal nonconforming use and the provisions of the Code relating to the use having frontage and access on a State or County highway do not have applicability, and

WHEREAS, on May 9, 2011, Stepping Stones filed an application for site plan approval for a new parking lot with the Town of Bedford Planning Board (“PB”), and

WHEREAS, the various applications submitted by Stepping Stones to the Town Board, the ZBA and the PB are actions subject to the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, it was necessary that a lead agency be designated pursuant to SEQRA to conduct the environmental review of the proposed action, and

WHEREAS, on April 20, 2011, the Town Board transmitted to the PB and ZBA a Notice of Intent to be the Lead Agency for the Stepping Stones application, and

WHEREAS, since neither the PB nor the ZBA objected to the Town Board being Lead Agency, the Town Board on June 7, 2011, confirmed that it would be Lead Agency in conjunction with the various applications pending before the Town Board, PB and ZBA, and

WHEREAS, subsequent to the Town Board designating itself as Lead Agency, the Town Board referred the application of Stepping Stones Foundation and the long form EAF to the PB for a review of the potential environmental impacts of the proposed action and a recommendation to the Town Board as to whether or not the Town Board should issue a “positive declaration” or a “negative declaration” pursuant to SEQRA in conjunction with the proposed action, and

WHEREAS, on July 26, September 13 and December 13, 2011 and on February 21, May 29, and September 11, 2012, the PB reviewed the Stepping Stones’ applications for a special use permit, an area variance and site plan approval and, by a memorandum dated September 11, 2012, recommended to the Town Board that it issue a “negative declaration” to Stepping Stones

RESOLUTION

in conjunction with the proposed action, provided that the Town Board condition the negative declaration on a number of conditions recommended by the PB to the Town Board, and

WHEREAS, the Town Board on January 22, 2013 accepted the PB's recommendations and adopted a negative declaration with conditions in conjunction with the proposed action, which negative declaration contains the PB's conditions, and

WHEREAS, the ZBA held three public hearings on the application of Stepping Stones for an area variance pursuant to Section 125-82, and

WHEREAS, after the close of the public hearing and on or about November 6, 2012, the ZBA adopted a resolution granting an area variance with conditions for the continuation of the existing philanthropic or eleemosynary use and construction of an additional parking lot on property that does not have frontage and access on a County or State road, and

WHEREAS, on February 27, 2013, the ZBA adopted a resolution granting such area variance with conditions, and

WHEREAS, the application by Stepping Stones for a special use permit in conjunction with the granting of the area variance and the conditions that had been imposed by the Town Board in conjunction with the issuance of the negative declaration, and

WHEREAS, on January 7, April 1, April 16, May 20, June 3, October 21 and November 5 and December 5, 2014 public discussions were held by the Town Board in regard to the application by Stepping Stones for a special use permit and all persons present had an opportunity to be heard, and

WHEREAS, on December 3, 2014 and February 3, 2015, the Town held public hearings in regard to the application by Stepping Stones for a special use permit with particular attention to conditions which the Town Board would impose in the event it determined to issue the special use permit, and

WHEREAS, both representatives of Stepping Stones and members of the public were given full and fair opportunity to comment upon the application by Stepping Stones Foundation for a special use permit as well as certain draft conditions submitted to the Town Board by Jeffrey Osterman, Town Planner, and

WHEREAS, after the close of the public hearing the Town Board on February 3, 2015 held a public discussion among its members concerning whether it should issue a special use permit to Stepping Stones and, if so, what conditions should be imposed upon Stepping Stones in conjunction with the issuance of such special permit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the issuance of a special use permit to Stepping Stones pursuant to Sections 125-60 and 124-82 of the Zoning Code of the Town of Bedford to conduct a . philanthropic or eleemosynary use at 62 Oak Road, Bedford Hills,

AND IT IS FURTHER RESOLVED, that in determining to issue such special use permit, the Town Board finds that Stepping Stones has complied with the following general standards for issuance of a special use permit as set forth in Section 125-60 of the Zoning Code as follows:

RESOLUTION

- 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.

AND IT IS FURTHER RESOLVED THAT, Town Zoning Code § 125-61 provides that the Town Board has the express right to adopt conditions with respect to approval of a special use permit. Specifically, Section 125-61 states as follows:

The Board shall attach such conditions and safeguards to any permit and site development plan as are, in its opinion, necessary to ensure initial and continued conformance to all applicable standards and requirements. In all cases, the Board may retain continuing jurisdiction.

AND IT IS FURTHER RESOLVED THAT, Town Zoning Code § 125-82 confirms that the Town Board is permitted to set conditions with respect to the grant of a Special Use Permit for a philanthropic or eleemosynary use or institution. Section 125-82 states, in part:

“For the purposes of promoting the public health, safety, morals and general welfare, the Board may establish conditions to mitigate the effect of such use on neighboring properties.”

AND IT IS FURTHER RESOLVED THAT, merely because the PB recommended certain conditions as part of its recommendation for the issuance of a negative declaration under SEQRA and the Town Board adopted such conditions when approving the negative declaration does not mean that

RESOLUTION

more restrictive or less restrictive conditions or other conditions may not be imposed by the Town Board as part of the special use permit review as long as such conditions are reasonable and are related to the use of the property and the standards for issuance of a special use permit set forth in Bedford Town Code §125-60, and 125-82.

AND IT IS FURTHER RESOLVED THAT, the special use permit is granted to Stepping Stones based upon the following conditions:

1. Visitor Operations

- A. The site may be open for individual visitors Monday through Sunday 9 a.m. to 5 p.m. Group visits must be by reservation. Guided tours by reservation may be held Monday through Saturday at 1 p.m.
- B. The site shall be closed to visitors on Thanksgiving, Christmas, and New Year's Day.
- C. Total daily visitor attendance on the property shall not exceed 50 persons without constituting a Medium Event.
- D. One indoor night meeting may be held once a month with not more than 25 attendees.
- E. All parking shall occur on the property at the parking areas accessed from Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.
- F. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- G. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

2. Small Events

- A. A Small Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance is from 20 to 50 persons. No more than one Small Event shall be held each day.
- B. No more than three events shall be held per month on a weekend, no more than two of which may be Medium or Large Events.
- C. Total daily visitor attendance on the property shall not exceed 50 persons without constituting a Medium or Large Event.
- D. Small Events shall be scheduled between the hours of 12 p.m. to 3 p.m.
- E. All parking shall occur on the property at the parking areas accessed from Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.
- F. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- G. All parking shall occur on the property at the parking areas accessed from Oak Road. The Woodfield Road parking area may not be used. All parking shall be on site.

RESOLUTION

H. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

3. Medium Events (Other Than The Annual Picnic)

- A. A Medium Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance at the event is from 51 to 100 persons with the exception of the Annual Picnic (see #5 below). No more than one Large Event shall be held each day.
- B. No more than 3 Medium Events shall be held per year.
- C. No more than 2 Medium or 2 Large Events shall be held in any one month.
- D. No Medium Event shall be held on Sunday or on July 4, Memorial Day, Labor Day, Yom Kippur, Chanukah, Easter, or Passover.
- E. Advance of each Medium Event shall be posted on Stepping Stones' website at least 10 days prior to the event.
- F. The parking area behind the gate at Woodfield Road may be used for Medium Events. No parking shall be permitted on local roads. Stepping Stones shall utilize all reasonable measures in their literature, website, and communications to remind prospective visitors of the requirement to utilize on-site parking.
- G. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
- H. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.

4. Large Events (Other Than The Annual Picnic)

- A. A Large Event shall be defined as any event, tour, meeting or organized gathering of people on the property where the total attendance at the event is from 101 to 200 persons with the exception of the Annual Picnic (see #5 below). No more than one Large Event shall be held each day. Other than the Annual Picnic there shall no Event with more than 200 persons.
- B. No more than 3 Large Events, including the Annual Picnic, shall be held per year.
- C. No more than 2 Medium or 2 Large Events, including the Annual Picnic, shall be held in any one month.
- D. No Large Event shall be held on Sunday or on July 4, Memorial Day, Labor Day, Yom Kippur, Chanukah, Easter, or Passover.
- E. Advance of each Large Event shall be posted on Stepping Stones' website at least 10 days prior to the event.
- F. The parking area behind the gate at Woodfield Road may be used for Large Events. No parking shall be permitted on local roads. Stepping Stones shall utilize all reasonable

RESOLUTION

measures in their literature, website, and communications to remind prospective visitors of the requirement to utilize on-site parking.

- G. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
 - H. Noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times. No public address system may be used.
5. Annual Picnic
- A. The Annual Picnic shall be held not more than once a year and shall be limited to a maximum attendance of 500 persons. The Annual Picnic shall not be held on Sunday or on July 4, Memorial Day, Labor Day, Yom Kippur, Chanukah, Easter, Passover, Thanksgiving, Christmas, or New Year's Day.
 - B. On-site parking shall be restricted to staff, handicapped and emergency personnel only. No parking shall be permitted on local roads.
 - C. Other visitors shall be brought to the site using mini-buses shuttling passengers from other permitted parking areas in the Town. Mini-buses shall load and unload passengers within the Stepping Stones property and not on a public street. No vehicles longer than 28 feet or wider than 8.5 feet may be used to bring visitors to the site. Visitors arriving in a larger vehicle shall be denied entry to the site.
 - D. Mini-buses exiting the site shall turn left and access Cherry Street over Lily Pond Road to reduce the traffic impacts on Woodfield Road.
 - E. A public address system may be used, provided that noise levels shall be maintained in conformance with Chapter 83 of the Town Code at all times.
6. Total Annual Visitation
- A. Notwithstanding the attendance permitted in items 1-4 above, the total annual attendance at the site shall not exceed 2750 persons, including Large Events and the Annual Picnic.
 - B. Neighborhood Communications and Record Keeping
 - C. Stepping Stones shall schedule two meetings with the residents of the neighborhood, one in early May and one in late September, to discuss operations at the property. Members of the Town staff shall be invited to each meeting by contacting the Planning Department.
 - D. Stepping Stones shall establish a pre-registration system for groups greater than 10 persons. This system shall be shown on the Stepping Stones web site.
 - E. Stepping Stones shall maintain a daily log of activities on the property including the numbers of visitors, tours, types of vehicles, shuttle trips and arrival times. This log shall be submitted to the Town Planning Department annually.

RESOLUTION

7. Other Considerations

- A. The site plan submitted by Stepping Stones including two sheets titled "Proposed Parking & Landscape Plan," and "Woodfield Road Landscape Plan," prepared David DeLucia Designs, LLC shall be implemented with any revisions required by the PB's site plan approval.
- B. During the site plan review process, the PB shall determine a new location for the Oak Road entrance sign near the interior of the property to give safer opportunities for visitors' photographs. The Board shall also consider the construction of a small replacement sign at the site entrance as well as a similar exit sign.
- C. All parking areas shall be screened from Oak Road, Woodfield Road and all neighboring residential properties.
- D. No additional building, no additions to existing buildings and no additional impervious surfaces shall be permitted without prior approval from the Town.
- E. Stepping Stones shall reimburse the Town for the costs of Town personnel required for Large Events or the Annual Picnic.
- F. This special permit is granted to Stepping Stones and is not transferable to any other owner or entity without written permission from the Town.
- G. This special permit is granted for a period of one year. After one year, Stepping Stones shall return to the Town Board for renewal of this permit.
- H. At least 30 days prior to an Event or the Annual Picnic, Stepping Stones shall apply to the Planning Department for permission to use Town parking lots or other facilities, if Stepping Stones plans to use such facilities.

STATE OF NEW YORK }
 COUNTY OF WESTCHESTER } ss.
 TOWN OF BEDFORD }

* I hereby certify that I have compared the foregoing Resolution with the original on file in my office and that the same is a correct transcript therefrom and the whole of the said original Resolution, which was duly adopted by the Town Board of the Town of Bedford on March 4, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Town of Bedford.

Susette Lomagallo Town Clerk,
 Town of Bedford

Dated: March 5, 2015

* Resolution was not read or remained at meeting.

BIBBO ASSOCIATES, L.L.P.

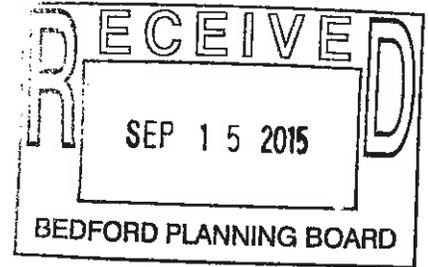
Consulting Engineers

Joseph J. Buschynski, P.E.
Timothy S. Allen, P.E.
Sabri Barisser, P.E.

September 14, 2015

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

Attn: Ms. Deidre Courtney-Batson, Chair



Re: Proposed 4-Lot Subdivision
KED Partners
Hillside Avenue & Bedford Road
TM # 49.19 – 2 – 31, 32, 33, 41 & 42

Dear Members of the Board:

Please find in support of our preliminary application for a 4-lot subdivision the following for review and consideration:

- 11 sets - Subdivision Plans, 7 sheets, dated and revised 9/8/2015 titled:
 - Sheet #1, EX "Existing Conditions"
 - Sheet #2, IPP "Integrated Plot Plan"
 - Sheet #3, SP "Site Plan"
 - Sheet #4, EC-1 "Erosion Control Plan"
 - Sheet #5, SS "Steep Slopes Plan"
 - Sheet #6, PE "Profiles & Details"
 - Sheet #7, D-1 "Drainage Details"
- 2 copies – SWPPP, dated 9/2/2015
- 2 copies – NYSDEC Notice of Intent & MS4 Form (inc. in SWPPP)
- 11 copies – Application for Preliminary Subdivision Approval w/ fee
- 11 copies – Application for Steep Slopes Permit w/ fee
- 11 copies – Environmental Clearance Form

The 5.75 Ac. property lies within the R-1/4 and VA residential Zoning Districts. There are, at present, 2 residences and 2 outbuildings on the property served by a driveway from Hillside Avenue. This driveway will be modified to meet common driveway standards to serve 3 of the lots utilizing portions of the existing driveway. The 4th lot will take access from a new curb cut in the northwest corner of the property also from Hillside Avenue.

Site Design ♦ Environmental

The proposed subdivision while in the boundaries of the NYC Watershed does not meet the criteria for NYCDEP review and approval.

We respectfully request this be placed on your next agenda for further discussion of the above and consideration of preliminary subdivision approval, due to the site disturbance being under the threshold.

Should you require any further information or have any concerns regarding this matter, please contact Edward Delaney, Jr. at (914) 277-5805, ext. 333.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R Hamill', written in a cursive style.

Ray Hamill
Project Manager

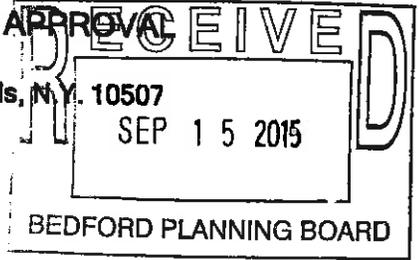
Enclosures

cc: James Hahn, P.E. (w/encls) *Hand Delivery*
Ed Kelly
File

**PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK**

APPLICATION FOR PRELIMINARY SUBDIVISION APPROVAL

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



1. IDENTIFICATION OF OWNER

Name of owner: KED PARTNERS
Address: 87 Bedford Rd., Katonah, NY Phone: 232-3191

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: SAME
Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: TIM MUELLER P.E. - BIBBO ASSOCIATES
Address: 293 Rt 100, Somers, N.Y., 10589 Phone: 277-5805

4. IDENTIFICATION OF PROPERTY

- a. Subdivision name or identifying title KED PARTNERS
- b. Roads which property abuts HILLSIDE AVE, HUNTING RD, BEDFORD RD. (R-117)
- c. Bedford tax map designation: Section 49.19 Block 2 Lot(s) 31, 32, 33, 41, 42
- d. Property lies in a (circle one) 4A 2A 1A 1/2A 14A TF NB CE PB-R PB-O LI
- e. Total area of property in acres 5.75

5. REQUIRED INFORMATION

- a. Items required as part of this application are shown on the checklist on the other side of the application. Indicate all items submitted and, if necessary, submit a statement explaining the absence of any items.
- b. Waivers: Attach a list of any waivers of the provisions of the Subdivision of Land Chapter of the Town of Bedford requested and an explanation of the special circumstances therefor
- c. Fees: An application fee of \$500 plus \$150 for each new lot or dwelling unit.
Lots or Units 4. Fee \$ 1100.00.
- d. Consideration of conservation subdivision of the property (is) (is not) requested. Date of Town Board authorization _____.

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] 9/9/15
Signature of Owner Date

Signature of Applicant Date

Edward Kelly
Name of Owner (please print)

Name of Applicant (please print)

ITEMS TO ACCOMPANY APPLICATION

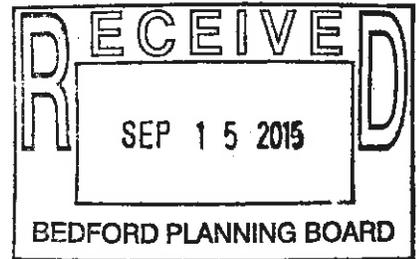
- (1) Eleven (11) copies each of the preliminary subdivision plat____, final construction plans____, topographic map____, and map of contiguous holdings_____.
- (2) Copy of deed or deeds to the subject property as well as copies of easement agreements affecting said property_____.
- (3) The engineer's or surveyor's certification of the total area of the subdivision shown on the on the plat____, the length of all proposed roads shown on the plat____, and the staking of the subdivision as required under Section 107-31 of the Town Code.
- (4) Proof of approval by the Wetlands Control Commission of any alterations to existing terrain conditions which are subject to the issuance of a permit by such Commission.
(See Wetlands Chapter of the Town Code)
- (5) Such additional information, maps or studies, including but not limited to soils studies, hydrographic studies, as the Planning Board may deem necessary to study and determine the capacity of the land in relation to the proposed subdivision and any required assessment and/or impact statements.
- (6) Any required assessment and/or impact statements required pursuant to the New York State Environmental Quality Review Act (SEQRA)

CONSERVATION SUBDIVISIONS ONLY

- (7) Approval by resolution of the Town Board authorizing the Planning Board to consider a conservation subdivision of the subject property.
- (8) Statement requesting application of the conservation subdivision procedure, stating the purpose of the plan and listing proposed Town Code modifications_____.
- (9) Four copies each of a sketch layout and preliminary construction plans for a conventional subdivision, in accordance with Section 107-31 of the Town Code.
- (10) Site development plan where authorization to construct attached buildings is requested_____.

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: KED PARTNERS
Address: 87 Bedford Rd., Rye, NY Phone: 232-3191

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 KED PARTNERS - ONE MAN
b. Roads which site abuts HILLSIDE AVE, HUNTING RD, BEDFORD RD (117)
c. Bedford tax map designation: Section: 49.19 Block 2 Lot (s) 31, 32, 33, 41, 42
d. Total site area 5.75 Acres
e. Does the applicant have a whole or partial interest in lands adjoining this site? YES

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action CONSOLIDATION OF 5 TAX PARCELS & 2 EXISTING HOUSES INTO 4 SINGLE FAMILY LOTS
b. Relationship to other actions:

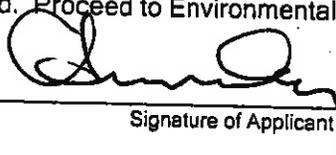
- List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: NONE
- List any related actions which may be undertaken, of which this proposed action ; e.g. highway reconstruction to serve increased traffic: EXISTING DRIVEWAY AND UTILITIES NONE RECONSTRUCTION OF
- 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: 2 NEW HOUSES

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

9/9/15
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

**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: KED PARTNERS

Address: 87 BEDFORD RD., KATONAH, NY Phone: 232-3191

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: SAME

Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: TIM ANTON P.E., BIBB ASSOC.

Address Rt-100, SOMERS, N.Y. 10589 Phone: 277-5805

4. IDENTIFICATION OF PROPERTY

Name or identifying title: K.E.D PARTNERS PROPERTY

Address: HILLSIDE AVE, HARTFORD, BEDFORD RD, HUNTING G

Bedford tax map designation: Section 49.19 Block 2 Lot(s) 31, 32, 33, 41, 42

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 5.75

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:

CONSOLIDATION OF 5 TAX PARCELS INTO 4
SINGLE FAMILY RESIDENTIAL LOTS

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 of Owner [Signature] Date 9/9/11 Signature of Applicant _____ Date _____

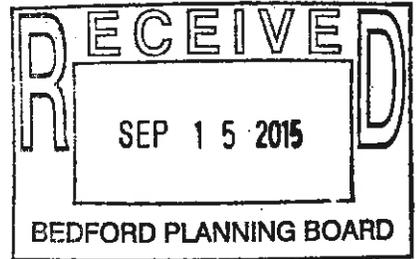
Name of Owner EDWARD KELLY (please print) Name of Applicant _____ (please print)
3/05 (over)

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: KED PARTNERS
Address: 87 BEDFORD RD., KROONH Phone: 232-3191

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 KED PARTNERS - ONE MAN
- b. Roads which site abuts HILLSIDE AVE, HUNTING RD, BEDFORD RD (117)
- c. Bedford tax map designation: Section: 47.19 Block 2 Lot (s) 31, 32, 33, 41, 42
- d. Total site area 5.75 Acres
- e. Does the applicant have a whole or partial interest in lands adjoining this site? YES

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action CONSOLIDATION OF 5 TAX PARCELS & 2 EXISTING HOUSES INTO 4 SINGLE FAMILY LOTS
- 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: NONE
- 2. List any related actions which may be undertaken, of which this proposed action, e.g. highway reconstruction to serve increased traffic: EXISTING DRIVEWAYS AND UTILITIES
- 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: 2 NEW HOUSES

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

9/9/15
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

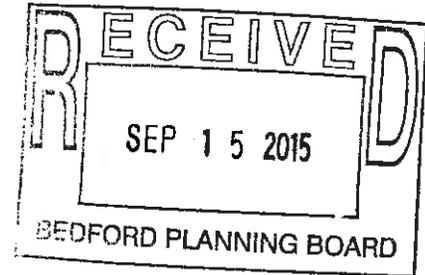
_____ Agency Signature

_____ Date

September 14, 2015

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

Attn: Ms. Deidre Courtney-Batson, Chair



Re: Proposed 4-Lot Subdivision
Northern Westchester Professional Park
Associates II (Merv Blank)
McLain Street
Sec 82.12, Blk. 1, Lot 3

Dear Members of the Board:

In continued support of our preliminary approval application for this 4-lot subdivision please note that we have recently completed all witnessed soil tests in all of the stormwater treatment areas with representatives of both the New York City Department of Environmental Protection (NYCDEP) and the Town Engineer's office. The results of all of these tests finally allowed us to finish all proposed road and drainage designs and the accompanying Stormwater Pollution Prevention Plan (SWPPP). You are reminded that we also successfully completed all soil testing in the proposed sewage treatment areas with both the NYCDEP and Westchester County Health Department (WCHD).

Please find attached:

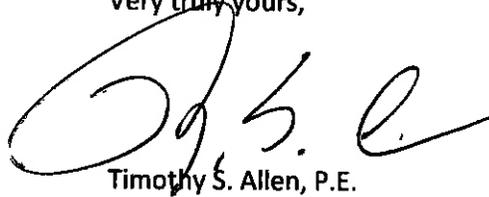
- 11 sets - Subdivision Plan, 11 sheets, dated revised 9/4/2015 titled:
 - Sheet #1, EX-1 "Existing Conditions"
 - Sheet #2, PP-1 "Preliminary Plan"
 - Sheet #3, GP-1 "Drainage & Grading Plan"
 - Sheet #4, TP-1 "Tree/Planting Plan"
 - Sheet #5, EC-1 "Erosion Control Plan"
 - Sheet #6, EC-2 "Erosion Control Details"
 - Sheet #7, EP-1 "Easement Plan"
 - Sheet #8, PD-1 "Profiles & Details"
 - Sheet #9, SW-1 "Stormwater Details"
 - Sheet #10, SB-1 "Stormwater Basin Details"
 - Sheet #11, MD-1 "Miscellaneous Details"
- 2 copies – SWPPP, dated 9/4/2015
- 2 copies – NYSDEC Notice of Intent
- 2 copies – MS-4 SWPPP Acceptance Form

Site Design ♦ Environmental

We believe the above will satisfy all previous Board concerns as well as the Town Engineer. The above submission has also been sent to the NYCDEP for their approval. At this time we respectfully request to be placed on your September agenda to further advance our preliminary approval application.

Should you require any further information or have any concerns regarding this matter, please contact me directly at (914) 277-5805, ext. 333.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T.S. Allen', written over a large, stylized circular flourish.

Timothy S. Allen, P.E.

TSA/EJD/mme
Enclosures

cc: James Hahn, P.E. (w/encls) *Hand Delivery*
Merv Blank (w/encls)
J.M. Roche; NYCDEP
File

NOTICE OF INTENT

New York State Department of Environmental Conservation

Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

NYR
(for DEC use only)



Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002
All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

- IMPORTANT -
RETURN THIS FORM TO THE ADDRESS ABOVE
OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

N . Westchester Professional Park Ass. II

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Blank

Owner/Operator Contact Person First Name

Merv

Owner/Operator Mailing Address

18 Black Swan Court

City

Brookfield

State

CT

Zip

06804 -

RECEIVED
SEP 15 2015
BEDFORD PLANNING BOARD

Phone (Owner/Operator)

914 - 506 - 0316

Fax (Owner/Operator)

- - -

Email (Owner/Operator)

merv@airprofs.com

FED TAX ID

-

(not required for individuals)

Project Site Information

Project/Site Name

N . Westchester Professional Park Ass. II

Street Address (NOT P.O. BOX)

McLain Street

Side of Street

North South East West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Bedford

State

NY

Zip

10506 -

County

Westchester

DEC Region

Name of Nearest Cross Street

South Bedford Road

Distance to Nearest Cross Street (Feet)

1000

Project In Relation to Cross Street

North South East West

Tax Map Numbers

Section-Block-Parcel

82.12-1-3

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you must go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

6 0 7 5 0 2

Y Coordinates (Northing)

4 5 6 1 7 8 0

2. What is the nature of this construction project?

New Construction

Redevelopment with increase in impervious area

Redevelopment with no increase in impervious area

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? Yes No Unknown

16. What is the name of the municipality/entity that owns the separate storm sewer system?

Two rows of empty grid boxes for entering the name of the municipality/entity.

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? Yes No Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? Yes No

19. Is this property owned by a state authority, state agency, federal government or local government? Yes No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) Yes No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? Yes No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? Yes No
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? Yes No

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.
- Preservation of Undisturbed Areas
 - Preservation of Buffers
 - Reduction of Clearing and Grading
 - Locating Development in Less Sensitive Areas
 - Roadway Reduction
 - Sidewalk Reduction
 - Driveway Reduction
 - Cul-de-sac Reduction
 - Building Footprint Reduction
 - Parking Reduction
- 27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).
- All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
 - Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

		0	.	1	8	
--	--	---	---	---	---	--

acre-feet

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

<u>RR Techniques (Area Reduction)</u>	<u>Total Contributing Area (acres)</u>		<u>Total Contributing Impervious Area (acres)</u>
<input type="radio"/> Conservation of Natural Areas (RR-1) ...	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2)	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Tree Planting/Tree Pit (RR-3)	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Disconnection of Rooftop Runoff (RR-4) ..	<input type="text"/>	and/or	<input type="text"/>

RR Techniques (Volume Reduction)

<input type="radio"/> Vegetated Swale (RR-5)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Rain Garden (RR-6)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Stormwater Planter (RR-7)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Rain Barrel/Cistern (RR-8)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Porous Pavement (RR-9)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Green Roof (RR-10)	<input type="text"/>	<input type="text"/>

Standard SMPs with RRv Capacity

<input type="radio"/> Infiltration Trench (I-1)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Infiltration Basin (I-2)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Dry Well (I-3)	<input type="text"/>	<input type="text"/>
<input checked="" type="radio"/> Underground Infiltration System (I-4)	0	9 9
<input type="radio"/> Bioretention (F-5)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Dry Swale (O-1)	<input type="text"/>	<input type="text"/>

Standard SMPs

<input type="radio"/> Micropool Extended Detention (P-1)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wet Pond (P-2)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wet Extended Detention (P-3)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Multiple Pond System (P-4)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Pocket Pond (P-5)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Surface Sand Filter (F-1)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Underground Sand Filter (F-2)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Perimeter Sand Filter (F-3)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Organic Filter (F-4)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Shallow Wetland (W-1)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Extended Detention Wetland (W-2)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Pond/Wetland System (W-3)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Pocket Wetland (W-4)	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wet Swale (O-2)	<input type="text"/>	<input type="text"/>

**Table 2 - Alternative SMPs
(DO NOT INCLUDE PRACTICES BEING
USED FOR PRETREATMENT ONLY)**

<u>Alternative SMP</u>	<u>Total Contributing Impervious Area (acres)</u>	
<input type="radio"/> Hydrodynamic	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wet Vault	<input type="text"/>	<input type="text"/>
<input type="radio"/> Media Filter	<input type="text"/>	<input type="text"/>
<input type="radio"/> Other <input type="text"/>	<input type="text"/>	<input type="text"/>

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Name

Manufacturer

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

30. Indicate the Total RRV provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRV capacity identified in question 29.

Total RRV provided

0 . 1 8 acre-feet

31. Is the Total RRV provided (#30) greater than or equal to the total WQv required (#28).

If Yes, go to question 36.
If No, go to question 32.

Yes No

32. Provide the Minimum RRV required based on HSG.
[Minimum RRV Required = (P)(0.95)(Ai)/12, Ai=(S)(Aic)]

Minimum RRV Required

. acre-feet

32a. Is the Total RRV provided (#30) greater than or equal to the Minimum RRV Required (#32)?

If Yes, go to question 33.

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

Yes No

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv (=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided

. acre-feet

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

.

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? Yes No

If Yes, go to question 36.

If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required

. acre-feet

CPv Provided

. acre-feet

36a. The need to provide channel protection has been waived because:

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development

1 2 . 6 CFS

Post-development

6 . 7 CFS

Total Extreme Flood Control Criteria (Qf)

Pre-Development

3 7 . 2 8 CFS

Post-development

3 0 . 5 6 CFS



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form
for
Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

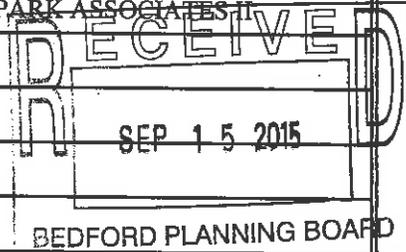
I. Project Owner/Operator Information

1. Owner/Operator Name: NORTHERN WESTCHESTER PROFESSIONAL PARK ASSOCIATES II

2. Contact Person: Merv Blank

3. Street Address: 18 Black Swan Court

4. City/State/Zip: Brookfield, CT 06804



II. Project Site Information

5. Project/Site Name: Northern Westchester Professional Park Associates II Subdivision

6. Street Address: McLain Street

7. City/State/Zip: Bedford, NY 10506

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:

12. MS4 SPDES Permit Identification Number: NYR20A _____

13. Contact Person:

14. Street Address:

15. City/State/Zip:

16. Telephone Number:

(NYS DEC - MS4 SWPPP Acceptance Form - January 2010)

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

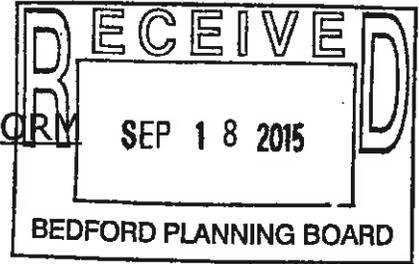
Signature:

Date:

VI. Additional Information



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



Identification of Applicant

Name 536 Bedford Road LLC

c/o Vail Buick GMC
 Address 606 North Bedford Road, Bedford Hills, New York 10507
 Phone (914) 666-7537

Identification of Property Owner, if Other than Applicant

Name Markland Development Corp.

Address 344 Main St., Mt. Kisco, NY 10549
 Phone (914) 666-7700

Identification of Site Involved, if any

- a) Name or other identification of site 332 Adams St., Bedford Hills, NY 10507
- b) Street which site abuts Adams Street
- c) Tax Map Section 8A; LOT 11-51
- d) Total site area 2.281 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 Waiver of Site Plan Approval; Special Permit and waiver of APZ restrictions for public garage.
- 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: _____

Date: 9-1-15

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

x

Waiver of Site Plan Approval

606 North Bedford Road

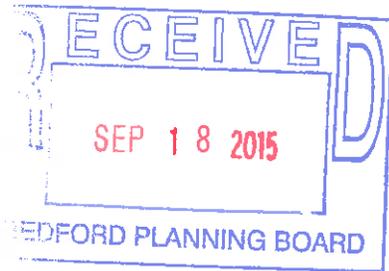
Applicant's Home Address

Date:

Bedford Hills, New York 10507

City, Town, Village

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



Sir or Madam:

contract vendee

I/We am/are the ~~owner~~(s) of property located on 332 Adams Street

Bedford Hills, New York 10507 shown and designated on the Town Tax Maps as:

Section 8A Block Lot(s) 11-51.

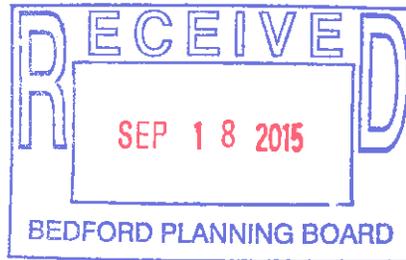
It is my/our intention to utilize the previously improved site
(Describe proposal)
for a motor vehicle delivery, storage, preparation, detail
and minor maintenance and repair facility.

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~~ Applicant

CHARLES V. MARTABANO
Attorney at Law



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(914) 242-3291 Facsimile
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September 17, 2015

VIA HAND DELIVERY

Chairwoman Deirdre Courtney-Batson and
Members of the Planning Board
Town of Bedford
425 Cherry Street
Bedford Hills, New York 10507

Re: Application of 536 Bedford Road LLC (Vail Buick GMC)
332 Adams Street, Bedford Hills New York; Section 8 A, Lot 11 – 51
Property owned by Markland Development Corp.
Request for Waiver of Site Plan Approval
Request for Recommendation to the Zoning Board of Appeals in
Connection with Request for Issuance of Special Permit for Public Garage

Dear Chairwoman Courtney-Batson and
Members of the Planning Board:

Please be advised that the undersigned represents the interests of the applicant, 536 Bedford Road LLC, in connection with such applicant's desire to utilize the premises referenced above for the following automotive uses:

- a. delivery and reception of new motor vehicles and motor vehicle lease returns;
- b. motor vehicle preparation;
- c. motor vehicle storage;
- d. motor vehicle detailing;
- e. minor motor vehicle maintenance and repairs.

These automotive related uses/services will be carried on at this location by Vail Buick GMC (hereinafter "Vail"). As this Board is aware, Vail presently operates its sales and service facilities at 606 North Bedford Road Bedford Hills, New York. As the records of your Board will reflect, following the granting of a number of variances by the Zoning Board of Appeals,

your Board issued site plan approval for an amended site plan and redesigned dealership building for Vail at this location in 2013.

During the site plan approval process and during the concurrent and subsequent approval process for the Splash Car Wash facility (hereinafter “Splash”), certain concerns were raised regarding the delivery of motor vehicles to the Vail dealership property and these concerns pertained both to car deliveries on North Bedford Road and on the private road known as Valerio Court. In an effort to address such concerns Vail acquired additional property on North Bedford Road which, although clearly helpful in terms of diverting car carrier deliveries from Valerio Court, still caused car carrier traffic to be generated on North Bedford Road. Car carrier traffic, most especially in connection with this area of North Bedford Road with its multiplicity of new car sales facilities, and continues to be a source of concern for both the Town of Bedford and the Village of Mount Kisco. As will be shown below, this application affirmatively addresses car carrier traffic on North Bedford Road and Valerio Court in a most significant manner. It is respectfully submitted in this regard that this new application, if granted, will have an overwhelmingly positive effect on North Bedford Road by eliminating car carrier deliveries over and on North Bedford Road and Valerio Court to the extent that such car carrier deliveries relate to Vail. Moreover, in most cases, such car carrier traffic will be eliminated From North Bedford Road/Route 117.

As members of this Board are aware, Adams Street is accessible directly via the Katonah Bypass which, through the foresight of the Bedford Town Board and Planning Board, was constructed more than 20 years ago and which facilitated the looping of truck traffic off Route 117 through the Katonah Bypass. Car carriers can therefore have direct access to the Adams Street location from Route 684 without traversing Route 117. To the extent that car carriers utilize the Katonah Bypass to access Adams Street and the proposed facility, car carrier traffic on North Bedford Road will be decreased. To the extent that car carrier traffic on North Bedford Road or Valerio Court was attributable to Vail, such car carrier traffic will simply be eliminated. Further, to the extent that car carrier traffic on Valerio Court attributable to Vail was thought to be a potential concern in connection with the operation of Splash, this concern will also be eliminated.

It is respectfully submitted that separate and apart from the benefits resulting from its accessibility through the Katonah Bypass, the subject property ideally located in suitable for the proposed use. The subject property is located in the LI (Light Industrial) zoning district. The characteristics of the site are described in detail below. The existing site and the improvements constructed thereon have been pre-existing and unchanged for many decades. The applicant does not propose any changes to the existing improvements at this juncture. In a comparative context, traffic on Adams Street is a small fraction of the traffic applicable to North Bedford Road. The chosen location is therefore an ideal location for the Vail vehicle storage, preparation, detail, maintenance and minor repair facility. However, the proposed operations by Vail would

appear to require issuance of a special permit for a public garage. Section 125-3 of the Bedford Town Code (hereinafter "Code") defines a public garage as follows:

"Any garage, other than a private accessory garage, available to the public, operated for gain and which is used for storage, major repair, body work, painting, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles."

According to Code section 125 d and 125 attachment 4, public garages are permitted in the LI zoning district subject, however, to the issuance of a special permit by the Zoning Board of Appeals (hereinafter "ZBA"). Additionally, this property, in like manner to virtually all of the properties in close proximity thereto is located in the Aquifer Protection Zone (hereinafter "APZ") as defined by section 125-29.4 of the Code. Under section 125-29.4 D (3) (1) automotive service stations and public garages are prohibited uses for properties located in the APZ. Due to the significant physical magnitude of the APZ, in like manner to many other applicants as described below, the applicant will require relief from the ZBA in connection with the prohibition set forth in section 125-29.4 D (3) (1).

Notwithstanding the prohibition of public garages for properties located in the APZ, the records of the Town of Bedford indicate conclusively that the ZBA and the Planning Board, working together, have formulated a series of protective measures which, when imposed upon the granting of the special permit by the ZBA in the form of conditions, have permitted the operations of public garages on properties located in the APZ. Indeed, as will be shown below, many of these special permits were issued in connection with properties located in very close proximity to the subject site and for uses considered more intense than the uses proposed by the applicant.

Because this information exists within the records of the Town of Bedford, the applicant, in an effort to be proactive, has reviewed the Planning Board recommendations and the ZBA minutes and resolutions of approval so as to discern what protective measures have been required by the Planning Board and ZBA in connection with past applications for public garages in the APZ and the applicant has determined to immediately incorporate such protective measures as part of this application so that there would exist no question as to the applicant's proffer of and compliance with protective measures already determined by the Planning Board and ZBA to be appropriate under the circumstances and wholly protective of the APZ. In this regard, the applicant has reviewed the records pertaining to the approval of the following public garage uses in the APZ, *all of which were issued for operations in the LI zoning district for properties located in the APZ:*

1. December 1987 issuance of special permit to Brian Prato for public garage/auto body facility at 201 Railroad Avenue, Bedford Hills New

York (variance also granted for reconstruction of building in July of 2014);

2. June 1988 issuance of a special permit to Rennsport for public garage/automotive repair shop located at 353 Adams Street, Bedford Hills New York;
3. 1990 (exact date uncertain) issuance of a special permit to RAP Holding Corp. for a motor vehicle preparation and detail facility (Adzam) at 57 Plainfield Avenue, Bedford Hills New York
4. August 1993 issuance of special permit to Kernan for operation of an automotive garage at 364 Adams Street Bedford Hills New York;
5. November 1997 issuance of special permit to Beobide/Perez for operation of an automotive paint and body shop at 341 Adams Street Bedford Hills, New York;
6. February 2008 issuance of special permit to RAP Holding Corp. for operation of a motor vehicle service facility at 57 Plainfield Avenue Bedford Hills, New York;
7. September 2009 issuance of special permit to Nicola A. Soprano for operation of a motor vehicle sale and restoration facility at 350 Adams Street Bedford Hills, New York.

This list is not to be in any way exhaustive or reflective of the total number of special permits issued for public garages in the LI zoning district and in the APZ. This list was instead compiled and utilized by the applicant because the approved special permits listed above allow each and every use proposed by this applicant and, with respect to a number of such special permits, more intensive uses than those proposed by this applicant. Indeed, many of the uses referenced above, such as full automobile repair facilities and full auto body paint and repair shops, can readily be seen as uses which might well be considered as presenting more potential for possible adverse consequences to the APZ as a consequence of such use.

However, as you will see below, in an effort to be proactive and to ensure complete protection of the APZ and to therefore promote the approval of this application, the applicant has determined to implement each and every protective measure previously identified by the ZBA and the Planning Board in connection with the review of the issued special permits referenced above. Specifically, the applicant will install/comply with the following protective measures:

1. There will be no floor drains in the building which would discharge to the ground;
2. Despite the size of the building, the applicant will install a 1 inch lip at each doorway to prevent the accidental discharge/spill from the inside of the building to be outside of the building;
3. Additionally, in any area where fluids of any type are installed or exchanged in any vehicle, there will be a secondary containment system to capture any fluids;
4. Other than for heating purposes, there will be no fuel storage in the building, underground or above ground unless contained in NYS DOT certified transport/storage containers;
5. Any and all bulk storage of lubricants and motor oil shall be in above ground containers complying with all applicable local, state and federal regulations and will have independent containment areas located thereunder;
6. Any storage of waste oil shall be in noncorrosive 55 gallon drums;
7. Any and all waste fluids shall be disposed of by a certified hauler/disposal firm (present contractor is Envirowaste) in accordance with all applicable EPA/DEC/DOT/DOH regulations;
8. There will be no body work or painting performed on site;
9. If vehicle washing is to be performed on site, the applicant will install the Hercules Water Treatment System as used by the Town of Bedford and as referenced in the Soprano approval;
10. The applicant will maintain on site spill cleanup kits containing materials suggested/approved by NYSDEC for such purposes.

The Code specifies the procedure by which the ZBA may proceed to grant the requested special permit. Section 125-59 provides for Planning Board review of the application. The Planning Board is required to make the specific findings required to be made pursuant to the Bedford Town Code in connection with the applicant's application to the ZBA for issuance of a special permit for a public garage. In this regard, the Bedford Town Code provides that the

Planning Board shall review Vail's application and plans in accordance with the standards and requirements set forth in § 125-60 below and other applicable requirements of Article VIII of the Code, if any, and submit its findings and recommendations to the ZBA. The applicable 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.

It is respectfully submitted that, in making the specific findings referenced above, your Board should take into consideration the characteristics of the LI zoning district (in terms of permissible uses) and the Adams Street area (in terms of existing uses). It is also respectfully submitted that in making the specific findings referenced above, your Board should take into consideration the fact that the uses in issue and the traffic applicable thereto, including car carrier traffic (although all such traffic will be minor in terms of volume) , will essentially be transferred from North Bedford Road/Valerio Court to Adams Street. Taking all of these factors into consideration, I believe that your Board has before it sufficient facts to support a determination to the effect that all of the standards applicable to issuance of the requested special permit have been met.

Initially, in connection with the requirement set forth in section 125-60 A, there is no doubt that the proposed use at this location will serve a community need or convenience and will not adversely affect the public health, safety and general welfare. The community need or

convenience is self-evident. The establishment of this use at this location will, in the applicant's opinion, *promote* the public health safety and general welfare especially in connection with the relocation of car carrier deliveries to this Adams Street location.

Subsections 125-60 B through E all relate to the suitability of the site for the proposed use and the appropriateness of the use at the proposed location. In this regard, as set forth above, subsection 125-60 B requires a determination by your Board that “[t]he 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”. Subsection 125-60 C requires a determination that “[t]he 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”. Subsection 125-60 D requires a determination that “[o]perations 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”. Finally, Subsection 125-60 E requires a determination that “[p]arking 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”.

It is in these related respects that I believe that when your Board takes in the consideration the characteristics of the site and the permissible and existing uses in this portion of the Town, your Board should come to the determination that the requirements of each of these subsections have readily been met. With respect to site-specific characteristics, the site consists of approximately 2.3 acres which is a very large site in this zoning district. The pre-existing building is approximately 17,000 square feet, well more than adequate for all business operations planned for the site. The site also has significant pre-existing paved areas, again well adequate for the proposed use. Significantly, and as will be shown at the meeting of your Board, the site can readily accommodate ingress and egress by car carriers.

In respect of appropriateness for the area and the absence of a deleterious effect on other uses established on nearby properties or the appropriate and orderly development of the area, initially it should be recognized that in view of the multiplicity of public garage uses already approved for that area as referenced above, it is clear that establishment of this use at this location will be in harmony with the appropriate and orderly development of the area in which it is located, a point which will be further emphasized and demonstrated by reference to existing uses when the applicant appears before your Board. Recognizing that these uses are special permit uses and the standards make reference to the appropriateness of the proposed use and its impacts (such as noise, fumes, vibration, light etc) as compared to uses not requiring a special permit, it is to be noted that the schedule of principal permitted uses for the LI zoning district allows wholesale business storage or warehouse uses, manufacturing, assembly and fabrication

uses and outdoor storage of commercial and industrial vehicles and construction equipment as well as printing plants. Accordingly, I believe that it is clear that this use will be in harmony with the appropriate and orderly development of the area in which it is located and that operations in connection with this proposed use will clearly 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.

As also noted above, as the applicant does not, at this juncture, intend to modify the pre-existing improvements, the applicant is requesting a waiver of site plan approval. As your Board is aware, section 125-93 governs the waiver of site plan approval and the Planning Board is authorized to waive compliance with the requirement to submit a preliminary or final site plan upon a finding that such waiver will not be detrimental to the public health, safety or general welfare because of the particular character or limited nature of a new development or change in use or special conditions peculiar to a site. As set forth above, no changes are proposed to the improvements which have been in place on this site for many decades. Further, as set forth above, the proposed new uses are of such a character as to comport with existing uses and permitted uses in the surrounding area. We therefore believe that this application is appropriate for a waiver of site plan approval.

We look forward to appearing before your Board on September 29, 2015 to provide additional information and exhibits for your review. We would very much like to obtain your Board's recommendation to the ZBA in connection with our application for issuance of a special permit for a public garage. In the interim, should any member of the Board have any question or desire that a specific issue be addressed in connection with our presentation as planned for that evening, please feel free to contact me so that we can be prepared to address any specific issue or concerned that you might have with respect to this application.

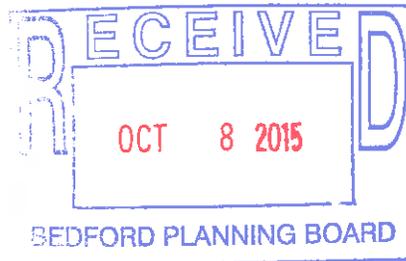
Yours very truly,



Charles V. Martabano

cc: Vail Buick GMC
Markland Development Corp.
Frank Veith, Esq.
Dan Pozin, Esq.

CHARLES V. MARTABANO
Attorney at Law



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October 8, 2015

VIA HAND DELIVERY

Chairwoman Deirdre Courtney-Batson and
Members of the Planning Board
Town of Bedford
425 Cherry Street
Bedford Hills, New York 10507

Re: Application of 536 Bedford Road LLC (Vail Buick GMC)
332 Adams Street, Bedford Hills New York; Section 8 A, Lot 11-51
Property owned by Markland Development Corp.

Dear Chairwoman Courtney-Batson and
Members of the Planning Board:

At the meeting of the Planning Board held on September 29, 2015, a number of comments/requests for information were made by members of the Board. This letter is to apprise you of the progress that has been made by the applicant since the date of the last meeting and will be supplemented by material to be supplied to the Board at the meeting of your Board scheduled for October 13, 2015 including a sketch plan showing details requested by your Board including site lighting, proposed plantings and vehicle storage plan. I will attempt to group the updates/responses by categories as referenced below.

Engagement of Arborist - because the site is extremely overgrown while at the same time lacking appropriate landscaping, in accordance with representations made to the Board, the applicant engaged an arborist, Michael Leonard of Sav A Tree. We met at the site on Monday, October 5, 2015. Following a full walking of the site, the following tasks were accomplished:

- **Clearing of overgrowth/dead or damaged trees/invasive species** - Initially, we inquired of Mr. Leonard to inspect the site overgrowth in terms of trees, vines etc. requesting that he make recommendations as to the selective removal and/pruning of trees, invasive species, vines etc. Of significance, he inspected the significant overgrowth of trees, vines etc.

adversely impacting the Town's drainage easement (see below) and consisting of a damaged Mulberry tree, Black Locust and other species which significantly interfere with the drainage system. He also noted very significant overgrowth of vines and invasive species at the southerly entrance as well as dead trees requiring removal along the perimeter of the property. Photographs of existing conditions will be provided to you at the Board meeting. He is preparing a tree/vine/invasive species removal plan for the applicant's consideration. His recommendations will also be reviewed with your Board.

- **Planting/landscape plan** - we have also tasked Mr. Leonard with recommendations regarding new plantings along Adams Street, as per the Board's request. In this regard, we requested that Mr. Leonard give consideration to utilization of native species for new plantings as suggested by Dr. Lewis and as also requested by a member of the Conservation Board who approached us after the meeting. Mr. Leonard has made a recommendation for utilization of either American Dogwood or Red Ozer Dogwood, both native species with appropriate characteristics for an area of this type, and has recommended significant spacing in between to provide for future growth. Insite Engineering has been engaged by the applicant to prepare the sketch plan requested by your Board and such plan will reflect such planting giving due consideration to issues of slope in an effort to maximize the survival rate.

Vehicle Storage Plan/New Impervious Surface - the Planning Board requested a sketch of the proposed vehicle storage areas. Before determining the future desired vehicle storage plan, the applicant desired to determine the ability to increase impervious surface to the level permitted under the Bedford Code. The applicant was also concerned regarding the condition of a stormwater drainage system on the property which, as I indicated at the meeting of the Board, I believed to be owned by the Town of Bedford as a consequence of Adams Street being dedicated to the Town of Bedford. I conducted research as to the title and provided same to Kevin Winn and we did determine that when the drainage easement was originally granted to a private party, that private party was the owner of Adams Street which at that time was a private road. Adams Street was subsequently dedicated and the Town of Bedford became responsible for the drainage system as the beneficiary of the easement. On short notice, Kevin Winn was kind enough to meet us at the site on October 5, 2015 and we examined the drainage system which was damaged as aforesaid with a significant portion of the easement area overgrown by the trees referenced above as to which Sav A Tree has recommended removal. Insite's representatives agreed with Kevin as to the best method to repair the system and protect the area in the future and a repair plan is being prepared by Insite to be submitted to Kevin for approval. The applicant has agreed

to perform the repair at no cost to the Town of Bedford and same will be performed by the applicant at the time site improvements are made. Insite's plan will also delineate the addition of impervious surface limited to the amount permitted by Code or a lesser amount as the applicant will decide. This plan will be available for review at the October 13 meeting.

On Street Parking - while Kevin Winn was at the site, we reviewed with him the situation pertaining to on street parking with reference to the survey of the property. Initially, it is to be noted that 100% of the areas susceptible of being utilized for on street parking in front of the building are, in fact, Town property within the right-of-way of Adams Street and parking thereon is therefore clearly beyond the applicant's control. It is also to be noted however that the on street parking does not, in any way, impair ingress or egress to the site nor adversely affect sight distance by reason of the configuration. Mr. Winn indicated that the on street parking was legal and did not believe that it would in any way benefit the area to eliminate the on street parking.

Exhaust System - the applicant has tasked their contractor, MCI, with the proper designation of an exhaust/air exchanger system. MCI is the same contractor who performed the renovation at their existing facility. We will have a system plan available for the meeting of October 13.

Limitation on Mechanical Work - as per the Board's request, the applicant will specify that mechanical work to be performed at the site will not include engine or transmission overhauls/re-buildings or replacements.

Hercules Water Reclamation System - as per the Board's request, specifications for the Hercules Water Reclamation System are attached. Because technologies change and improve over time, I might suggest that any condition refer to this system, "or equivalent".

Photographs of Car Carrier Movements - as per the Board's request, photographs showing car carrier movements on-site will be provided at the meeting of October 13.

Size of Fuel Containers - any storage of gasoline or diesel fuel will be limited to NYS DOT certified transport/storage containers not exceeding 10 gallons in size.

Site Lighting - the sketch plan to be prepared by Insite Engineering will include a lighting plan as per the Board's requests for information in this regard. Insite walked the site on October 5, 2015 as indicated above and has recommended and will provide a plan showing building mounted fixtures complying with the Bedford Code.

As can be seen from the foregoing, a great deal has been accomplished since the date of the Planning Board meeting of September 29, 2015. We look forward to meeting with the Board at its meeting of October 13, 2015 at which time we would hope that we could obtain the Planning Board's favorable recommendation to the Zoning Board of Appeals. Our filing date for

the November meeting of the Zoning Board of Appeals is October 16, 2015 so it is imperative that we have the requisite denial and recommendation at that time.

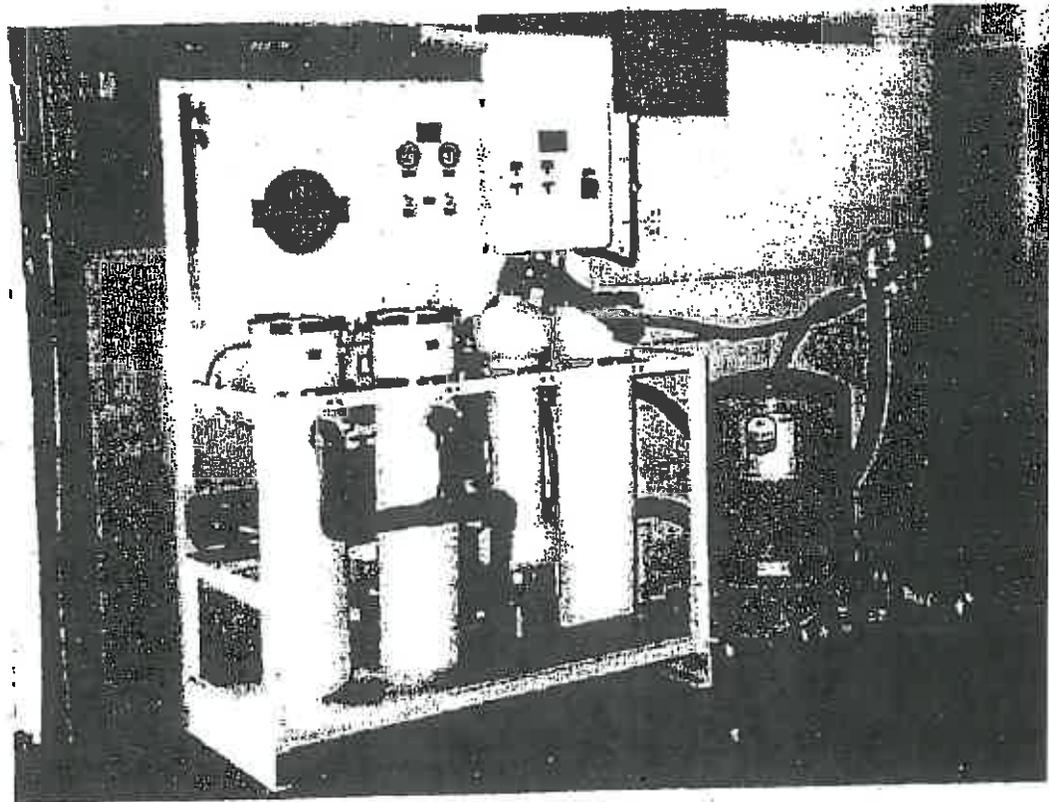
We look forward to appearing before your Board on October 13, 2015 to present additional information referenced above and answer any questions the members of the Board might have.

Yours very truly,

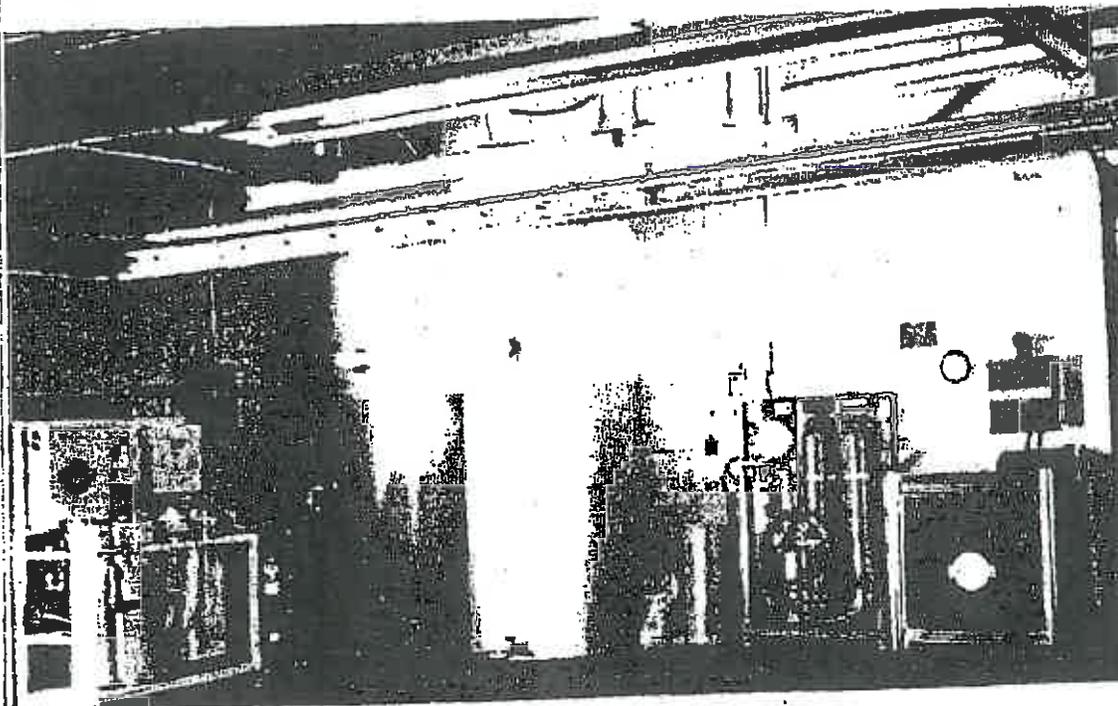


Charles V. Martabano

cc: Vail Buick GMC
Markland Development Corp.
Frank Veith, Esq.
Dan Pozin, Esq.
Michael Leonard
Insite Engineering
Kevin Winn



WATER RECLAMATION SYSTEM



GENERAL SYSTEM SPECIFICATIONS

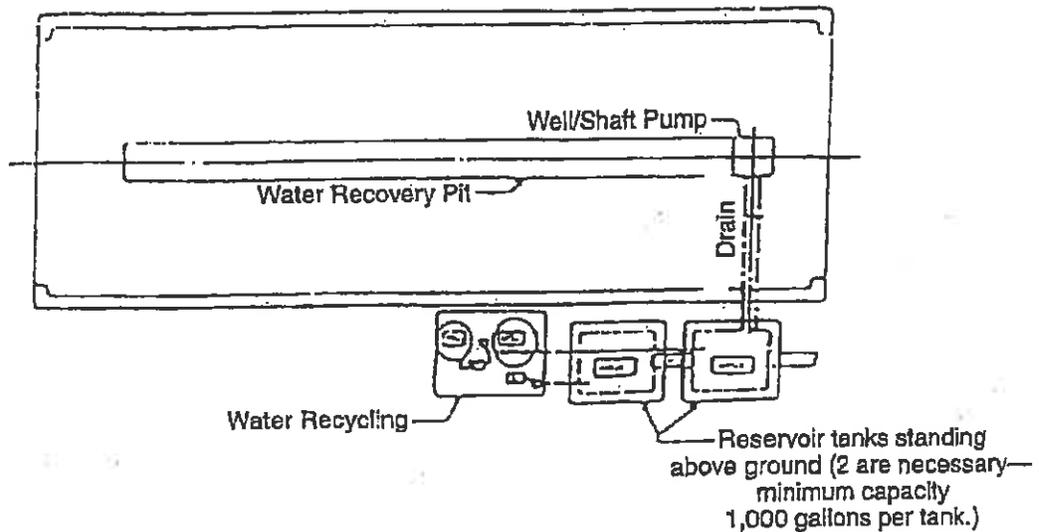
Height: 65"
 Width: 51"
 Depth: 26"
 Weight: 800 lbs.

Filtration System

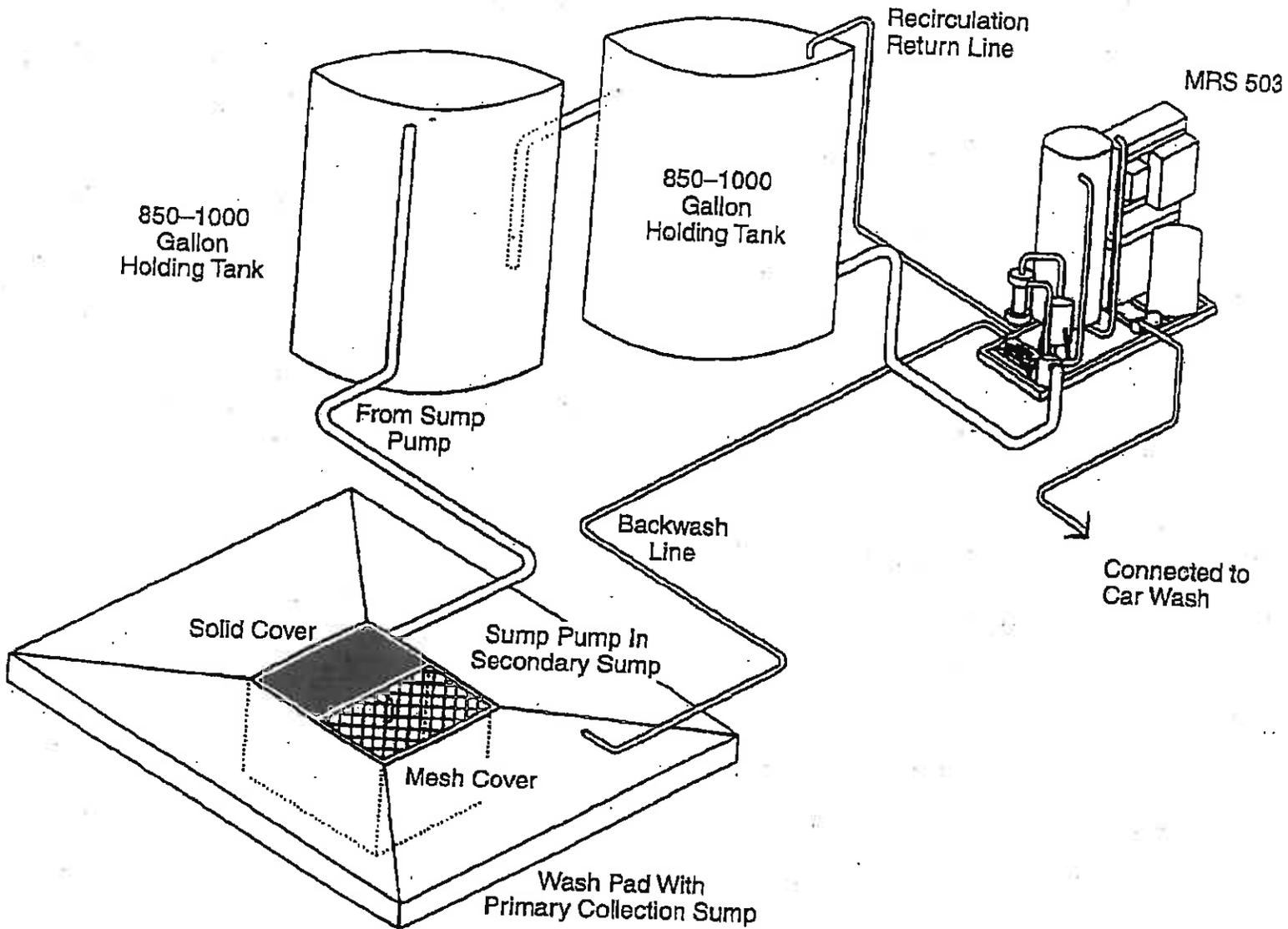
Input Power: 208/230/480 Volt, 3 Phase @ 8.4/8.0/4.0 Amp Max
 Control Power: 115 Volts @ 2 Amp Max
 On/Off Control: Switch Selectable Off, On or Remote
 Waste Water Inlet: 2" PVC or 2" FNPT
 Primary Pump: Three (3) HP, Pumps up to 65 GPM at 40 PSI.
 Inlet Filtration: Cleanable Basket
 Particle Separator: Self Purging Vortex Filter
 Primary Filtration: Reusable Bag Removes Particles Larger than 25 Microns
 Secondary Filter: Dual Replaceable Micro-Pore GAC Cartridge
 Filtered Water Outlet: 2" PVC

Ozone Recirculation System

Input Power: 208/230/480 Volt, 3 Phase @ 4.7/4.7/2.35 Amp Max
 Control Power: 115 Volts @ 2 Amp Max
 On/Off Control: Switch Selectable Off, On or Remote
 Waste Water Inlet: 1 1/2" PVC or 1 1/2" FNPT
 Re-Circulation Pump: 1.5 HP Capable of Pumping up to 30 GPM @ 40 PSI
 Inlet Filtration: Cleanable Basket
 Ozone Injection: High Efficiency Ozone Injector
 Ozone Generator: High Efficiency Corona Discharge Providing Eight (8) Grams/hr.
 Ozonated Water Outlet: 1" PVC (Male or Female)



FAX: (631) 385-3222
 USA & CANADA: 1 (800) 227-0495
www.herculescarwash.com



HERCULES

95 West Hills Road
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 N.Y. 11746, U.S.A.
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www.herculescarwash.com

Town of Bedford Planning Board

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

Tuesday, May 12, 2015

Minutes

A meeting of the Planning Board was held on May 12, 2015, starting at 8:00 P.M., at 425 Cherry Street, Bedford Hills, New York. Present were Chairman Deirdre Courtney-Batson, Board Member William Colavito and Board Member Diane Lewis, Planning Director Jeff Osterman, Town Counsel Joel Sachs and Secretary Anne Paglia. Absent were Vice Chairman John Sullivan and Board Member Felix Cacciato. *[All Planning Board meetings are recorded. A CD copy of this recording may be obtained from the Planning Board Office.]*

Conference:

Waiver of Site Plan Approval
Section 72.5 Block 1 Lots 9, and 10, RB Zone
527 Bedford Road, Bedford Hills
Owner: **Shullman Family LP**
Applicant: **Russell Speeders of Bedford Hills, LLC**
(Review revised plans and noise report.)

Present:

Michael Shullman, Shullman Family LP
Robert Shullman, Shullman Family LP
Robert A. Spolzino, Attorney at Law, Wilson Elser Moskowitz Edelman & Dicker, LLP
Maria L. Castellucci, Consultant in AV and Acoustics
Erik A. Kaeyer, AIA, Vice President, KG&D Architects

Mr. Robert Shullman stated that two of the issues he will be addressing at this meeting is the revised site plan and the noise issue. He stated that the change in the site plan is basically from his company taking over the property in October 2013. They then decided they wanted to improve the quality by making it faster, traffic issues and exterior car washes for those customers who did not want to have the interior of the car done.

Mr. Michael Shullman stated that they have spent a little over \$500,000.00 so far in improvements:

1. Water Usage – they are now reclaiming water instead of trucking it off the property every day.

2. Traffic – no cars are backing up onto Route 117 – vacuuming is now taking place on the side of the building.
3. Water on the Street – they have a new blower (dryer) system.

Mrs. Courtney-Batson told the applicant that it was disconcerting to learn that they had done improvements without first coming back to the Planning Board which was stipulation made to them before the improvements were made. Mrs. Courtney-Batson said, for the record, a better approach would have been to say that you had a noise problem that you did not know you had and then return to the Planning Board.

Mr. Osterman asked what the net water loss from the site is. Mr. Shullman stated that they used to truck it out every day, but now it is every three or four days. Typically in a three thousand gallon truck, but sometimes in a five thousand gallon truck, so as to minimize the use of the trucks.

Mr. Kaeyer posted the site plans, original and proposed new one, on the board and explained the details to the Planning Board.

Mrs. Lewis requested that the landscape plan include native plants. She also asked them to consider under-story plants instead of grass in the back. Mr. Kaeyer said that that area is being left natural, it is not mowed. Mr. Kaeyer stated that this area will not be altered, but it has been cleaned of any garbage left there.

Mrs. Courtney-Batson also requested that they provide a specific lighting plan. She also brought up the acoustical barrier wall. Ms. Castellucci then discussed the noise levels and the noise issues. Mrs. Courtney-Batson stated that the noise report seems to dismiss the Sunday and after 6:00 PM lower requirements that the Town has. Mr. Spolzino stated that he did not think they would have be able to meet the 45 decibel requirement for these time periods because the ambient noise level never goes below 65. The evening and Sunday noise level solutions were discussed. Mr. Shullman stated that they would fine-tune the analysis for the Planning Board.

Mr. Osterman asked what the current position on the overhead doors was. Mr. Shullman said that the doors have not, as yet, been installed. He stated that the issues will be addressed.

Mr. Sachs then said that he would like to review the procedural history of this application.

- There was an initial application for site plan approval in 2011.
- There were two resolutions that the board adopted in 2011.
 1. A Preliminary Site Plan Approval was adopted on 6/28/11
 2. A Site Plan Approval adopted on 9/13/11.
- The significantly modified site plan came before the board in 2013.
- A Waiver of Site Plan Approval was granted for the site plan on 11/19/13.
- The Planning Board then sent a memo to the Zoning Board of Appeals recommending approval of the 2013 site plan with the recommendation that the

operation meet the current Town of Bedford Noise Ordinance. If it cannot meet this standard, then the applicant was to return to the Planning Board to determine if the standard can be met.

- The applicant then went before the Zoning Board of Appeals with an application for a Special Permit. The Zoning Board of appeals has not acted because the noise report that was issued indicated that the current operation did not meet the requirements of the Town of Bedford Noise Ordinance.
- The Planning Board said that if the current operation does not meet the Town of Bedford Noise Ordinance, the applicant is to return to the Planning Board to determine how this standard can be met.

Mr. Sachs stated that he agrees with Mr. Osterman, that since there is now another modified site plan, this application should be started from the beginning.

Mr. Sachs stated that in regard to SEQRA, there was an Environmental Assessment Form submitted by the applicant in 2011 and at that time, the Planning Board indicated that this was a Type II action. However, in view of the significant changes to the site plan and the noise issue, Mr. Sachs said he thinks the SEQRA issue needs to be reopened. Mr. Sachs recommends that the Planning Board should declare its intent to be Lead Agency and declare a Coordinated Review with the Zoning Board of Appeals.

Mr. Osterman and Mr. Spolzino agreed with Mr. Sachs suggestions.

The Board reviewed the modified Environmental Clearance Form and unanimously determined that this proposal is an “Unlisted Action” under SEQR. Mr. Colavito endorsed the Board’s determination on the ECF. Mrs. Lewis seconded.
Vote: Ayes: Courtney-Batson, Colavito, Lewis
Nays: None

Motion: A motion was made by Mr. Colavito that the Planning Board declare its intent to be Lead Agency under SEQRA.
Motion seconded by Mrs. Lewis.
Vote: Ayes: Courtney-Batson, Cacciato, Lewis
Nays: None

[At this point, Town Counsel Joel Sachs left the meeting.]

Conference:

Waiver of Site Plan Approval
-Alterations and Additions to the Lower School Campus
Section 83.9 Block 1 Lot 2, R-4A Zone
325 West Patent Road, Bedford
Owner/Applicant: **Rippowam Cisqua School**
(Consider amendment to approved final site plan.)

Present:

Kevin Daley, Director of Facilities, Rippowam Cisqua School

Mr. Daley described the existing fence and the proposed fence suggested by the applicant's security consultants. He stated that where there is an existing fence, the new fence would go exactly where the older one was.

Mr. Osterman provided some photos of the property and then asked Mr. Daley to describe the fence as it would be constructed in each portion of the property.

The Planning Board was concerned with having more plantings installed, not to completely hide the fence, but to soften it.

Mrs. Courtney-Batson suggested the Planning Board write a memorandum to the Zoning Board of Appeals with the following recommendations:

1. A planting plan shall be prepared which shall be designed to soften the appearance of the fence, using native plants, shrubs and trees. The plan shall be submitted to and approved by the Planning Board.
2. Care shall be taken during the installation of the fence and plants to preserve the root systems of the existing large trees.
3. A final design of the gate shall be presented to the Planning Board for final site plan approval.
4. The applicants shall return to the planning Board for final site plan approval.

Motion: A motion was made by Mrs. Lewis to send a memorandum to the Zoning Board of appeals recommending approval of the change to the site plan, with the conditions stated.

Motion seconded by Mr. Colavito.

Vote: Ayes: Courtney-Batson, Colavito, Lewis

Nays: None

Conference:

Waiver of Site Plan Approval

Renovation and Modification of Existing Automotive Service Station for Use as Gas Station and Convenience Store

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.)

(Consider amendment to approved final site plan.)

Present:

Lewis C. Roane, Architect, Lewis Roane Design

Mr. Roane stated that he was present to ask for a modification to the site plan to allow for the relocation of the generator, add a small brick wall to block a proposed walk-in refrigerator and the relocation of a propane tank to power the generator.

Mrs. Courtney-Batson asked if the refrigerator would be fastened to the ground. Mr. Roane said that it was and it would not be able to be moved. He also stated that the propane tank would not be underground, but the pipes would be. The location of the propane tank was discussed as well as the plant screening for it. Mrs. Courtney-Batson requested they bring a depiction of the propane tank to the next meeting.

There was a discussion about the location of the refrigerator and the wall. It was agreed to slide the refrigerator toward the back and to move the wall back, as well.

There was also discussion of the location of the plants and planting beds. Some of the planting areas were found to be on the neighboring properties. The Planning Board requested more information about the neighboring property surveys.

Mr. Osterman listed the following items for the applicant when coming back to the Planning Board:

- Consider jogging the wall back for the walk-in refrigerator to allow for additional clearance.
- Revise the plan to show the design of the propane tank, where it will be located and the depth, if any, that it will be buried into the ground.
- Piping details for the propane tank should be shown on the plan.
- The Bedford Hills Fire Department should review the location of the propane tank.
- The survey should be reviewed to determine which areas – planting and clothes bin – belong to the applicant.

Discussion:

Invasive Species

Mrs. Lewis stated that Chris Burdick, Supervisor, wanted a brief description of what this new law would be. Mr. Osterman said that he thought it important that the law be ‘fleshed out’ first. It was decided to start this as soon as the new law intern began work [*in about three weeks*].

Approval of Minutes:

Mr. Colavito made a motion to approve the minutes of November 18, 2015.

The motion was seconded by Mrs. Lewis.

Vote: Ayes: Lewis, Sullivan, Colavito

Nays: None

The next meeting will be on May 26, 2015.

Mr. Colavito moved to close the meeting; Mrs. Lewis seconded the motion.

Vote: Ayes: Lewis, Sullivan, Colavito

Nays: None

The meeting was adjourned at 9:45 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

Anne Paglia, Secretary
Town of Bedford Planning Board

Date