

TOWN OF BEDFORD PLANNING BOARD MEETING

425 Cherry Street
Bedford Hills, New York 10507

Tuesday
June 9, 2015
6:00 PM

Conference:

6:00 PM **Proposed 10-Lot Subdivision**
Section 62.9 Block 1 Lot 13, R-4A Zone
Upper Hook Road, Katonah
Section 62.13 Block 1 Lot 1, R-4A Zone
131 Upper Hook Road, Katonah
Owner: **New York Bedford Castle Co.**
Applicant: **America Capital Energy Corporation**
(Continuation of Completeness Review of DEIS: Sections III and V.)

Public Hearings:

- 8:00 PM** Special Use Permit – Accessory Apartment
Section 49.16 Block 2 Lot 26, R-1A Zone
157 Jay Street, Katonah
Owners: **Jason and Meredith Black**
Applicants: **Alexander and Shana Outman**
(Consider Special Use Permit.)
- 8:05 PM** 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.)
- 8:10 PM** Special Use Permit – Accessory Apartment
Section 84.17 Block 1 Lot 10, R-1A Zone
17 Gordon Avenue, Bedford
Owners/Applicants: **Nicholas and Denise Delfico**
(Consider Special Use Permit.)

Conferences:

1. Special Use Permit – Accessory Structure Over 20 Feet in Height
Section 49.19 Block 1 Lot 47, R- ¼ A Zone
71 The Terrace, Katonah
Owner/Applicant: **Mario Genovesi, Jr.**
(Consider application for Special Use Permit.)
2. Special Use Permit – Home Occupation
Section 49.19 Block 1 Lot 47, R- ¼ A Zone
71 The Terrace, Katonah
Owner/Applicant: **Mario Genovesi, Jr.**
(Consider application for Special Use Permit.)
3. 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 Subdivision Approval.)
4. Waiver of Subdivision Approval – Lot Line Change (Two Lots)
Section 73.10 Block 1 Lot 15.1, R-4A Zone
116 Hook Road, Bedford
Section 73.10 Block 1 Lot 16, R-2A Zone
52 Hook Road, Bedford
Owner/Applicant: **Coleman P. Burke**
(Consider Waiver of Subdivision Approval.)
5. 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 Field Trip notes.)
(Consider amendment to approved final site plan.)

Approval of Minutes:

November 25, 2014

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

www.bedfordny.gov

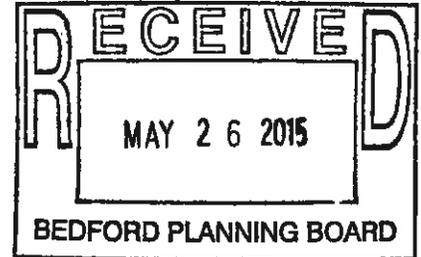
Larger documents and plans are available at the office of the Planning Board.

Agenda items subject to change.

EVANS ASSOCIATES Environmental Consulting, Inc.

MEMO

To: Bedford Wetlands Control Commission
From: Beth Evans *Beth Evans*
Subject: ACE DEIS Review: Upper Hook Road
Date: May 20, 2015



The following comments are offered for your consideration in reviewing the DEIS:

- 1) The proposed road and development on Lot 7 encroach on the sensitive nesting habitat for at least two Special Concern turtles (wood turtles and box turtles). Consideration should be given to alternative layouts and road designs which avoid these impacts or at least provide more than the proposed protection for these species. This is a case where, in my opinion, a "buffer" of greater than 100' is appropriate to protect the habitat of a wetland dependant (wood turtle) species. At the site walk, an aerial photograph of the site with the proposed development was requested. This should be included in the DEIS, as it will inform the discussion of avoiding potential impacts in this area.
- 2) The proposed driveway to Lot 9 crosses through the buffer (in fact it is immediately adjacent to the wetland at one point) of the slope wetlands on the eastern side of the site. At a minimum, this driveway should be relocated outside of the wetland buffer, as a common driveway with Lot 10 is possible.
- 3) All proposed improvements on Lot 8, including the SSDA and the pool, should be located outside of the wetland buffer, as the meadow on this lot was also identified as prime nesting habitat for turtles.
- 4) As observed during our site walk, the vernal pool on Lot 10 appears to be artificially drained by a ditch leading off site to the east. Were this outlet eliminated, the pool could provide ideal habitat for vernal pool obligate species. Although no impacts to the vernal pool or the 100' buffer are proposed, I believe that there is potential meaningful mitigation that could be achieved if this outlet was eliminated altogether.
- 5) It is also recommended that alternative configurations for the house and pool on Lot 10 be considered to allow more undisturbed upland around the pool, as this is again an unusual site where more than a 100' buffer may be appropriate. Certainly protection of the bluff adjacent to the pool is warranted as significant wildlife habitat.

*C. MARTABANO,
D. SESSIONS,
To: P.B. 8 JTD → 5/26/15*

- 6) An analysis should be made of the potential impacts associated with equestrian use of the property, both the current use by the BRLA, and potential future use should the lot owners decide to keep horses. Although riding trails may be appropriate and compatible within the conservation areas, a careful management plan should be developed to ensure that the sensitive habitats are protected.
- 7) Finally, it is strongly recommended that any lot which has wetland or wetland buffer areas on it have a clearly defined limit of disturbance which is entirely outside of the regulated buffer area, and which is protected by a deed restriction. This would eliminate the future lot owners from applying for wetland permits, which would eventually erode the protection proposed on this plan.

To Deidre Courtney-Batson, Chairman
Members of the Planning Board

The Historic Building Preservation Commission welcomes the opportunity to comment on the DEIS for the proposed development by American Capital Energy on Upper Hook Road.

Under the supervision of Kellard Sessions, on April 29th the HBPC had a site walk of the property, specifically that portion of the property where stand the remaining farm buildings. The Commission reviewed the caretaker's house, the corn crib, and the barn. The corn crib, while very unusual, was judged to be a mid-twentieth century interpretation of a corn crib, and showed no evidence of having actually been used for corn. The Caretaker's cottage was also judged to date from the mid-twentieth century. It is an intact example of a style, but not significantly outstanding to merit protection.

The Commission however determines that the barn does meet the standards for historic preservation. Despite its current setting on a later mud sill and foundation, the fairly intact timber frame appears to date from the early 19th century. The barn might have been jacked-up in place and set on a newer foundation, or possibly been moved from another location on the property. The barn structure consists of two separate sections; the eastern section containing the loft level, and the western section inclusive of the stable. The eastern section is considerably older than the western section. It is an excellent example of post and beam construction, and should be preserved.

This barn is significant as one of the few and fast disappearing agricultural structures in Bedford. The Commission believes that the barn when once again restored will serve as an asset to the property, as both a remembrance of the farm life that existed at this location, and also as a complementary structure to the unique and very special stone walled "cattle paddock" nearby.

It is our strong recommendation that the barn be restored and preserved.

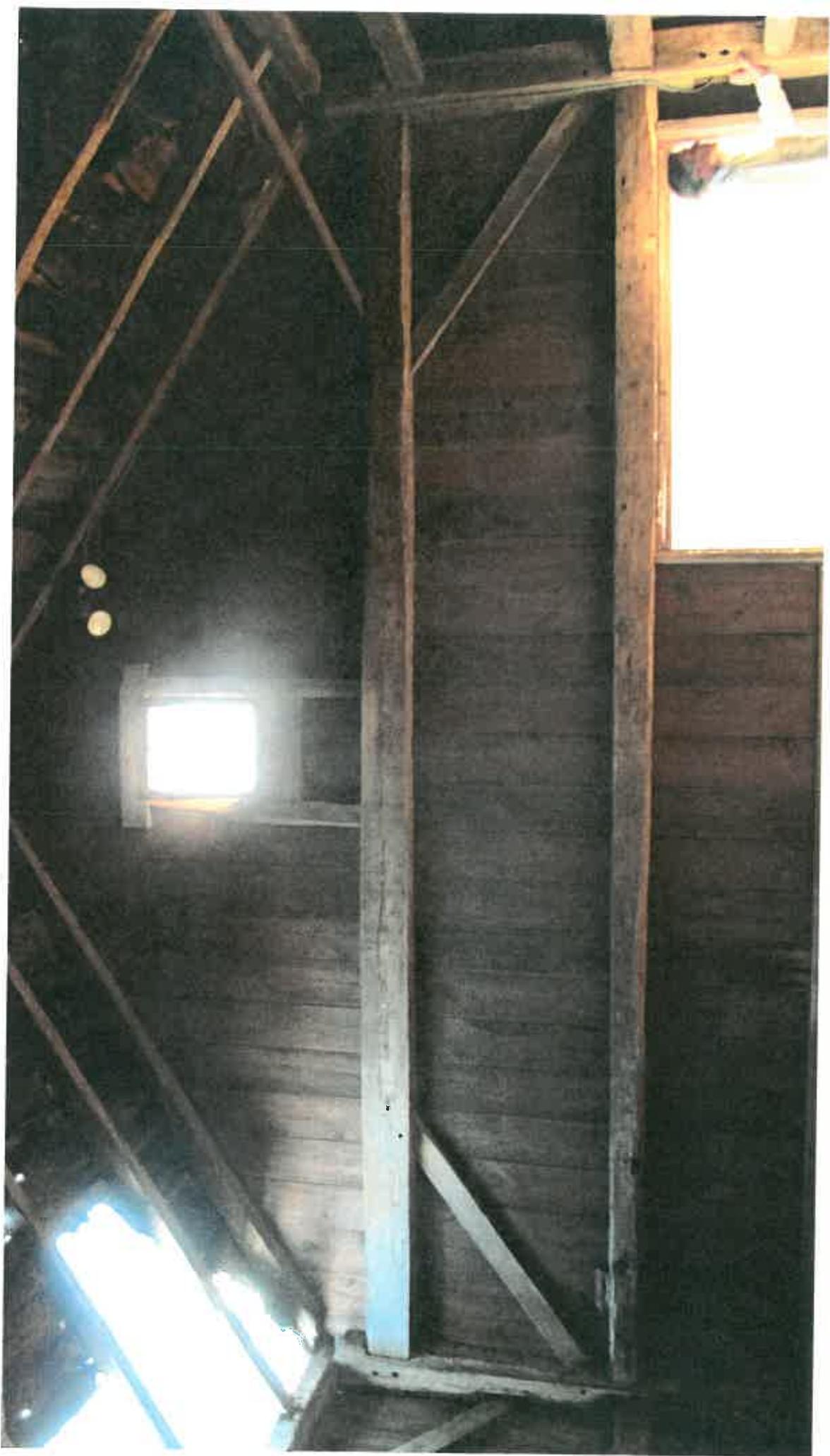
It should be noted that the barn is currently being neglected and is at risk. In the interim period, as the D.E.I.S. and then F.E.I.S. are prepared, the Commission requests that it is imperative the owner cover the barn with protective tarps to avoid further deterioration.



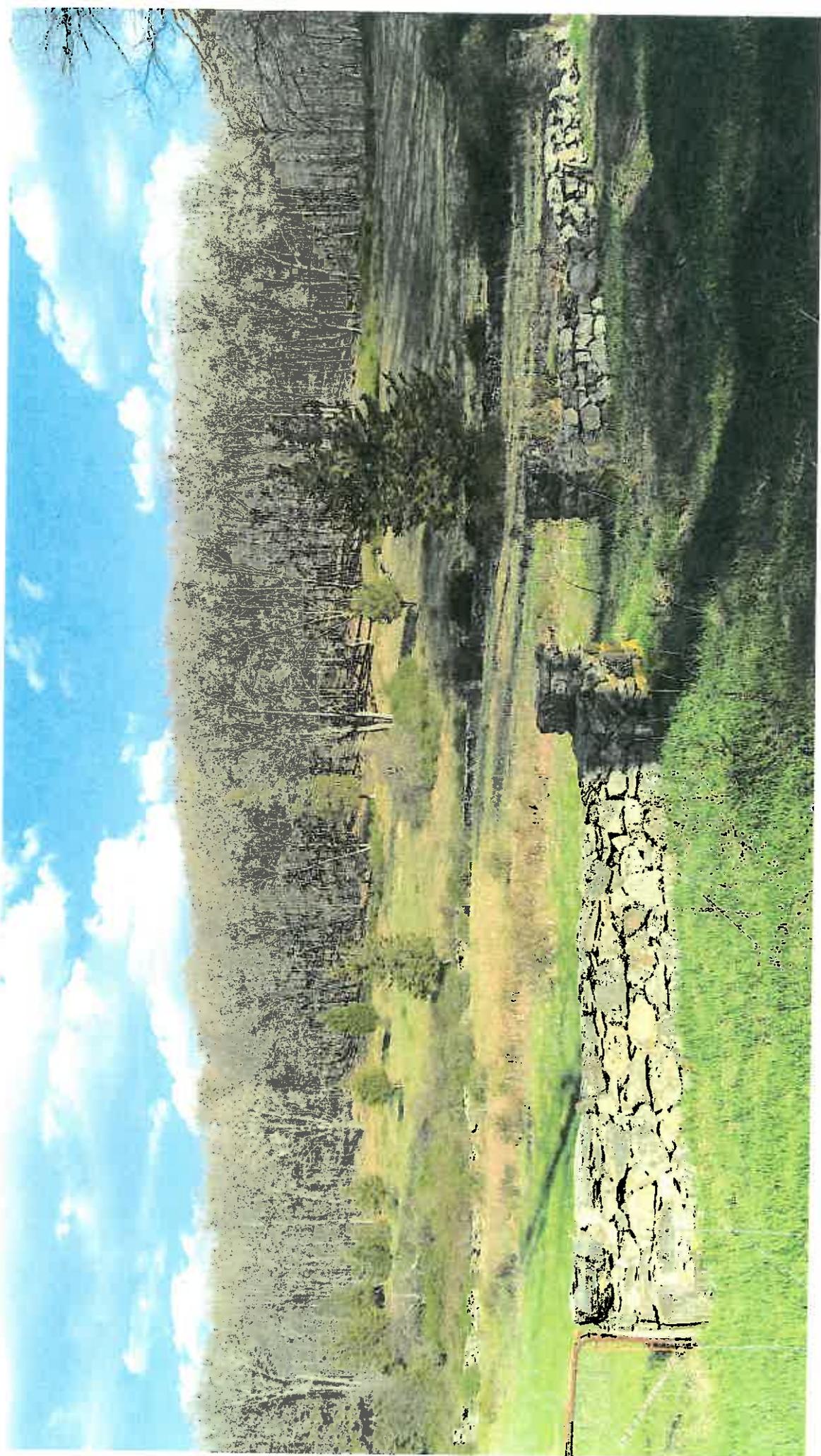
To: P.B. 5/27/15











**TOWN
OF
BEDFORD**

Westchester County



**TOWN HOUSE
321 BEDFORD ROAD
BEDFORD HILLS
NEW YORK 10507
www.bedfordny.info**

**CONSERVATION
BOARD**

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**TOWN HOUSE
666-5140**

May 26, 2015

To: Town of Bedford Planning Board

From: Town of Bedford Conservation Board

Re.: Proposed 10-Lot Subdivision
131 Upper Hook Road
Completeness Review of DEIS: Sections III and V

Dear Planning Board Members and Chair,

The Bedford Conservation Board has been actively involved in this project from its site walk on December 2, 2012 until today. Our board has had several previous communications with your board regarding this application. This communication involves our board's review of Chapter III The Natural Environment: Existing Conditions, Potential Impacts and Mitigation Measures of the Draft Environmental Impact Statement for this project, dated February, 2015.

Our comments are contained in an enclosed spreadsheet for ease in responding to our comments.

Respectfully submitted,

Simon Skolnik
Chair

encls.

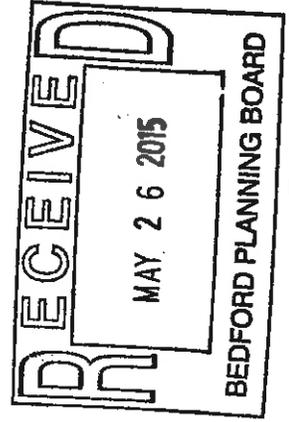
cc: American Capital Energy Corporation
Jeffrey Osterman, Director of Planning
Town of Bedford Wetlands Control Commission

Town of Bedford Conservation Board

**131 Upper Hook Road
DEIS, dated February, 2015**

**Completion Comments on DEIS for 131 Upper Hook Road, dated February, 2015
From: The Bedford Conservation Board**

Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
1	III-1			III-A(1) Existing Conditions, 2nd para, 2nd line last word "easterly"	From the description in the text, this should read "westerly"
2	II-3		6	Table 6 lists the slope disturbance by lot.	Provide locations of steep slope disturbances on a map so that they can graphically depict the impact.
3	III-4		7	Table 7 states: " Each lot is to be considered a separate phase...no more than 5 acres of disturbance and /or unstabilized land shall result at any one time.	Provide an "Area of Disturbance Table per Lot". It would be helpful to know each lot's impact during construction."
4	III-4			Para. Below Table 7: "An earthwork analysis has been conducted and the construction of the new road and common driveways (Phases 1 and 2)..."	Separate all work to be done in Phases 1 and 2. The applicant has concluded that the total cut/fill for the new road, common driveway (and common storm water management) will be a slight excess of export. Since we don't know what will be produced or needed for Phase 1, which may entail protecting excess cut that will eventually go to Phase 2's needs, we need to know this breakdown to fully understand the construction impact to the environment.



Town of Bedford Conservation Board

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
5				Exhibit 4 Cut and Fill Plan - Proposed Development	(a) This exhibit is not referenced in the DEIS and should be. (b) Also, Phase 3 in Table 7 should include an area of disturbance for each lot number. The applicant should choose the worst case scenario of development within the envelope for each lot. Again, similar to Item No. 4, how will cut/fill be handled during Phases 3 to 12.
6	III-5			Table 8: Estimated Earthwork	The Title should read: "Estimated Earthwork for Phases 1 and 2". Table 8 should include the whole project, not just parts.
7	III-5			III-A(3) Mitigation Measure, last para, 2nd line: "A qualified inspector..."	Define what "qualified" means. Because of its proximity to a NYC reservoir, our board would like to see a NYS licensed Professional Engineer as the inspector for all earthworks. Also see references on Page III-6 under Maintenance/Inspection for Stabilized Construction Entrance, Silt Fence, and Soil/Material Stockpiles, and on Page III-7 Tree Protection. Who inspects?
8	III-6			Stabilized Construction Entrance	If necessary, as determined by the Bedford Building Inspector, applicant to provide a washdown area at the project entry.

Town of Bedford Conservation Board

**131 Upper Hook Road
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From: The Bedford Conservation Board**

Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
9	III-10			III-B(1) Existing Conditions, 2nd paragraph, discusses soil testing, and soil test results in Appendix B	Provide complete soil testing results, including a location map. This would enable a review of these soils, as they are later referenced against slopes and depth to bedrock in determining their impact on septic field placement.
10	III-10			III-B(1) Existing Conditions	Provide each lot's percentage of septic impact classified moderate or less, and each lot's percentage of septic impact that are severe (by category). See explanation in Item 11 below.
11				Exhibit 6 Soil Plan	The Conservation Board has colored coded the soils on the project to reflect the applicant's determination of their suitability for septic fields. See attached marked-up Exhibit 6. Provide an exhibit with the chosen septic fields overlaid on a soils map, highlighting by color coding which soils have a "severe" impact on sanitation by slope, depth to bedrock, poor filter, wetness, and perc's slowly with an accompanying table showing these results. See item 13 for further comment.
12	III-18			Glacial Erratics, 5th line: "The larger glacial erratics...are illustrated on the site development plan."	Provide plan number reference. If not presently on any plan, then graphically show the location of the erratics. This is an important existing environmental condition.

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
13	III-19 to III-20			Last para. III-19 to III-20: To the extent practicable...presence of WCDH and NYCDEP personnel."	The applicant discusses that soils limitations will be mitigated to allow placement of septic fields. Due to the substantial number of locations of soils with known or possible severe limitations to septic, provide an overlay map showing septic field locations relative to soil types.
14	III-23			Table 10 Estimated Earthwork	Table 10 is a duplicate of Table 8. Our comments are the same for Table 10 as they are for Table 8.
15 16	III-22 III-22			Blasting Glacial Erratics	Provide plan showing potential blasting sites. The information provided by the applicant locates exposes ledge rock and shallow depth to bedrock. These locations should be mapped and placed into their own table show these areas per lot. Since blasting has off-site, as well as on-site, impacts, these potential locations should be known now.
17	III-23			Impacts to Upper Hook Road from Construction Vehicles, 3rd para	Provide locations on Site 3 of erratics. Applicant is only using Phase 1 and 2 results to argue construction impact, neglecting to mention Phases 3-12. They must consider the whole project. See Items 4, 5, 6, and 14 for further comments on this issue.
18	III-24			Roadway Design Compliance, 2nd para., 7th and 8th lines	Line 7 ends with "on" and Line 8 starts with "will". The sentence does not make sense, and seems to be missing text.

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
19	III-25			Glacial Erratics	Discuss any issues with protecting erratics due to blasting.
20	III-29			Jurisdiction, 2nd para.	Explain NYC DEP's exact jurisdiction over this project. For example, how far from the reservoir boundary and on what land/water features does NYC DEP provide a permit?
21	III-29			Jurisdiction, 2nd para, 7th line.	Applicant state that Army Corp of Engineers "likely" regulates the wetlands and watercourses. Provide confirmation.
22	III-30			III-C(2) Potential Impacts 1st and 4th bullet points mention "open box culverts"	Provide sizing of culverts if they are to be used as both water and land connections for wildlife crossings.
23	III-30			III-C(2) Potential Impacts 5th bullet point	Applicant argues later that the pool must be located within the buffer to avoid cutting into steep slopes. A retaining wall for the house is already contemplated. Extending it to the east could allow the pool to be located outside the buffer.

Town of Bedford Conservation Board

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
24	III-31			III-C(2) Potential Impacts contiguity of 6th bullet point on III-30	Applicant argues against relocation of the driveway to Lot 9 in order to stay out of the wetland buffer and avoid skirting the wetland by stating that this would preclude using an existing bridle trail. Since use of bridle trails is a voluntary agreement between the land owner and the BRLA, this is very much in doubt. By moving the driveway out of the wetland buffer, less cutting and lower costs to the applicant would result.
25	III-32			Pools	
26	III-32			Septic and Well, lines 10 to 13	Who will enforce planting of native meadow seed mix in Lots 7 and 8?
27	III-33			Vernal Pool, 2nd para. Lines 5 to 7.	Who will enforce discharging pool water overland to nearby wetlands?
28	III-33 to III-34			III-C(3) Mitigation Measures, Disturbance Limits	Who will enforce property owner from disturbing land beyond the established disturbance limit?
29	III-34			Invasive Species	What phase will the invasive species be removed?
30	III-34			Invasive Species, line 11	Define qualified professional
31	III-34			Native Seed Mix and Limited Mow Area and Wetland Buffer Tree Replacement and Landscaping	State what phase(s) this work will occur.
32	III-35			Seasonal Drawdown of Pools	Add a discussion of the pools on Lots 9 and 10 and how they will be prevented from affecting the Vernal Pool

Town of Bedford Conservation Board

**131 Upper Hook Road
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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
33				Exhibit 8 Pre-Development Hydrology Plan	(a) Provide direction arrows of drain flow; (b) There are six (6) areas of the site that are not within the drainage areas identified by the applicant. Where do they drain. Included in one of these 6 areas is the vernal pool, and the drainage patterns surrounding it should be shown.
34	III-36			III-D(1) Existing Conditions, 3rd para. Lines 4 and 5	Identify which development plan shows the the limits of NYCDEP jurisdiction over watercourses
35	III-39 III-40			III-D(2) Potential Impacts, lasgt para. Starting with "Drainage improvements..."	Who enforces using non-phosphorus fertilizers?
36	III-40			2nd para, 7th and 8th line	Provide location map for deep and percolation test holes.
37				Exhibit 9 Post-Development Hydrology Plan	Show direction arrows of drainage flow for each sub-drainage area.
38	Iii-46			Table 17 Pre and Post-Construction Pollutant Loading Analysis	Explain why loading increases for TP in Drainage Areas 4 and 8, TN for Drainage Areas 6 and 8, TSS for Drainage Areas 1 and 8, and BOD in Drainage Areas 8. Why does pollutant loading in Drainage Area 8 increase in Post-Construction for all parameters?

Completion Comments on DEIS for 131 Upper Hook Road, dated February, 2015
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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
39	III-49			Rain Gardens	Rain gardens are mentioned on III-47, III-48, and on III-49. Since they are considered of importance to mention and/or discuss three times, provide location(s) where they will be used on a project development plan.
40	III-53			Impacts to Upper Hook Road from Construction Vehicles, 1st para., lines 3 and 4. Impacts to Upper Hook Road from Construction Vehicles, 3rd para., lines 5 to 9: "While no specific... pothole repair, etc."	Applicant is only using Phase 1 and 2 results to argue construction impact, neglecting to mention Phases 3-12. They must consider the whole project. See Items 4, 5, 6, 14, and 17 for further comments on this issue.
41	III-53				Has this proposal been reviewed with the Bedford Department of Public Works?
42	III-54			Add new paragraph	Provide a new para. Titled: "Disturbance Limits" because setting boundaries that prohibit stormwater impacts on areas beyond those limits.
43		4/20 and others		Filter strip on Lot 2 is shown outside the Limits of Disturbance on all drawings	Redraw limits of disturbance to include filter strip on all drawings
44	III-56		21	Listed Ash trees	Because of the imminent arrival of the emerald ash borer to our town, provide locations of identified ash trees on site. Individual ash trees can be protected from the borer.

Town of Bedford Conservation Board

**131 Upper Hook Road
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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
45	III-61 to 111-62			Appalachian Oak Hickory Forest	The applicant describes the extent and importance of this forest. Would the applicant consider voluntarily replacing removed trees with native tree replantings; the amount to be decided?
46	III-64			III-EI2) Potential Impacts, line 6: "Vernal Pool communities"	Define and discuss vernal pool communities, as well as accepted setbacks for their preservation and methods of preserving these communities.
47	III-66			1st para, line 4 to 6 from "eastern worm snake....spotted turtle (Clemmys guttata). Below Table 24, 2nd bullet point: Tree removal will not have a significant adverse impact on ecological systems, including erosion potential and wildlife habitat."	Note additional species of concern on page 111-73.
48	III-67				The applicant describes in numerous locations the importance of the trees on the property. This statement is unproven and should be removed or further explained.
49	III-67			Below Table 24, 3rd bullet point: The removal of trees will not have a significant adverse impact on other properties or roadways including impact on screening or drainage.	The applicant describes in numerous locations the importance of the trees on the property. This statement is unproven and should be removed or further explained.

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
50	III-68				Describe in a fuller sense how the applicant intends to facilitate a conservation easement. This is a important feature of the application, and is not adequately described or defined. See comment for Item 48.
51	III-68			Conservation Easement Tree Protection and Mitigation, Tree Protection and Mitigation, 1st para.	
52	III-69				Define and identify "significant" tree. Sharp-shinned hawk is identified as of special concern status. See item 50 for further comments.
53	III-73			Para. 1, lines 3 - 5	Applicant attests to importance of large tract type species in identifying this property as an important movement corridor. Provide mechanism for sustaining this site's role.
54	III-77			2nd para.	Compare this paragraph with Item 51 and 52 regarding the importance of trees to wildlife abundance and diversity.
55	III-77			III-F(2) Potential Impacts, 1st para	Discuss existing wildlife corridors in relationship to project impacts
56	III-77 to III-78			Last para on III-77 going to 1st para. III-78	Include buffer to vernal pool on Lot 9 and sliver of land to the west of the main entry (part of the existing perennial stream along Upper Hook Road) to Conservation Easement areas.
57	III-79			HI-F(3) Mitigation Measures, Conservation Easement Wood and Eastern Box Turtle Habitat Preservation Measures, first bullet point	In what phase will the dry laid stone wall be built on proposed Lot 7?
58	III-80				

Town of Bedford Conservation Board

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Item No.	Page No.	Site Development Plan No.	Table No.	Reference	Comment
59	III-81			Tree Protection and Mitigation	Applicant should consider a voluntary program of replanting removed trees with native species to maintain the forest as close to its pre-construction 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: Jason & Meredith Black

Address: 157 Jay Street, Katonah, NY 10536

Phone: (914) 232-4041

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Alexander & Shana Outman

Address: 77 Carroll Street #1, Brooklyn, NY 11231

Phone: (917) 679-1254

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: _____

Address _____

Phone: _____

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title _____

b. Roads which property abuts Rt. 22

c. Bedford tax map designation: Section 49.16 Block 2 Lot(s) 26

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

e. Total area of property in acres 1 Acre

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

The applicant proposes the following Special Permit Use:

6. PUBLIC NOTICE

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

7. SITE PLAN

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

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

Special Use Permit Application: \$ 200 \$ 200

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

Total: \$ 200

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.

M. Black Signature of Owner Date

[Signature] 05/04/2015 Signature of Applicant Date

Meredith Black Name of Owner (Please Print) Date

Alexander Outman 05/04/2015 Name of Applicant (Please Print) Date



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

Identification of Applicant

Name Alexander & Shana Outman

Address 77 Carroll Street, Brooklyn, NY 11231

Phone (917) 679-1254

Identification of Property Owner, if Other than Applicant

Name Jason & Meredith Black

Address 157 Jay St, Katonah, NY 10536

Phone (914) 906-7977

Identification of Site Involved, if any

- a) Name or other identification of site _____
- b) Street which site abuts _____
- c) Tax Map Section _____
- d) Total site area 1 Acre
- e) Does applicant have a whole or partial interest in lands adjoining this site? _____

Identification of Proposed Action

a) Description of Proposed Action Renew permit for existing accessory apartment granted by resolution 08/18.

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: _____

2. List any related actions which may be undertaken as a result of 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 a 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.

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: 05/04/2015

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:

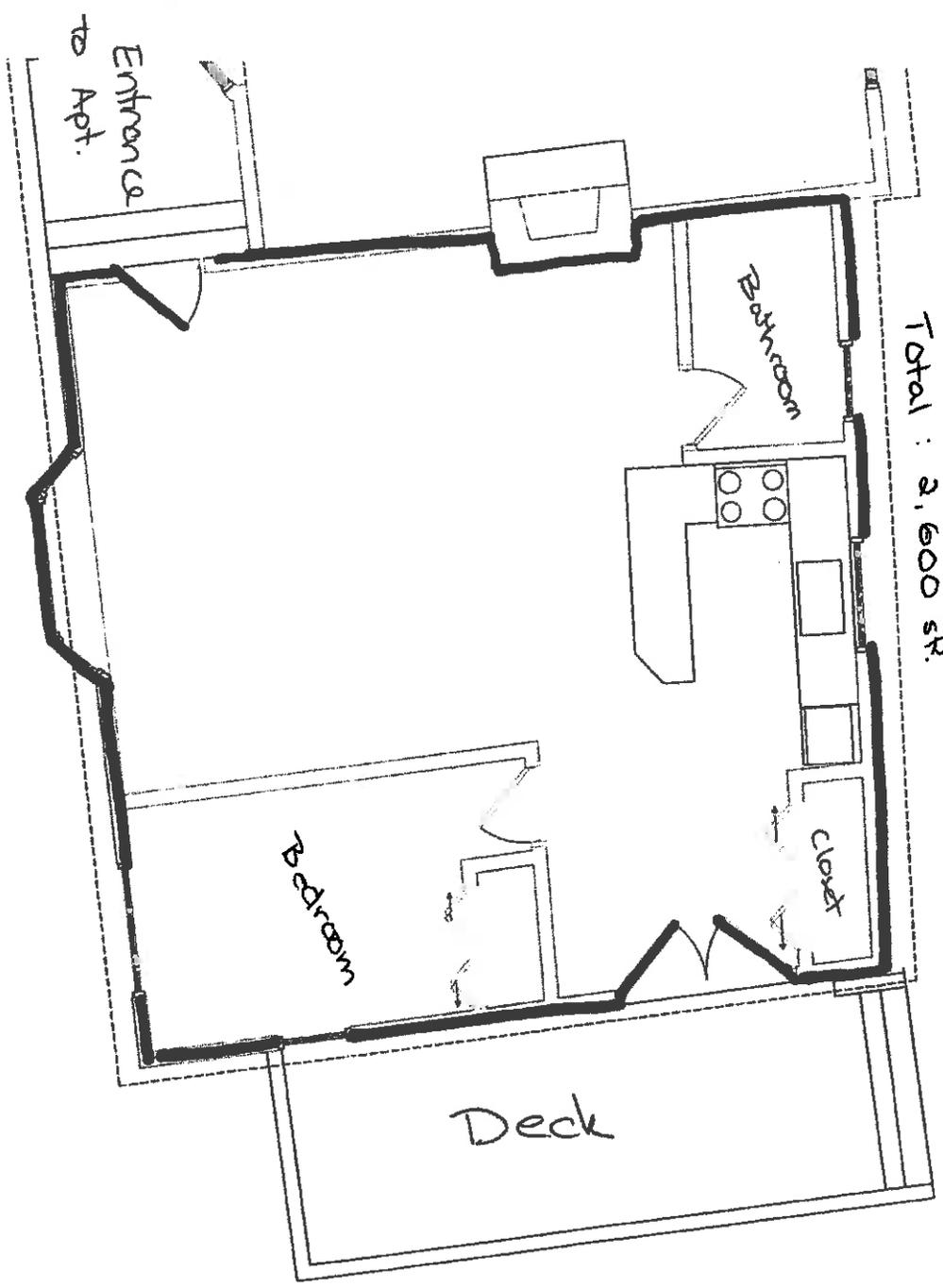
Town Agency

Agency Signature

Date

Accessory Apartment
157 Jay Street
Katonah, NY 10536

Lot Area: 1 Acre
Apt: 2,600 sf.
Main house: @ 2,000 sf.
Total: 2,600 s.f.



Certificate of Occupancy



Town of Bedford
425 Cherry Street
Bedford Hills, NY 10507
914-666-8040

8/22/2008

Certificate: 2008-0138

Issued: 8/22/2008

Building Permit No. 77-100-335

This is to certify that: **Dragani, Rosemary**
of **157 Jay St, Katonah, NY 10536**

having filed on **8/22/2008**

Application No. **2008-0138**

for a Certificate of Occupancy applying to premises located at **157 Jay St**

, being Section, Block and Lot **49.16-2-26**

Town of Bedford Assessment map in the **R-1A** district as shown on the Town zoning map,

and the application having been approved, authority is hereby given to occupy or use said premises or building or part thereof for the following purposes:

**One Bedroom Apartment Over Garage - Already Built
(House Remains 3 Bedrooms)**

Visual Inspection Only - August 21, 2008

Richard Megraw / ajc
Building Inspector

Alexander Outman

77 Carroll
Brooklyn, NY 11231
917-679-1254

May 4, 2015

Section 49.16 Block 2 Lot 26 R-1A Zone

Re: Permit on Accessory Apartment in Existing Single-Family Residence

1. The accessory apartment has been in existence prior to the adoption of this chapter. The entire structure has been in existence longer than 5 years.
2. The owner of the residence occupies one of the dwelling units on the premises.
3. No more than 5 persons occupy the lot.
4. There is only one accessory apartment on the lot.
5. The lot does meet the lot area, height, and coverage requirements for the zoning district in which it is located.
6. There is a separate entrance for the accessory apartment at the side of structure. No exterior changes were made to the dwelling.
7. At least two off-street parking spaces suitable for year-round use are provided on the lot.
8. The accessory apartment is within 400 square feet and 800 square feet of gross floor plan. It does not exceed 25% of the total floor plan.
9. Existing blueprints were submitted to the Planning Board and the Building Department.
10. The Westchester County Department of Health has approved the accessory apartment in the Certificate of Occupancy (Building Permit No. 77-100-335).
11. A 5 year renewal is request.

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 Karth 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 RT 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 1/4A TF VA NB CE PB-R PB-O LI
Zoning District

e. Total area of property in acres 10.395 AC

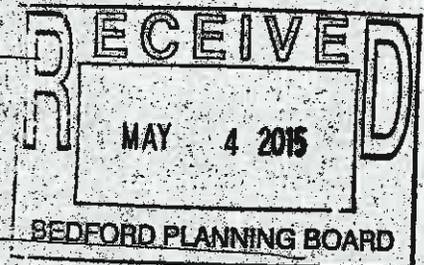
5. REQUEST

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: Y 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: \$ _____

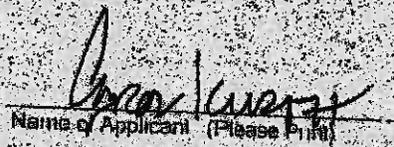
Permission is hereby given to the Town of Bedford, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession

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 _____
 02 BEAUGA OF
 321 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

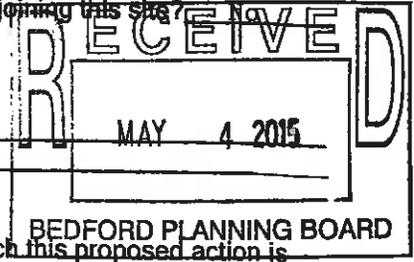
- a. Name or other identification of site 326 South Bedford RD
- b. Roads which site abuts Rt172 / South Bedford Rd
- c. Bedford tax map designation: Section: 83.13 Block 1 Lot(s) 7
- d. Total site area 10.395 AC
- e. Does the applicant have a whole or partial interest in lands adjoining this site? No

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

email: ndsnr@optonline.n

1. IDENTIFICATION OF OWNER

Name of owner: Denice + Nicholas Delfico

Address: 17 Gordon Ave., Bedford, NY 10506 Phone: 914-552-9201

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: Same

Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: _____

Address: N/A Phone: _____

4. IDENTIFICATION OF PROPERTY

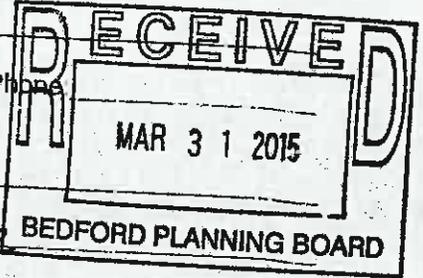
a. Subdivision name or identifying title _____

b. Roads which property abuts Gordon Avenue

c. Bedford tax map designation: Section 84,17 Block 1 Lot(s) 10

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

e. Total area of property in acres 1 Acre



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

The applicant proposes the following Special Permit Use:

Accessory apartment in an existing structure.

6. PUBLIC NOTICE

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

7. SITE PLAN

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

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

Special Use Permit Application: \$ _____ \$ 200

Preliminary Site Plan:
\$500 plus \$25 per parking space required by the Bedford Town Code \$ 0

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.

Denice DelRico 3/31/15
Signature of Owner Date

Signature of Applicant Date

Denice DelRico 3/31/15
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: Denise + Nicholas Delfico
Address: 17 Gordon Ave., Bedford, NY 10506 Phone: 914-552-9201

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: N/A
Address: _____ Phone: _____

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site _____
- b. Roads which site abuts Gordon Avenue
- c. Bedford tax map designation: Section: 84.17 Block 1 Lot (s) 10
- d. Total site area 1 Acre
- 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 Accessory Apartment in an existing structure
- 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: none
 - 3. List any actions which are dependent upon this proposed action, and therefore should be reviewed as part of this action, e.g. house construction in the case of a residential subdivision: none

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

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

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

04/05

Denise Delfico
Signature of Applicant

3/31/15
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

APPLICATION FOR DENICE AND NICHOLAS DELFICO

17 GORDON AVENUE, BEDFORD, NY.

This is a request for a Special Use Permit for an Accessory Apartment in an existing structure that will be attached to a single family residence.

The residence structure and the structure in which the accessory apartment is to be located have been in existence prior to 1984.

We are the owners of the lot and occupy one of the dwelling units on the property.

There will be no more than five persons occupying the lot.

There will be no more than one accessory apartment on this lot.

The lot meets the lot area, yard and coverage requirements for the zoning district in which it is located except for the pre-existing, non-conforming rear yard setbacks:

- The total building coverage with the attachment will be 9% where 10% is allowed.
- The total impervious coverage with the attachment will be 11.9% where 20% is allowed.
- The rear yard setback is 36.8 feet where 50 feet is required.

There is a separate entrance to the accessory apartment at the side of the structure.

There is a minimum of two off-street parking spaces suitable for year-round use.

The structure is 845 square feet and does not exceed 25% of the total floor area of the principal residence structure.

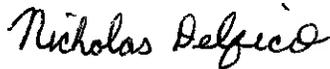
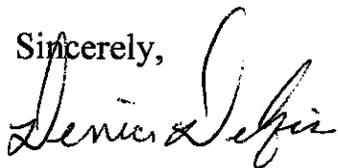
A survey of the property and dimensional floor plan of the proposed accessory apartment have been submitted to the Planning Board and Building Inspector for review.

The water supply is fed from the main house which is checked annually by the Westchester County Department of Health and there is a Construction Approval from the Westchester County Department of Health for a separate sewage disposal system for the accessory apartment.

The Building Inspector has previously inspected the accessory apartment.

We understand that the permit shall be limited to five years and may be renewed by application to the Building Inspector. We also understand that prior to the renewal of the permit; the Building Inspector shall inspect the building and determine that all of the criteria imposed upon the original special use permit continue to be met.

Sincerely,

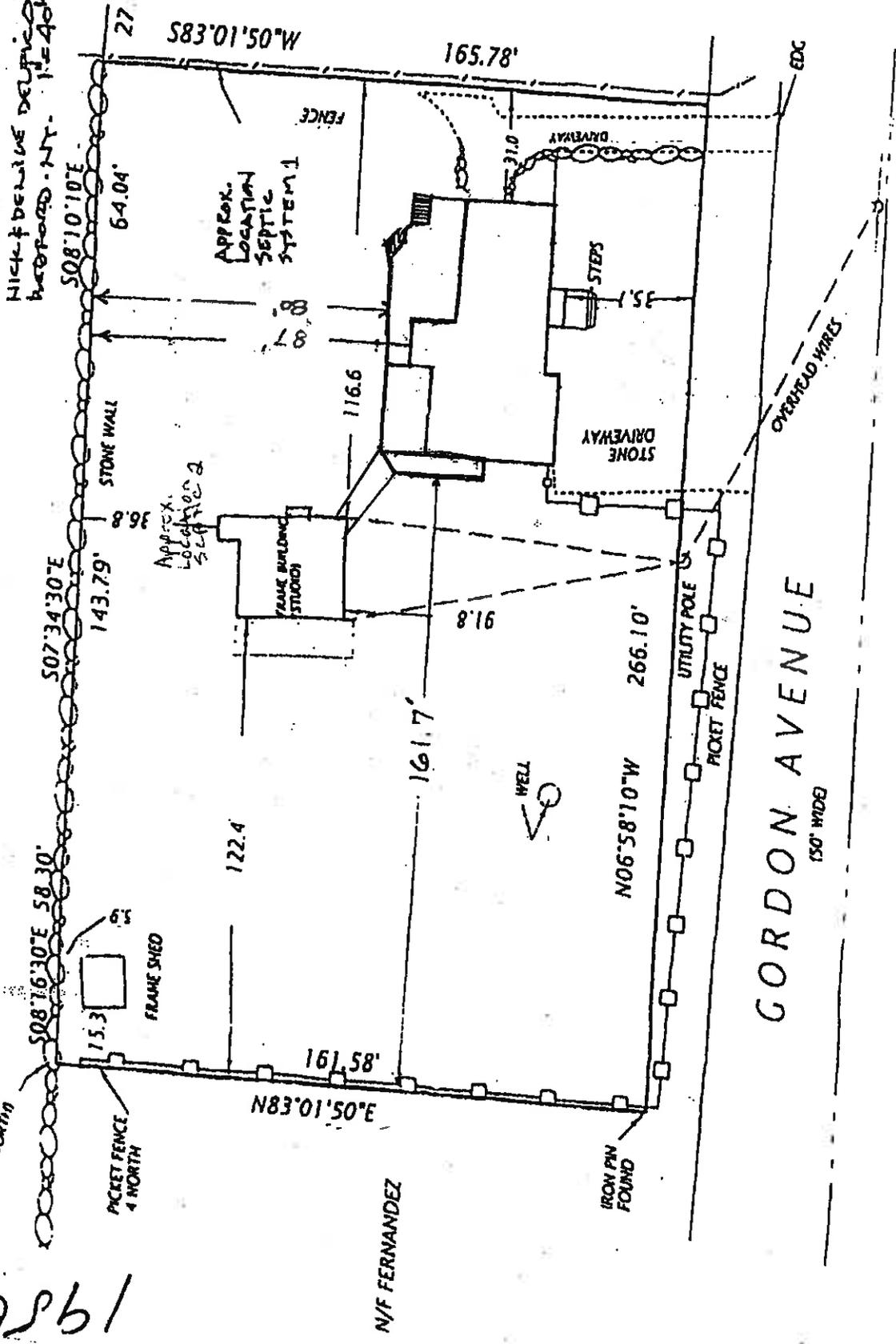


Denice and Nicholas Delfico

IRON PIN FOUND
(LOOSE 1.5 WEST, 0.3 NORTH)
29261

N/W ROBERT STEAD

NICK & BELIVE DELINE
HARRARD - NY. 1240



N/W FERNANDEZ

GORDON AVENUE
150' WIDE

LETTER OF PERMIT DENIAL



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

Application #:

Date: 5/16/2014

Parcel ID: 84.17-1-10

Owner Information

Delfico, Nicholas

Applicant Information

Delfico, Nicholas
17 Gordon Ave

Bedford Village NY 10506

Location: 17 Gordon Ave

Parcel ID: 84.17-1-10

Permit Type: Cottage/Accessory Apartment

Work Description: Legalization of accessory building currently being used as a Cottage. Its legal use is a Studio as defined by the Certificate of Compliance 2036A issued on 11/29/84.

Dear Resident,

Regarding the application for a Special Permit on the property referenced above, the following facts are noted. This property is located in R-1A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

In accordance with Article VIII Section 125-79.1 of the Town Code, a Special Use Permit of the Planning Board is required for accessory cottages. Accessory cottages are permitted in Residential 2 and 4 Acre Zoning Districts. This parcel is located in the Residential 1 Acre Zoning District where cottages are not permitted. The rear yard setback for the existing accessory building is 36.8 feet where 50 feet is required in the Residential 1 Acre Zoning District.

Amended application and plans filed on 7/30/14

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

Very truly yours,

Steven Fraietta
Building Inspector

APPLICATION OF DENICE AND NICHOLAS DELFICO
17 GORDON AVENUE

This is a request for a Special Use Permit for a Residential Cottage in an existing accessory building. Currently existing is a structure of 873 square feet with a kitchen and bath. There is a Certificate of Occupancy for the structure as a Studio issued on November 29, 1984. Because the structure is in a R1A Zone, we are asking for a denial from the Planning Board so that we may ask the Zoning Board of Appeals for a variance.

The structure was built by the previous owner in 1984. According to the tax assessor's card, the existing cottage features have been in existence since that time. We purchased this property in 1991 and other than normal maintenance; there have been no changes, additions or alterations to the inside of the accessory structure. We have been paying taxes on the structure as it is now for 23 years.

The structure is accessory to a one family dwelling in which we reside, there is only one accessory building on our property and there is a minimum of two off-street parking spaces suitable for year-round use provided on the lot.

We previously made an application for a variance, and then withdrew because the structure exceeded 25% of the total floor area of the principal residence. Since that time, we have renovated the main residence so that the structure would meet the square footage requirements. The structure is 873 square feet and does not exceed 25% of the total floor area of the principal residence structure which is 4,200 square feet.

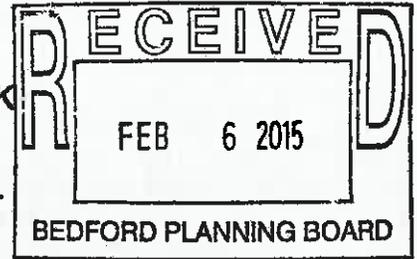
The water supply is fed from the main house which is checked annually by the Westchester County Department of Health and the approval of the Westchester County Department of Health for the septic is pending.

The structure is set back on the property and far from any neighbors. Behind the property is a wooded, unbuildable hill. In the past, we have considered attaching the main residence with the accessory structure, in which case the accessory structure would appear to satisfy the requirements for an accessory apartment in a one family dwelling. However, we would like to ask if the structure could remain unattached as a Cottage. Besides the expense of building the attachment, we believe that attaching the accessory structure to the main residence would not only present an appearance that is not in character with the neighborhood, but would also not be in character with the Town of Bedford which is known for its cottages.

Thank you very much,

Denice and Nicholas Delfico

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: MARIO GENOVESE JR

Address: 71 The Terrace, Katonah Phone: 914/232-0893

914-403-7730

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: _____

Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: _____

Address: _____ Phone: _____

4. IDENTIFICATION OF PROPERTY

a. Subdivision name or identifying title Section 49.19, Blk 1, Lot 47

b. Roads which property abuts The Terrace & New Street.

c. Bedford tax map designation: Section 49.19 Block 1 Lot(s) 47

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

e. Total area of property in acres 0.484

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: _____, Section: _____

The applicant proposes the following Special Permit Use:

EXISTING GARAGE IS 20'-4" FROM GRADLE TO Ridge.

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.

Mario Genovesi 2/5/2005
Signature of Owner Date

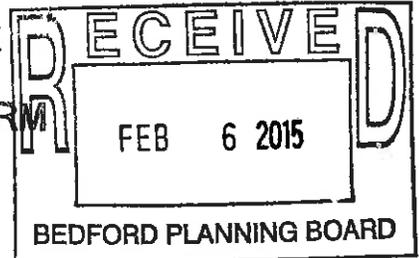
Mario Genovesi 2/5/2005
Signature of Applicant Date

MARIO GENOVESI JR 2/5/2005
Name of Owner (Please Print) Date

MARIO GENOVESI JR 2/5/2005
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: MARIO GENOVESE JR
Address: 21 THE TERRACE Katonah Phone: 914-232-0993
914-463-7730

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: _____
Address: _____ Phone: _____

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site _____
- b. Roads which site abuts The Terrace & New Street
- c. Bedford tax map designation: Section: 49.19 Block 2 Lot (s) 47
- d. Total site area _____
- e. Does the applicant have a whole or partial interest in lands adjoining this site? _____

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action _____
- 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

Mario Genovese Jr
Signature of Applicant

2/6/2015
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.

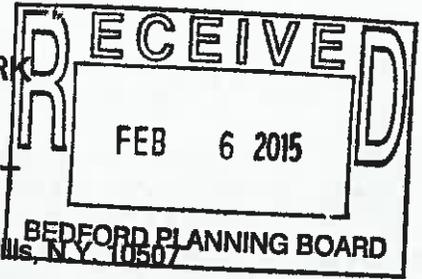
2. COMMENTS:

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: MARIO GENOVES I JR.

Address: 21 The Terrace, Katonah Phone: 914-232-0853
914-403-7730

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: _____
Address: _____ Phone: _____

3. PROFESSIONAL PERSON PREPARING SUBDIVISION PLAT

Name: _____
Address: _____ Phone: _____

4. IDENTIFICATION OF PROPERTY

- a. Subdivision name or identifying title Section 49.19, Blk 1, Lot 47
- b. Roads which property abuts THE TERRACE & NEW STREET
- c. Bedford tax map designation: Section 49, Block 1 Lot(s) 47
- 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 0.484

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: _____, Section: _____

The applicant proposes the following Special Permit Use:

HOME OFFICE ABOVE EXISTING GARAGE

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.

Mario Genovese 2/5/2015
Signature of Owner Date

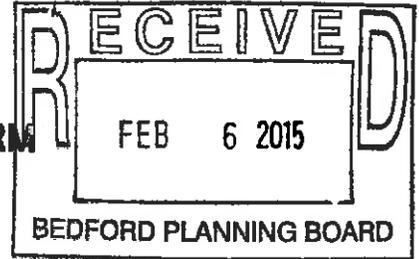
Mario Genovese 2/5/2015
Signature of Applicant Date

MARIO GENOVESE JR 2/5/2015
Name of Owner (Please Print) Date

MARIO GENOVESE JR 2/5/2015
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: MARIO GENOVISE JR
Address: 71 THE TERRACE KATONAH Phone: 914-232-0893
914-403-7730

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: _____
Address: _____ Phone: _____

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site _____
- b. Roads which site abuts The Terrace & New Street
- c. Bedford tax map designation: Section: 49.19 Block 2 Lot(s) 47
- d. Total site area _____
- e. Does the applicant have a whole or partial interest in lands adjoining this site? _____

4. IDENTIFICATION OF PROPOSED ACTION

- a. Description of Proposed Action _____
- 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

Mario Genovise Jr
Signature of Applicant

2/6/2015
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

Paglia, Anne

From: Mario Genovesi [mgioffice@optonline.net]
Sent: Friday, February 06, 2015 7:58 PM
To: Paglia, Anne
Subject: Fw: home occupations
Attachments: CUSTOMARY HOME OCCUPATIONS.docx

Anne,

Attached is my response to the Customary Home Occupations document. If you have any questions please call. Thanks for your help.

Mario Genovesi
914.403.7730

From: Paula Genovesi
Sent: Friday, February 6, 2015 7:07 AM
To: MGI office office
Subject: home occupations

TOWN OF BEDFORD
425 CHERRY STREET
BEDFORD HILLS, NY 10507

CUSTOMARY HOME OCCUPATIONS RESPONSE:

I AGREE TO THE SPECIFICATIONS AS OUTLINED IN THE TOWN CODE ZONING
SECTION 125-28. CUSTOMARY HOME OCCUPATIONS, (B) (1) – (13).

MARIO GENOVESI

- C. Accessory buildings and structures not greater than 100 square feet in floor area and not more than 10 feet in height measured to the highest point of the building or structure shall be located not closer than one-third (1/3) of the side yard and rear yard dimensions specified in § 125-50 herein. Accessory buildings and structures shall comply with the front yard setbacks specified therein.
- D. Individual accessory buildings and structures greater than 100 square feet in ground floor area or greater than 10 feet in height shall meet the following requirements:
- (1) Accessory buildings and structures permitted under this section shall comply with the front, rear and side yard requirements specified in § 125-50 herein and shall be limited in height to a maximum of 20 feet measured to the highest point of the building or structure.
 - (2) The ground floor of an individual accessory building or structure permitted under this section shall not exceed 0.5% of the area of the lot on which the accessory building or structure is located.
 - (3) The construction of an accessory building or structure over 2,500 square feet in ground floor area or greater than 20 feet in height shall require the issuance of a special permit by the Planning Board pursuant to the requirements of Article VII herein.
- E. In calculating maximum building coverage, 50% of the square footage of tennis courts should be included in the calculation of building coverage. [Added 6-7-2005 by L.L. No. 7-2005]

§ 125-28. Customary home occupations. [Amended 2-1-2005 by L.L. No. 2-2005; 6-19-2012 by L.L. No. 5-2012]

- A. It is the intent of this section to permit customary home occupations to be conducted and carried on in an existing dwelling unit or in an existing accessory structure, provided that such customary home occupation does not disturb the residential characteristics and nature of the neighborhood in which it is located.
- B. A customary home occupation is a special use permit for which the Planning Board is authorized to grant a special use permit in all residential zoning districts subject to the following conditions:
- (1) The use is conducted solely within the dwelling unit or in an existing accessory structure by the occupants of the dwelling and the use is clearly incidental and secondary to the use of the dwelling unit for living purposes.
 - (2) There is no external display or advertising of goods or services or other external evidence of such use except for one nonilluminated nameplate not over one square foot in area, with letters not exceeding 1 1/2 inches in height.
 - (3) The establishment of such occupation shall not require external alterations or involve exterior construction features not customarily found in residential

neighborhoods with the exception of alterations required for handicapped accessibility.

- (4) The occupation does not utilize an area exceeding 25% of the floor area of the first story of the dwelling unit or 500 square feet, whichever is less. In the case of an accessory structure, the limits of not more than 25% of the first floor of the residential building or 500 square feet shall also apply. In addition, there shall be no expansion of the existing building area of an accessory structure to permit the home occupation.
- (5) The appliances and equipment shall be operated in such a manner that they do not produce and emit, beyond the boundaries of the lot on which the use is located, dust, glare, hazard, heat, light, noise, nuisance, odor, radiation, radio or television interference, smoke or vibration and are in no other manner obnoxious, offensive or detrimental to the immediate neighborhood.
- (6) The use itself is conducted in such a manner or during such hours that it is in no way obnoxious, offensive or detrimental to the immediate neighborhood.
- (7) There are to be no employees other than members of the family residing in the dwelling unit.
- (8) No article is sold or offered for sale except such as produced by members of the immediate family residing in the dwelling.
- (9) In the case of an instructor in violin, etc., music teacher or tutor of standard scholastic subjects, the office or studio shall be so equipped and used that the sounds therefrom shall not be heard beyond the boundaries of the premises on which the use is located.
- (9A) No more than one client shall be served by the customary home occupation at one time on the property.
- (10) There shall be no more than one customary home occupation within a lot.
- (11) There shall be no outside storage of equipment, supplies and/or commercial vehicles related to the permitted home occupation.
- (12) The Planning Board shall determine the number of off-street parking spaces that must be provided, their location on the lot and the screening which shall be provided. The customary home occupation shall be so conducted that on-street parking shall not exceed what would be expected for a residence without such home occupation, and, if it is not so conducted, the special use permit shall be subject to revocation.
- (13) The proposed customary home occupation and the parking and traffic incident thereto:
 - (a) Will not create or aggravate hazards or dangers to the public or to persons in the vicinity.

- (b) Will not be incongruous with or detrimental to the prevailing residential character of the neighborhood.
 - (c) Will not impair the use, enjoyment or value of adjacent residential properties.
 - (d) Will not detract from the appearance of the area.
- (14) The Planning Board may permit a customary home occupation in an accessory structure which has existed for at least five years and, in the opinion of the Planning Board, meets all conditions of this section. In evaluating the proposal the Planning Board shall consider whether an accessory structure's use for a customary home occupation will alter the existing residential character of the neighborhood.
- (15) The Planning Board must first consider the following before granting a special use permit hereunder:
- (a) In making any determination whether to approve or deny a special use permit for a customary home occupation, the Planning Board shall take into account other factors, such as the proximity of schools and other home occupations.
 - (b) In addition in granting any such permit, the Planning Board may impose reasonable conditions consistent with preserving the character of the neighborhood and the public health, safety, morals and general welfare of the community appropriate to the application. Among the limitations which may be imposed are
 - [1] A limit on the hours of operation and on the number of visitors permitted per hour.
 - [2] Notwithstanding Subsection B(11) above, a prohibition of on-street parking.
 - [3] A requirement that visitors must have scheduled appointments.
 - [4] A limit on the number of vehicles that may be parked in the driveway or designated parking area of the premises at any one time.
 - [5] A requirement that driveways must be expanded, or may not be expanded to accommodate visitor parking.
 - [6] Restrictions on public advertising inviting patients, clients, customers or students to visit the premises if the premises is identified by specific address.
 - [7] The scope of the use for which the residence is to be used and/or any other restrictions which may be reasonable, in light of the potential adverse impacts of operation of the customary home occupation to the neighborhood.
 - [8] Other conditions as appropriate to the application.

- (16) Any such special permit granted under this section shall be limited to a period of one year and may be renewed for additional periods as determined by the Planning Board.
- (17) Any permit granted by the Planning Board shall apply only to the use described in such permit, and it shall expire upon the termination or modification of such use, the sale of the property, or any increase in the future size of the dwelling unit or accessory structure.
- (18) In considering any special use permit for a customary home occupation, the Planning Board shall consider whether the site has been subject to a current violation of any provision of the Zoning Code, or is a nonconforming structure in any respect, and may deny the permit based on that information.

C. Inspection.

- (1) All residents engaging in existing home occupations, as well as those receiving special permits pursuant to this section, shall be subject to the right of inspection of their premises by the Building Inspector or Code Enforcement Officer upon 30 days' written notice.
- (2) The failure to permit an annual inspection by the Building Inspector or Code Enforcement Officer shall constitute a violation of the provisions of this section and result in the immediate revocation of the lawfully permitted home occupation.
- (3) All presently existing customary home occupations must come into compliance with this section within 10 years of the effective date. For all other purposes, until the expiration of the ten-year period, said customary home occupations shall be deemed nonconforming accessory uses and shall be subject to compliance with the regulations of § 125-11 of this chapter.

- D. Penalties for offenses. Any owner who fails to secure a special permit for the operation of a customary home occupation, as provided in this chapter, or who otherwise violates the provisions of this chapter shall be guilty of an offense punishable by a fine of up to \$250 or imprisonment not to exceed 15 days, or both, upon conviction of a first offense; and for the second and each subsequent conviction, by a fine of not less than \$500 nor more than \$1,000 or imprisonment not to exceed 15 days, or both. Each week's continued violation shall constitute a separate additional violation.

§ 125-29. Coin- or electrically operated amusement devices.

The operation of three or fewer coin- or electrically operated amusement devices is permitted as an accessory use to any lawful use permitted in the NB, CB, RB, LI or PB-R District. The operation of more than three coin- or electrically operated amusement devices in conjunction with any use or as a separate use is prohibited in all districts.

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. Ghriskey

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 Ghriskey Two Lot Subdivision

b. Roads which property abuts Byram Lake Road & Sarles Street

c. Bedford tax map designation: Section 94.9 Block 1 Lot(s) 7

d. Property lies in a (circle one) 4A 5A 1A 12- 1/4 A TR VA NB CE PB-R PB-O LI

e. Total area of property in acres 9.347 acres

5. REQUIRED INFORMATION

- 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.
- 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.
- Fees: An application fee of \$500 plus \$150 for each new lot or dwelling unit. Lots or Units 2 Fee \$ 800.00
- 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. Ghriskey 4/3/15
Signature of Owner Date

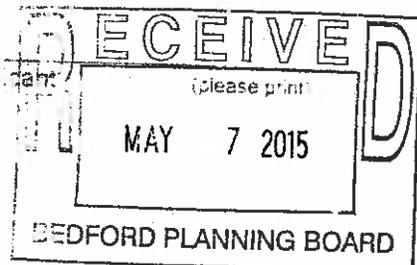
Signature of Applicant Date

Lisa B. Ghriskey
Name of Owner (please print)

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. Ghiskey
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 Ghiskey 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

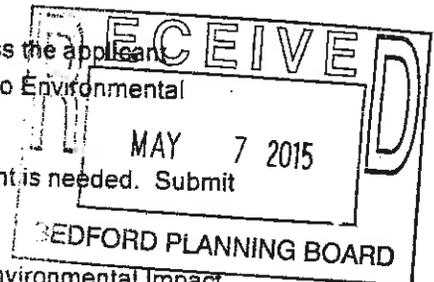
4. IDENTIFICATION OF PROPOSED ACTION

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. Ghiskey
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

May 1, 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
385 Byram Lake Road

Dear Mr. Osterman and Members of the Town of Bedford Planning Board:

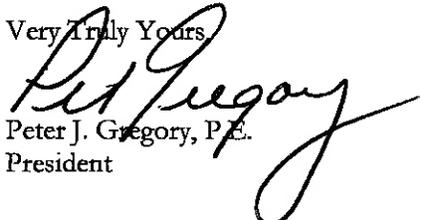
This office has prepared a Preliminary Subdivision Application for Timothy and Lisa Ghriskey of 385 Byram Lake Road, Bedford. The property, referred to as Section 94.9, Block 1, Lot 7, is approximately 9.35 acres in size and located along the northern side of Byram Lake Road at the northeast corner of its intersection with Sarles Street. The owners are seeking Subdivision approval to subdivide their property creating an additional new lot with the intention of building a new home for their use. Lot 1, 5.35 acres, consists of the existing dwelling, in-ground swimming pool, cottage and a barn while Lot 2, 4.00 acres, will consist of a new four bedroom dwelling.

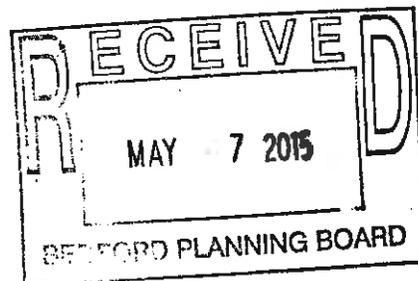
The property is located within the R4A Residential District and is in a low density residential neighborhood where residences are separated by large wooded areas and meadows. The property contains two wetland areas along the northern and western portions of the property. The wetland area located along the northern portion of the property is part of the NYSDEC jurisdictional wetland K-13. There will be no impact to wetlands or regulated wetland buffers as a result of the development of the proposed Lot 2.

Attached please find **1** copies of a Preliminary Subdivision Application including a Preliminary Plat, Integrated Plot Plan, Wetlands Survey prepared by Paul J. Jaehnig and the required application fee. At this time, the Applicant requests that this application package be accepted and included on the May 26, 2015 Planning Board Agenda.

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 Coleman P. Burke

c/o Waterfront NY

Address 224 12th Avenue, New York, NY 10001

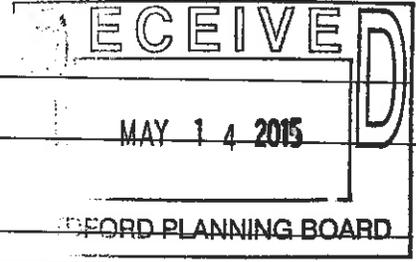
Phone 212-695-8090

Identification of Property Owner, if Other than Applicant

Name _____

Address _____

Phone _____



Identification of Site Involved, if any

- a) Name or other identification of site _____
- b) Street which site abuts Hook Road
- c) Tax Map Section 73.10-1-15.1 and 73.10-1-16
- d) Total site area Lot 15.1 (7.108 acres) and Lot 16 (2.733 acres)
- e) Does applicant have a whole or partial interest in lands adjoining this site? Yes - owns both lots

Identification of Proposed Action

a) Description of Proposed Action Lot line adjustment

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: _____
- 2. List any related actions which may be undertaken as a result of 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 a 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.

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: 5/12/15

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

Waiver of Subdivision Approval

Date: 5/12/15

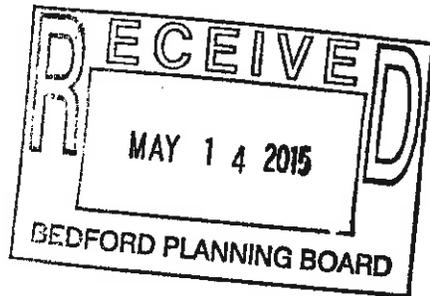
224 12th Avenue

Applicant's Home Address

New York, NY 10001

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 52 and 116 Hook Road,
Bedford, New York

shown and designated on the Town Tax Maps as:

Section 73.10 Block 1 Lot(s) 15.1 and 16

It is my/our intention to apply for a minor lot line adjustment. See attached letter.
(Describe proposal)

I/we am/are hereby requesting a waiver of the requirement of formal subdivision approval
procedures pursuant to Article IV Section 107-48 of the Code of the Town of Bedford.

Very truly yours,

A handwritten signature in cursive script that reads "CP Burke".

Signature of Owner and/or Applicant
(Coleman P. Burke)

Signature of Owner and/or Applicant

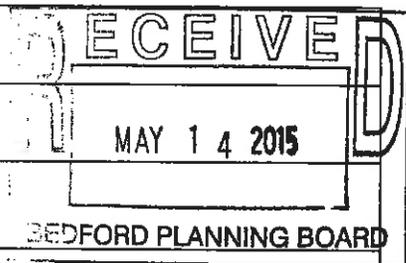
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information						
Name of Action or Project: Lot Line Adjustment						
Project Location (describe, and attach a location map): 116 Hook Road, Bedford, NY (Tax Lot 15.1) and 52 Hook Road, Bedford, NY (Tax Lot 16)						
Brief Description of Proposed Action: Tax Lot 15.1 is to be reduced by 1.479 acres while Tax Lot 16 is to increase by 1.479 acres. The resulting acreage for Tax Lot 15.1 would be 5.629 acres and for Tax Lot 16 would be 4.212 acres						
Name of Applicant or Sponsor: Coleman P. Burke	Telephone: 212-695-8090	E-Mail: cpb@wfnj.com				
Address: c/o Waterfront NY, 224 12th Avenue						
City/PO: New York	State: NY	Zip Code: 10001				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
3 a. Total acreage of the site of the proposed action? _____ 9.841 acres Lot 15.1 (7.108 acres)						
b. Total acreage to be physically disturbed? _____ acres Lot 16 (2.733 acres)						
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 9.841 acres						
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland						



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>P. DANIEL HOLLS</u>	Date: <u>5/13/15</u>	
Signature: <u>P. Daniel Holls</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

SHAMBERG MARWELL HOLLIS ANDREYCAK & LAIDLAW, P.C.

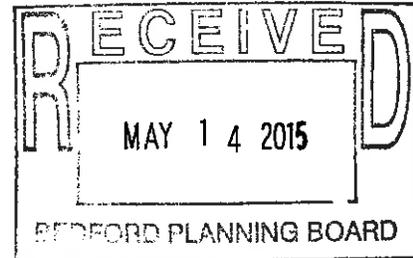
ATTORNEYS AT LAW

55 SMITH AVENUE
MOUNT KISCO, NEW YORK 10549
(914) 666 - 5600

May 14, 2015

Via Hand Delivery

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



*Re: Lot Line Adjustment/Waiver of Subdivision Approval
Premises: 52 and 116 Hook Road, Bedford, New York
Tax Ids: 73.10-1-15.1 and 73.10-1-16*

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

Our firm represents Mr. Coleman Burke ("the Applicant"), the owner of two adjacent properties located at 52 and 116 Hook Road, Bedford, New York (the "Properties") and identified on the tax map respectively as 73.10-1-16 and 73.10-1-15.1, with respect to the instant application for a lot line change and a waiver of subdivision approval pursuant to Section 107-50 of the Town Code.

In furtherance of the instant application, we enclose along with this letter, an original and (7) sets of the following:

- Completed Town of Bedford Waiver of Subdivision Approval Application;
- Completed Town of Bedford Environmental Clearance Form;
- Completed Short Form Environmental Assessment Form;
- Proposed Lot Line Change Plat, prepared by H. Stanley Johnson and Company Land Surveyors, P.C., with map completed on September 23, 2014;
- Copy of Subdivision Plat, Map No. 25616, filed on February 23, 1996.

Additionally, we submit a check made payable to the Town of Bedford in the amount of \$1,000.00 for the application fee.

Deirdre Courtney-Batson, Chairwoman
and Members of the Planning Board

May 14, 2015

Page 2

As shown on the survey and proposed plat, the Property at 52 Hook Road ("Tax Lot 16") is 2.733 acres in size and is located within the R-2A Zoning District. The Property at 116 Hook Road ("Tax Lot 15.1") is 7.108 acres in size and is located mostly within the R-4A Zoning District and partially in the R-2A Zoning District. The Properties are located along Hook Road and have frontage on said roadway. The Tax Lot 15.1 property is part of a subdivision approved by your Board in or around 1996, with a subdivision map filed with the Westchester County Clerk's Office on February 23, 1996 (map no. 25616).

The proposed plat shows that the lot line change involves an area, identified as "Exchange Parcel A," consisting of 1.479 acres. As proposed, Tax Lot 15.1 would be reduced by 1.479 acres while Tax Lot 16 would gain the 1.479 acres. The resulting acreage for Tax Lot 15.1 would be 5.629 acres and for Tax Lot 16 would be 4.212 acres.

A waiver of subdivision approval is appropriate in this case as this application meets the criteria set forth in Section 107-50, which provides as follows:

A. Upon written request of the owner, the Planning Board may by resolution waive the requirement of subdivision approval over the division into two (2) lots of a parcel of land with frontage on an existing road, provided that the parcel does not have the potential to be divided into more than two (2) lots under existing zoning districts where a minimum lot size requirement applies, no creation or extension of roads or municipal facilities is required and the Planning Board finds that such waiver does not conflict with the public interest or with the intent and purpose of the Land Subdivision Regulations, Zoning Ordinance, Town Development Plan or Official Map of the town.

B. The Planning Board may require submission of any maps, surveys or other data necessary for such consideration.

C. In granting such waiver, the Planning Board shall attach such conditions to its resolution as are, in its judgment, necessary to meet the intent and purpose of these regulations. Such conditions shall include payment of a recreation fee in lieu of recreation land for the additional lot which is created by the proposed division.

Deirdre Courtney-Batson, Chairwoman
and Members of the Planning Board

May 14, 2015

Page 3

In this instance, the division of Tax Lot 15.1 that creates Exchange Parcel A would not create a separate building lot as the parcel will become a part of Tax Lot 16. Both parcels would remain compliant under the current minimum zoning requirements. Also, there would be no potential for further subdivision of Tax Lot 15.1 since the resulting lot size would be 5.629 acres and the R-4A Zoning District requires a minimum lot size of 4.0 acres. Finally, the proposed lot line change would not require the creation of extension of any roads or facilities.

On the basis of the foregoing, we respectfully request that this Board place this matter on the agenda for June 9, 2015. We look forward to discussing this matter with you further.

Respectfully submitted,



P. Daniel Hollis III

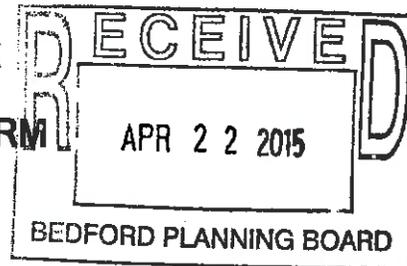
PDH:tt

Enclosures

c: Mr. Coleman Burke (via email)
Stephen T. Johnson, P.L.S., H. Stanley Johnson and Company
Land Surveyors, P.C. (via email)
Edward Delaney, Bibbo Associates (via email)

PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK

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



1. IDENTIFICATION OF OWNER

Name of owner: APACHE OIL
Address: _____ Phone: _____

2. IDENTIFICATION OF APPLICANT, IF OTHER THAN OWNER

Name of applicant: LEWIS ROANE
Address: SWINDSOR Rd CATAUGUS NY 13520 Phone: 914-330-1802

3. IDENTIFICATION OF SITE INVOLVED, if any

- a. Name or other identification of site 9 HAINES Rd BEDFORD
- b. Roads which site abuts _____
- c. Bedford tax map designation: Section: 6013 Block 1 Lot (s) 20
- d. Total site area _____
- e. Does the applicant have a whole or partial interest in lands adjoining this site? _____

4. IDENTIFICATION OF PROPOSED ACTION

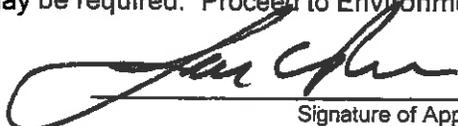
- a. Description of Proposed Action AMEND APPROVED FINAL SITE PLAN
- b. Relationship to other actions:
 - 1. List any further actions which may be undertaken, of which this proposed action is part or first step, e. g. further subdivision of a large parcel of land: _____
 - 2. List any related actions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

4/22/2015
Date

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

1. CLASSIFICATION APPROVED; FURTHER ACTION REQUIRED:

- Type I Action.** The proposed action will have a significant effect on the environment. An Environmental Impact Statement is required unless the applicant demonstrates conclusively that one is not needed. Proceed to Environmental Assessment Form.

- Type II or Exempt or Excluded Action.** No Environmental Impact Statement is needed. No further action required.

- Unlisted Action.** The proposed project may have a significant effect on the environment. Pending analysis of further information, an Environmental Impact Statement may be required. Proceed to Environmental Assessment Form.

2. COMMENTS:

Town Agency

Agency Signature

Date

Waiver of Site Plan Approval

Date: 4/22/2015

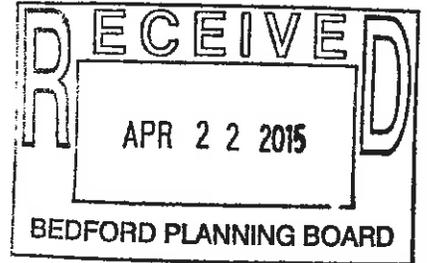
3 WINDSOR Rd

Applicant's Home Address

CROTON NY 10520

City, Town, Village

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



Sir or Madam:

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

shown and designated on the Town Tax Maps as:

Section 60.13 Block 1 Lot(s) 20

It is my/our intention to AMEND APPROVED FINAL SITE PLAN

(Describe proposal)

RELOCATE GENERATOR, ADD WALK-IN BOX REFRIGERATION
ADD 3 LIGHT POLES

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

Very truly yours,

Signature of Owner and/or Applicant

3/05

LEWIS ROANE

Signature of Owner and/or Applicant

LEWIS ROANE DESIGN @ GMAIL . COM

914-330-1802

Town of Bedford Planning Board

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

Tuesday, November 25, 2014

Minutes

A meeting of the Planning Board was held on November 25, 2014, starting at 8:00 P.M., at 425 Cherry Street, Bedford Hills, New York. Present were Vice Chairman John Sullivan, Board Members: William Colavito, and Diane Lewis, Planning Director Jeff Osterman and Secretary Anne Paglia. Absent were Chairman Deirdre Courtney-Batson 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.]*

Public Hearing:

Preliminary Subdivision approval – Lot Line Change (Two Lots)

Section 84.13 Block 1 Lot 24, R-4A Zone

50 Bayberry Lane, Bedford Corners

Section 84.17 Block 1 Lot 1, R-4a zone

90 Fox Lane, Bedford Corners

Owners/Applicants: **J. Ronald Morgan III and Adrienne D. Morgan**

(Review results of field trip.)

Present:

Edward J. Delaney, Jr., Project Manager, Bibbo Associates, L.L.P., Consulting Engineers

Mr. Delaney stated that the Mr. and Mrs. Morgan own both of these properties and wish to reconfigure it with most of the property belonging to their residence and a separate four acre lot on Fox Lane.

Mrs. Lewis read the Field Trip Notes from November 21, 2014. There were two items in the notes:

1. Clear debris in front of the stone wall to the right of the existing driveway as you are exiting that driveway and move the mailbox.
2. Ample opportunities exist for an additional driveway on the parcel.

Mrs. Lewis made a motion to close the Public Hearing which was seconded by Mr. Colavito..

Vote: Ayes: Sullivan, Colavito, Lewis

Nays: None

Mr. Colavito made a motion to grant preliminary and waiving the final approval.

Motion: A motion was made by Mr. Colavito to approve preliminary site plan approval and waive the final site plan approval with the following condition:

1. The debris in front of the stone wall to the right of the existing driveway, as you are exiting that driveway, shall be cleared and the mailbox shall be moved to improve sight distance. This work shall be completed prior to the endorsement of the plot by the Chairman of the Planning Board.
2. It is noted that the site line distances provide ample opportunities for an additional driveway on the parcel.

Motion seconded by Mrs. Lewis.

The Board reviewed the Environmental Clearance Form and unanimously determined that this proposal is a "Type II or Exempt Action" under SEQR. Mr. Colavito endorsed the Board's determination on the ECF. Mr. Sullivan seconded.

Vote: Ayes: Sullivan, Colavito, Lewis

Nays: None

Vote: Ayes: Sullivan, Colavito, Lewis

Nays: None

Conference:

~~Special Use Permit – Tennis Court
Section 83.8 Block 1 Lot 14, R-4A Zone
196 Baldwin Road, Bedford Corners
Owner: E. Alexandria Stewart
Applicant: Benedek & Tiehurst
(Review results of field trip.)~~

ADJOURNED

Conference:

Special Use Permit – Tennis Court
Section 94.5 Block 1 Lot 1.1, R-4A Zone
221 Sarles Street, Bedford Corners
Owner: **Bedford Real Estate Associates, LLC**
Applicant: **Steve Kantor**
(Review results of field trip.)

Present:

Steve Kantor, Applicant

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

Mrs. Lewis read the Field Trip Notes from November 21, 2014. There were three items in the notes:

1. Cedar posts and black screening can be used.
2. A new landscape plan shall be made to avoid shading the Stockbridge vegetable garden.

3. There shall be shrubs placed at the rear of the property line.

Mr. Naderman described all updates made to the plan. He stated that the fence will be vinyl coated and will be either black or green.

Mr. Sullivan asked Mr. Naderman if the distance to the property line near the Stockbridge garden was discussed with the applicant. Mr. Naderman stated that the plantings will be relocated to the fencing. Mrs. Lewis requested that the plants be native plants. Mr. Osterman requested a new drawing showing all the revisions.

Mr. Colavito asked if the comments of the Town Engineer's memo dated September 29, 2014 had been addressed. Mr. Naderman said they were working on it.

Mr. Sullivan stated that the Planning Board should have an updated plan before taking any action.

Mr. Sullivan asked if Mrs. Stockbridge [*present in the audience*] wished to speak. Mrs. Stockbridge expressed concern about flooding. Mr. Osterman asked Mr. Naderman to explain how the drainage is supposed to work.

Mr. Sullivan recapped the issues that needed to be addressed on the final plan:

1. The final landscape plan including locations and material, particularly along the northerly edge.
2. The drainage.
3. Additional plantings along the west side.
4. The comments of the Town Engineer's September 29, 2014 memo.

Conference:

Waiver of Site Plan Approval

Section 84.7 Block 2 Lot 5, Neighborhood Business Zone

633-647 Old Post Road, Bedford

Owner: **Alchemy Bedford, LLC**

Applicant: **Kenneth Horn, Managing Member, Alchemy Bedford, LLC**

(Consider Waiver of Site Plan Approval.)

Present:

Kenneth Horn, President, Alchemy Bedford, LLC

Whitney Singleton, Esq., Singleton, Davis & Singleton PLLC

Ray Wilbee, Stephen Tilly Architect

Mr. Singleton said that there were continued discussions between Alchemy Bedford, LLC and the potential continued movie theater users. However, the current tenant, Bow Tie Cinemas, will be moving out. The applicant will continue to pursue the continued use as a movie theater, but does not want to end up with a vacant building. To that end, the applicant would like to secure a Waiver of Site Plan Approval to make interior changes from one permitted use to another permitted use. He stated that there would be no

exterior change to the appearance of the building and the associated parking requirement would go down by 111 parking spaces. What they are proposing would be the backup plan if the building does not continue as a theater.

Mr. Wilbee answered Mrs. Lewis' question about the stage space by saying that it was about eight feet from the front of the stage to the back wall, so it would not accommodate live performances. He stated that the plan would be to use the existing theater entrance as a store front entrance and create a retail space at the ground floor level. This would create about 225 square feet of retail space. *[He then described the construction and building requirements necessary to convert this space and the lower level space.]*

Mr. Horn stated that they have owned the property for about fourteen months and have had two cinemas in the space: the first one was Clearview and the current one is Bowtie. They are also working with John Farr to try to keep the theater intact and bring a new 'not-for-profit' cinema to the Bedford Playhouse. He stated that they are doing everything they can to maintain the cinema. He said that what they are presenting now is purely a backup plan. They have told John Faar that they would carry the building vacant for the months of January and February, 2015.

Mr. Sullivan stated that the concern would be the parking for whatever use was permitted. Mr. Sullivan stated that there were only 37 parking spaces on the commercial property and that there were 31 parking spaces on the residential property, for a total of 68 spaces. Mr. Singleton stated that one person who works across the street rents a parking space.

Mr. Osterman stated that the change of use from theater to retail requires a permit from the Planning Board. Mr. Osterman recommended that the Planning Board have a discussion with the Town Attorney and there should be a discussion about what the lower floor would be approved for.

Mr. Sullivan suggested that if they find a tenant for the lower level, they should come back to the Planning Board. Mr. Horn said he thought that was fair.

Mr. Sullivan suggested the Planning Board approve the mezzanine level of the building, and, possibly, 1,000 square feet beneath it, as retail and the remaining 6,800 square feet of the building should be left alone. If the applicant wants to use the 6,800 square feet as retail, they should come back to the Planning Board.

Mr. Sullivan proposed that the applicant be allowed to use the upper area as a potential retail use, if needed, and the rest of the building to stay the way it is.

Mr. Osterman suggested that the Planning Board approve conceptually, the use of the upper area – 2200 square feet – as dry retail. If someone comes in as a tenant who is not dry retail the Planning Board should be advised and must give their approval.

Motion: A motion was made by Mr. Sullivan to grant approval with the following conditions:

1. This approval is only for the utilization of the upper/main level (existing lobby and balcony levels) to an area of 2,225 square feet for dry retail use and includes the use of the bathrooms on the lower level.
2. The applicant shall return to the Planning Board for approval of any other type of use on the upper level and any use of the remaining lower level of the existing theater..

Motion seconded by Mrs. Lewis.

The Board reviewed the Environmental Clearance Form and unanimously determined that this proposal is a "Type II or Exempt Action" under SEQRA. Mr. Colavito endorsed the Board's determination on the ECF. Mrs. Lewis seconded.

Vote: Ayes: Sullivan, Colavito, Lewis
Nays: None

Vote: Ayes: Sullivan, Colavito, Lewis
Nays: None

Conference:

Site Plan Approval – Alterations and Improvements to the Upper School Campus
Section 73.13 Block 2 Lot 5, R-2A Zone

425 Cantitoe Street, Bedford

Owner/Applicant: **Rippowam Cisqua**

(Review Environmental Assessment Form.)

Present:

Erik A. Kaeyer, AIA, Vice President, KG&D Architects

John Marwell, Attorney at Law, Shamberg Marwell & Hollis, P.C.

Matthew Nespole, Rippowam Cisqua School

Joseph C. Riina, P.E., Site Design Consultants

Mr. Kaeyer stated that they have just submitted what they consider to be a full site plan application. There are a lot more civil engineering documents, including a Stormwater Pollution Prevention Plan (SWPPP). They also have landscape drawings, a photometric plan for all the site lighting, John Collins did a traffic study report and there is more detail of the architecture of the buildings. They have also submitted a full EAF.

Mr. Colavito asked about the standing water which was observed during the site visit. Mr. Riina addressed this issue.

Mr. Sullivan suggested that the Planning board begin actions under SEQRA, beginning with declaring themselves as Lead Agency under SEQRA.

Mr. Osterman asked Mr. Sullivan if there were any questions on the traffic report. Mr. Sullivan asked about the proximity of the two entrances on Route 22. Mr. Kaeyer answered Mr. Sullivan's questions and reviewed the anticipated traffic patterns.

Mr. Colavito asked Mr. Kaeyer to outline the lighting plan. Mr. Kaeyer described the types of lighting and when they would be used.

Mr. Osterman stated that both the Planning Board and the Zoning Board of Appeals have a role in this application.

Motion: Mrs. Lewis made a motion to declare the Planning Board as Lead Agency. Mr. Colavito seconded the motion.

Vote: Ayes: Lewis, Sullivan, Colavito
Nays: None

The Planning Board reviewed Part 1 of the Environmental Assessment Form and made corrections after discussion with the applicant.

The Planning Board then went through Part 2 of the Environmental Assessment Form and made modifications where needed.

Motion: A motion was made by Mr. Sullivan to approve Part 2 of the Environmental Assessment Form as discussed and adopt a Negative Declaration under SEQ. Motion seconded by Mr. Colavito.

Vote: Ayes: Lewis, Sullivan, Colavito
Nays: None

Conference:

Preliminary Site Plan Approval – Construction of 7,000 SF Building
Section 71.12 Block 2 Lot 31 and 32, RB and LI Zones
793 Bedford Road, Bedford Corners

Owner: **John Nohilly**

Section 71.12 Block 2 Lot 36, LI Zone
799 Bedford Road, Bedford Hills

Owner: **DP 21, LLC**

Applicant: **John N. Galanin, Estate Motors**
(Review results of field trip.)

Present:

Peter A. Catizone, P.E., Catizone Engineering, P.C.

Anthony J. Monteleone, Attorney at Law, Monteleone and Monteleone

Chris Buonanno, Owner, Estate Motors

John Galanin, Owner, Estate Motors

Mr. Monteleone discussed the revisions made to the plan.

Mrs. Lewis read the November 21, 2014 field trip notes:

1. The Route 117 entrance needs to be modified.

2. The applicant should get started with the Wetlands commission as soon as possible, for the lower lot.
3. We need landscaping with at least two deciduous noble trees.
4. There should be no stacked car display.

Mr. Osterman said that at some point there would have to be a joint meeting with Mount Kisco on this application. Mr. Osterman stated that the reports being done should show the net results of the old use and the new use.

Mr. Sullivan requested the applicant to return with revised plans.

Mr. Osterman said that he would contact Mount Kisco about the joint meeting.

Discussion:

2015 Planning Board Schedule

It was agreed to discuss the 2015 Planning Board Schedule at the December 9, 2014 meeting.

Approval of Minutes:

Mr. Colavito made a motion to approve the following minutes, as amended:

May 13, 2014

May 27, 2014

The motion was seconded by Mrs. Lewis.

Vote: Ayes: Lewis, Sullivan, Colavito

Nays: None

The next meeting will be on December 9, 2014.

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

Vote: Ayes: Lewis, Sullivan, Colavito

Nays: None

The meeting was adjourned at 10:30 PM.

Date these minutes were approved by the Planning Board: _____

Respectfully submitted,

Anne Paglia, Secretary
Town of Bedford Planning Board

Date