

**North Salem Planning Board Minutes**

**January 5, 2011**

**7:30 PM – Annex**

**PRESENT:**            **Cynthia Curtis, Chairwoman**  
**Charlotte Harris, Board Member**  
**Robert Tompkins, Board Member**  
**Roland A. Baroni, Town Attorney**  
**Sonja Teichmann, Planning Consultant**

**ABSENT:**            **Bernard Sweeney, Board Member**  
**Gary Jacobi, Board Member**

**ATTENDANTS:**

<b>Salem Hunt:</b>	<b>Scott Blakely</b>
<b>Speyer:</b>	<b>Jerry Speyer</b>
	<b>Katherine Farley</b>
	<b>Don Rossi, Esq.</b>
	<b>Edmund Hollander</b>
	<b>Robert Aiello</b>
	<b>Patrick Shiels</b>
<b>Ajamian:</b>	<b>Michael Sirignano, Esq.</b>

**Chairwoman Cynthia Curtis calls the January 5, 2011 North Salem Planning Board Meeting to order.**

**PUBLIC HEARINGS:**

- 1. Salem Hunt:** Scott Blakely (owner – June Road Properties, LLC)  
**Site Dev. Plan, Subdiv., Wetlands Permit** (location – June Road & Starlea Road)
  - Continue the Public Hearing Regarding Site Development Plan Approval
  - Continue the Public Hearing Regarding Wetland Permit Approval

Cynthia states that Scott Blakely is here tonight to provide the Board with an update. Mr. Blakely states that they have addressed the final comments of the Westchester County Department of Health and they are waiting for the permit to be issued. Mr. Blakely brought extra copies of his update memo and copies of the approvals.

Cynthia inquires about the conservation easement status. Mr. Blakely states that Mr. Balter's office is working through some of the legal documents. Mr. Blakely is not sure about the status. He will obtain an e-mail update from Mr. Balter. Cynthia asks Roland to contact Mr. Balter and states she forwarded sample conservation easements to him. Roland states they have utilized a conservation easement used and adopted for use by the nature conservancy. Roland will scan and e-mail a sample.

**REGULAR MEETING:**

- 2. Salem Hunt:** Scott Blakely (owner – June Road Properties, LLC)  
**Site Dev. Plan, Subdiv., Wetlands Permit** (location – June Road & Starlea Road)

Mr. Blakely states the main reason they are on the Agenda tonight is to request an extension of their approval, as their first extension will expire in March. They are fairly sure all of the final approvals will be received by then, but will have to submit final documents to the Board. Cynthia thanks Mr. Blakely for coming in early

with their request. Cynthia asks the Board if they have any concerns regarding the extension. They do not.

**Chairwoman motions that the Planning Board Grant the Draft Resolution Second Extension of Preliminary Subdivision, Site Development Plan, and Wetland Permit Approval from March 3, 2011 to September 3, 2011. Charlotte Harris seconds. All in favor. No opposed.**

After the motion Mr. Blakely states that they have made minor modifications to their architectural plans. Mr. Blakely states that their unit types have been reduced from six to five in order to simplify the architecture. We have minimized the amount of building types in order to minimize costs. Cynthia states that this project is going before the Architectural Review Board (ARB) hopefully this month. Cynthia asks Mr. Blakely to submit three copies of the documents presented to the ARB, as well as an electronic copy. Mr. Blakely states he brought the overlay with him tonight that was reviewed back in November. Cynthia states that the Board will see that information when the submittal for final is made.

### **3. Appointments:**

- Planning Board Secretary – Dawn Onufrik
- Planning Board Consultants – Matthew D. Rudikoff Associates, Inc.
- Planning Board Consulting Engineer – Hahn Engineering

Cynthia states that the Board has a few quick resolutions. It is the first of the year and they have to re-appoint their consultants, and Secretary.

**Chairwoman motions that the Planning Board Re-appoint Dawn Onufrik as Planning Board Secretary for a Period of one Year. Charlotte Harris seconds. All in favor. No opposed.**

**Chairwoman motions that the Planning Board Re-appoint Matthew D. Rudikoff Associates, Inc. as their Planning Consultant for a Period of one Year. Robert Tompkins seconds. All in favor. No opposed.**

**Chairwoman motions that the Planning Board Re-appoint Hahn Engineering as their as Engineering Consultant for a Period of one Year. Charlotte Harris seconds. All in favor. No opposed.**

Cynthia states that the Resolution to re-appoint the Deputy Chair will be held over to the Work Session. The Town Board has not re-appointed the Planning Board Chair. This re-appointment will take place next week.

### **4. Ajamian: Michael Sirignano, Esq. (owner – Raffi Ajamian) Amended Subdivision (location – Saddle Ridge Road)**

- Recommendation to Town Board for Release of Road Construction Letter of Credit in the Amount of \$18,000.00 and Recommendation to Town Board for Establishment of a Three-Year Maintenance Bond in the Amount of \$36,000.00.

Cynthia states that the road has been completed and checked by the Town Engineer. Cynthia asks Mr. Sirignano if he has any concerns with the amount of \$36,000.00 recommended for the three-year maintenance bond. Mr. Sirignano believes the amount is 10% of the original Performance Bond. Mr. Sirignano asks if there is a formula used to determine the amount. Cynthia does not believe the Town has a formula and states the amount is based on a recommendation of the Town Engineer. Mr. Sirignano confirms the Town Engineer has recommended a three-year Maintenance Bond in the amount of \$36,000.00 which would be 10% of the original Performance Bond. Roland states he is not sure if it is in the North Salem Town Code, but some

towns do have a formula such as Mr. Sirignano is suggesting. It is usually 10 or 15 percent of the original. Mr. Sirignano states this is mostly about the maintenance of the stormwater detention basins, and no so much about the road which is in good shape. Cynthia states the way the Code is written, it includes the whole road. The road is short with a cul-de-sac. Mr. Sirignano requests the Board release the remainder of the original Performance Bond in the amount of \$18,000.00 and establish the Maintenance Bond in the amount of \$36,000.00. Cynthia states this is a two step process. The Planning Board will make a recommendation to the Town Board who will actually release it, which will not take place until they have the Maintenance Bond in hand.

**Chairwoman motions that the Planning Board Make a Recommendation to the Town Board to Release the Letter of Credit in the Amount of \$18,000.00, and Establish a Three-Year Maintenance Bond in the Amount of \$36,000.00. Robert Tompkins seconds. All in favor. No opposed.**

Cynthia states if Mr. Sirignano has the bond in place by Tuesday, it is possible the Town Board may put this on their next Agenda. Mr. Sirignano confirms he will try to have the bond in place by Tuesday night. Cynthia will e-mail Marion LaFranco this evening so she knows the documents will be coming. On the assumption that Marion has the information in hand before the meeting Tuesday night, it is possible the Town Board will be able to accommodate the Applicant. Cynthia states that she can't speak for the Town Board, but in these instances they try and go out of their way to provide assistance.

**5. Peach Lake Sewer Dist.:** (owner of property – Peach Lake Commons, LLC)  
**Amended Site Development Plan** (location of facility – Peach Lake Sewer District)  
(location – Route 121/Peach Lake Road)

- Consider Amendment to Approved Site Development Plan Approval.

Cynthia states the reason this item is on the Agenda is because she was not sure whether the Board has to consider an Amendment to the Site Plan, or incorporate the changes under the condition of the final resolution which states that the Town Engineer is the person who signs off on the SWPPP. Cynthia states the City required slight modifications to the SWPPP which caused slight modifications to the approved Site Plan. The Town Engineer sent a memo stating he does not have a problem with the approval, but listed three items to be incorporated into the final plan. Cynthia received an e-mail from Ken Kohlbrenner stating there is no problem doing everything the Town Engineer has asked. Cynthia states there is a very general condition in the Resolution which states that the Applicant shall revise the Stormwater Pollution Prevention Plan to the satisfaction of the Town Engineer. Cynthia asks Roland if these changes would fall under that category, or would it be safer for the Board to adopt a Resolution which states the acknowledgement of the changes. Roland states that for paper trail purposes the Board may want to adopt a separate resolution referencing the memo from the Town Engineer. Cynthia advises Sonja that Mr. Kohlbrenner stated he restored the plantings. Mr. Kohlbrenner advised Cynthia that the plantings were on the hard copy. Cynthia states the Board may make it a condition of the Resolution that the plantings be restored. Cynthia asks Roland to craft a quick Resolution incorporating the proposed amendment. While Roland is preparing the Resolution the Board will jump down to the Financial Report on the Agenda. Roland provides Cynthia with the prepared Resolution which reads as follows “RESOLVED, that the Planning Board of the Town of North Salem acknowledges receipt of communications from GHD Consulting Engineers, LLC dated December 13, 2010 and Hahn Engineering dated January 3, 2011 recommending and acknowledging acceptance of certain changes to the Site Plan for the captioned project and the Planning Board approves the said changes to be incorporated therein accordingly”. Cynthia would like language added that “furthermore it is acknowledged that the Applicant’s Consultant has agreed to restore the tree plantings in front of the wall in accordance with an e-mail dated January 4, 2011.”

**Chairwoman motions that the Planning Board Adopt the Above-Read Resolution. Charlotte Harris seconds. All in favor. No opposed.**

**6. Financial Report:**

- December, 2010

**Chairwoman motions that the Planning Board Approve the Financial Report for December, 2010. Robert Tompkins seconds. All in favor. No opposed.**

**7. Minutes:**

- December 8, 2010

Cynthia states that the Board just received the draft minutes for review. This set will be held over to the January 19<sup>th</sup> Work Session. Charlotte states that is the Meeting she missed.

**PRE-APPLICATIONS:**

- 8. Speyer: Don Rossi, Esq.** (owner – Jerry Speyer)  
**Chapter 189 Tree Cutting/Stormwater** (location – 168 Titicus Road)

- Discussion of Proposed Pre-Application

Cynthia states she did take the time to read over the Plans for 2001 and 2005. She is not certain how much of the work has been done, and how much hasn't been done. Cynthia asks Mr. Rossi to bring the Board up to speed. Mr. Rossi states that before he begins he would like to introduce Katherine Farley, Co-applicant with Jerry Speyer for this Project. Also with them tonight is Pat Shiels, Project Manager for Tishman Speyer; Rob Aiello, Engineer from John Meyer Consultants; and Ed Hollander, Landscape Architect. Mr. Rossi states that Mr. Speyer has just arrived.

Mr. Rossi states that prospective wise, he had not realized how large the site actually is until he looked at some of the Plans that the Project Team brought with them tonight. Mr. Rossi refers to one of the Plans, and states that towards the end of the project everything had been done out there in accordance with recommendations from Bruce Thompson. Mr. Rossi states that the foundation for the main house that had been installed has been removed because Bruce thought it was prudent to do so. Both Mr. Speyer and Ms. Farley are attentive to complying with the rules.

Speaking about the Site Mr. Rossi states that a driveway has been installed, as well as stormwater drainage improvements out by the road. There is a sedimentation basin that has been installed, as well as a septic area for the care takers house. Mr. Rossi shows on one of the Plans where the driveway ends, and where there is an overgrown path that leads out to a main area. Tennis courts and a guest house are proposed for that area. The orientation of the house has changed some from the past Application. It does not sit on the old foundation exactly. It has been relocated to orient towards the Southeast. There is a green house proposed to be located down grade from the house. In addition to the clearing activities in the areas proposed, there have been improvements as far as stormwater drainage, and also cutting of the view sheds that had been previously approved. Mr. Rossi states that Mr. Hollander is most familiar with the Site in case the Board has any questions tonight.

Cynthia asks if the only cutting that was done was approved in 2001. Mr. Rossi states 2005. Cynthia

confirms the evergreens are still standing. The first approval was in 2001. Cynthia confirms that there were two phases in the 2005 approval, none of which have been done. Mr. Hollander states they received permission from the Board to do certain clearing at that time, before beginning phase two. That is the point where the project stopped.

Robert asks if the reorientation of the house faces more towards the Southeast. Mr. Hollander states it is a different house for a somewhat different family. It is a little bit smaller, and more discrete. There is a different architect. Robert refers to the former view shed. Mr. Rossi refers to the yellow areas on the Plan and states those areas were cleared pursuant to the prior approval. Mr. Hollander states the area in green on the Plan is where the Norway spruces are located. The Board had provided us their approval to remove and replant. The area in pink on the Plan shows where we are proposing to remove selective plants. The area in orange on the Plan shows where 50 foot Norway Maples are proposed to be removed, to be replanted with native materials. The area in purple is where the green house is proposed to be located on an existing old stone foundation that would be reused as part of the green house facility.

Cynthia asks if the Applicant kept the premise that the 2005 Permit is still open, and the work was done, are they still planning to do everything that was approved as part of the 2005 Permit. Mr. Hollander states yes. They would like to do everything that was approved in 2005. In looking at the property now, five years later, the evergreens are in worse shape than they were then. Cynthia asks Mr. Hollander if the pink area on the Plan is part of Phase two from the 2005 Approval. Mr. Hollander states that originally they had items labeled as 2A, 2B, and 2C. They changed from numbers to colors to make it less confusing. Mr. Hollander states that all of these areas were involved in previous discussions as far as removal and replanting. Mr. Hollander states that they are responding to the existing vegetation that we find on the Site today. There is a little bit of a discrepancy. Mr. Hollander refers to the lower area on the Plan and states there are Maple saplings that are approximately 50 to 60 feet tall, with very few branches. They are very weak. We are proposing to do a more extensive re-vegetation in that area to get the non natives and invasive plants out of there and get native canopy trees back in. Mr. Hollander states that the area in pink on the Plan shows plants that have damaged some of the native trees that are there. In that area, they would like to prune and preserve, while maintaining the area with the planting of additional canopy trees. Mr. Hollander states they would like to maintain the forest floor so there is a limited amount of disturbance. Mr. Hollander states the stumps will be cut down and grinded to approximately eight to twelve inches below the ground so that the root system is maintained. Mr. Hollander states that in the area in pink on the Plan they hope to have enough shade so the deer won't eat those specific plants. Mr. Hollander refers to the area in orange on the Plan where the expansive Norway Maples are located, and where they will probably plant a seeded fescue native grass. Mr. Hollander states trees will be planted in order to reestablish what one would expect to find in a healthy forest system.

Mr. Rossi states that there is no work being proposed in any of the controlled areas. The existing stormwater basin is right at the edge of the buffer. We are focusing on minimizing environmental impacts and erosion. Robert states that both basins already exist. Mr. Hollander states that maintenance has not occurred on the Site in many years. They are proposing to clean out some of the vines that have grown in the drainage basins and swales so they will be fully functional before any work has begun.

Cynthia asks Mr. Hollander if the green area on the Plan is where the Norway Spruce are located. Mr. Hollander states yes and confirms there is no change from the 2005 approval. Cynthia confirms trees will be taken down, as well as replanted. Cynthia refers to the area in pink and asks if that was part of the 2005 approval. Mr. Hollander is not sure and states that the 2005 Plans were very detailed. Mr. Hollander states there were general areas where they were proposing to do the work at that time. Sonja confirms all of the work was not approved. Mr. Hollander states that they had approval for a portion. Bruce Thompson was to go out to review the work before we began Phase two.

Cynthia would like to know if the SEQR that was approved covered both Phase one and Phase two, or was the Applicant supposed to come back before the Planning Board. Mr. Rossi will look into it, but believes the whole project was covered. Cynthia thought so too. The first part of the work was to be done and stabilized. Once the Building Inspector was satisfied, Phase two would begin. Roland agrees otherwise there would have been a challenge of segmentation. Cynthia asks in this scenario whether the Applicant will also be doing work in phases so the Board may have the same type of checks. Mr. Hollander would like the Board to see what they do and make sure it meets their approval. They wouldn't want to do everything at one time. They want to take care of everything in manageable chunks. Mr. Hollander has to think about what plants will be going back in when to determine what is taken out when. Mr. Hollander talks about working in specific areas. Mr. Hollander states he has to be concerned with what makes the most sense for the re-vegetation. Mr. Hollander talks about trees being removed during the winter of 2011, and replant in the spring of 2011. Cynthia states that there may not be a phased approval, but there would be a lot of inspections along the way. Cynthia talks about the Plan also being approved by either Joe Bridges or the Building Inspector. Mr. Hollander talks about working with Bruce so he will know we have everything in place.

Cynthia asks if any disturbance is being proposed on the neighbor's side of the main road. Mr. Hollander states no. Cynthia asks to some extent if the road acts as a barrier. Mr. Hollander states there is a large drainage swale on the uphill side. That was all installed as part of the first phase of work. All of the storm drainage and sedimentation basins are all in. We would want to clean it out and install bails to ensure we won't have erosion issues. Cynthia asks if there were any issues with buffering or plantings from the neighbor's perspective. Robert mentions the neighbor's swimming pool being an issue. Robert states at that time the sedimentation basin was located just below it. Mr. Hollander states they had developed an extensive Landscaping Planting Plan which included the installation of plants along the road. Mr. Hollander states that privacy makes every neighbor happy. Cynthia asks if those plantings gone in. Mr. Hollander states the project came to a halt, and the removal was done without the replanting. Cynthia confirms the road had gone in. Cynthia asks if the items to be replanted are part of the building permit, or will the Applicant show those plants on this Plan before the Planning Board. Mr. Rossi states they will show the plants as part of this permit. Cynthia asks if this is being proposed as a new application or an amendment of an approved application. Mr. Rossi states that they are thinking of it as a new application. Mr. Hollander states they wanted to go through this process with the Board first before preparing more detailed level of work.

Cynthia confirms this will be a new application, where there will be a new SEQR process for which the Applicant does not want to see phasing. Mr. Rossi states that after this Meeting tonight there will be a lot of calls made on how to proceed. Mr. Rossi states that when preparing the Pre-Application for submittal, he thought this would be considered a new project because the Applicant is coming before the Board with additional areas that had not been included on the prior approved Plan. If it makes more sense procedurally, and it will accelerate the process, an amendment might be a quicker way to proceed. There is discussion about a Public Hearing being held. Cynthia would like to hear from Roland. Roland states that it is almost a distinction without a difference. The SEQR process needs to be recreated. Additional areas have been added for removal. Roland states it might be more difficult from the Board's perspective to review what has already been approved, in addition to what is now being proposed, rather than start over with a new application. Sonja states the vegetation changed quite a bit. The vegetation survey may need to be updated to a degree. Sonja states that view sheds may have changed.

Cynthia asks if there has been a change as far as the extent of clearing to the left or right of the neighbors. Mr. Hollander does not remember if it is significant. They have modified how they will deal with the areas based on what is going on at the Site now. Mr. Hollander states that in an ideal world they would like to have approval to do all of the work, even though it won't all happen at the same time. The Board may want to review our work as we are doing it. Mr. Rossi talks about consultant meetings taking place, along with Bruce Thompson on the Site, and not so much as the Board. Cynthia states the Board approved a very large tree

clearing project on another property which took up a lot of Bruce's time. It might make more sense to have Joe Bridges from MDRA making the visits at the Site. Mr. Hollander talks about getting a schedule worked out. Cynthia states the Board has been down this road before. It is important that the neighbors are protected as far as buffers. Mr. Hollander states he has a responsibility to his clients. This is a large investment of both time and money.

Cynthia states it would be helpful for the Board to know the differences the Applicant is proposing with the Plans being shown now.

There is a discussion about the view sheds, in particular, and most importantly, for the residents along Mills Road. Cynthia states that a few years ago members of the Town and the Historic Preservation Commission began work to have Mills Road designated as a Scenic Road. Cynthia attended a meeting last night and this designation work has begun again. The views from Mills Road are very important. Cynthia states that the proposed lot and clearing that had been previously done may now be viewed better. Cynthia states that when houses go up on hillsides, there is the expectation to see the houses and clearing towards the front. Cynthia states that it is not desirable to see the ridgeline cut. Cynthia requests the Applicant to soften the look, and blend it in so there are trees behind the house. Cynthia states there are walkers and joggers who utilize Mills Road. Mr. Rossi states that he has advised his clients that the views along Mills Road are to be appropriate. Mr. Rossi states a real effort has been made to have a design Plan that includes low profile buildings. Mr. Rossi states that this Plan is a big improvement over some of the other ridge line clearings that have occurred in the Town. Mr. Rossi is very impressed with the extent of the Planting Plan, especially the proposal to grind the stumps, and the proposed replanting. Mr. Rossi states this property is very typical of those located on the reservoir. It slopes up and plateaus out so that the main house will be set low. The green house is located in a low area on the property. The guest house and main house are the only two buildings that may be seen from Mills Road. Cynthia states that the area proposed for the tennis court caught her eye, as it will require a lot of clearing. Mr. Hollander shows the Board where the proposed location of the tennis court will be in relation to the slope, and states this area is already cleared. Mr. Rossi states the septic fields have already been installed. Cynthia states that the moving of soil is a main concern, and storms have to be anticipated. Mr. Hollander states that they do worry about thunder storms and that is why they are not proposing to take all of the trees out at the same time. That is also why we are keeping the stumps. Mr. Hollander states the process of grinding the stumps is more of an expensive process rather than bringing in a bulldozer. Mr. Hollander states the cheap way is to bring in a bulldozer to knock down all of the stumps then there will be too much exposed soil, and potential danger. Mr. Hollander states that keeping the stumps will help to maintain the slope, and recycle the nutrients and energy back into the soil. Mr. Hollander would like to preserve the forest floor. Mr. Hollander states that they will have to be very careful working on a slope. They may install silt fencing and straw so that if a storm comes, they are covered. Cynthia states that in with the next submittal, the Board would like to see the extent of the slopes. Mr. Hollander states that they will provide this information as they move through the process. Cynthia also asks to see the rock outcroppings.

Charlotte inquires what type of barn is being proposed. Ms. Farley states it will most likely be an art barn. Charlotte thought there may be the need for paddocks if a horse barn were being proposed.

Robert inquires about the existing foundation being proposed to be used for the green house and would like to know if that was the old house foundation. Mr. Hollander states it is an old stone foundation approximately 100 years old. Mr. Hollander states it is a lovely old foundation built into the side of the hill.

Roland would like to know if a pool is being proposed. Mr. Hollander states there is no pool being proposed. Ms. Farley states there will be a pool.

Cynthia would like to know what the additional disturbed area will be from the 2005 approval. Mr. Hollander

does not know. They will provide a more detailed Map showing the disturbance areas from 2005. The former disturbance areas will be submitted for reference.

Cynthia talks with the Board Members about going for a Site Inspection. It may be difficult at this point in time.

Cynthia asks how quickly the Applicant anticipates the process to move. Mr. Rossi states as quickly as the Board will allow. Cynthia states the first step is to present a complete application. Mr. Rossi states that all the updated survey work has been completed. Cynthia asks if the tree surveys have been done. Mr. Hollander states that the tree surveys may not have changed dramatically, except for the trees that have since fallen from 2005 to 2010. Mr. Hollander talks about going on a Site Visit while looking at the surveys to determine if they are accurate enough. Mr. Hollander will not be able to guarantee that every single tree in the forest will be shown. Robert states that was an extensive undertaking the first time. Cynthia asks if Joe Bridges from MDRA had gone out on any of the inspections. Mr. Hollander remembers going out with Bruce Thompson, and Liz Axelson. Joe Bridges was involved with the Wetland Permit portion, not the tree removal.

Cynthia refers to stormwater and asks if this project will trigger an approval from the DEP. Mr. Aiello states yes. It will trigger a permit from the DEP and also the Town's new stormwater management and DEC requirements will come into play since we were last before the Board in 2005. Cynthia asks Mr. Aiello if they received approval from the DEP. Mr. Aiello states yes. They received approval from DEP in 2001, as well as an amended approval in 2005. Mr. Aiello states that they recognize there are new standards and requirements, and they will be required to go through reviews with Hahn Engineering, Bruce Thompson and the DEP.

Cynthia refers to the proposed plantings along the road and states it would be beneficial for the Applicant to show them on the Plan. There is a neighbor to the South who may be interested. Mr. Hollander states that they had showed plantings that were proposed for the previous application. He states they may be perfectly valid still. Robert states the road is more established. Mr. Aiello states that the DEP did scrutinize the Plan. Cynthia asks if there are any other questions. Mr. Hollander states they wanted to put this project in front of the Board so they had an idea of what they are proposing. Mr. Rossi asks about how long all of this will take. Robert refers to the structures and asks what the size of the guest house will be. Mr. Speyer states the guest house is the same size, and the main house is substantially smaller. The height of the house is discussed. Mr. Hollander states in general the new construction is smaller in scale, as well as lower. It is being designed with earth tones and will fit into the slope.

Cynthia refers to the view sheds and does not see the need to have data on Titicus Road. Cynthia would like to see two or three view sheds from Mills Road. There is discussion about the top of the ridgeline in respect to there not be a lot of clearing. The neighbors are discussed. Mr. Hollander states they want to be sensitive to the desire to maintain views to the reservoir without it looking like a donut hole in the woods. The addition of trees around the house will help.

Cynthia states this will be a new application. The Applicant has been advised about the view sheds. Cynthia asks if there are any questions about the application procedure. The project will go through a completeness process. Mr. Rossi states that when he asked the Board how long this would take, he was hoping to find out from the Board whether they have a gut reaction against the project. Mr. Rossi states he feels this project will be good for the Town. There are 85 acres on the property. There will be a beautiful residence. The Applicants will be stewards of the property. A lot of thought and work will go into this process. Mr. Rossi states that both Mr. Speyer and Ms. Farley gave Tony DeRosa the green light to prepare the required surveys.

Cynthia states the Board is interested in the slopes. There is a Steep Slopes Ordinance drafted and in the hands of the Town Board. That Ordinance may rise to the surface again and have an impact on this Project.

The Ordinance does speak to disturbances on 25% slopes or greater as being prohibited, and everything else requires a permit. Mr. Hollander asks if plantings are allowed. Cynthia is not certain. Cynthia states the Applicant may want to take a look at the Draft. There is discussion about sending the draft over to Mr. Hollander. Mr. Hollander talks about figuring out a way to do what their client is asking without causing environmental damage.

Cynthia is interested in the staging process. Mr. Hollander states that they are going to do the project in phases. They would like to obtain a permit for what they want to do. They will then figure out the various phases or sequences. Mr. Hollander needs to stay focused so there is the least damage. He does not want to be seeding slopes when the seeds won't germinate. He has to think in terms of seeding the slopes in April or September, and sequencing the work appropriately. Sonja talks about pre-construction meetings taking place. Mr. Hollander talks about presenting a proposed sequencing chart.

Robert refers to the proposed tree work, as well as construction and asks how long it is anticipated before completion. Mr. Hollander states that from the day a permit is received to the day that the Applicant's move in will probably be an 18 month construction process. Robert states that timeframe may not be realistic in terms of the plantings. There is discussion about planting in the Spring or Fall. Mr. Hollander confirms planting may take place in either. If we are going with smaller trees, some are more adaptable to move and there will be less damage. We are trying to be mother nature's helping hand. There is a discussion about fertilizers. Mr. Hollander states they use a beneficial soil mix instead of a nitrogen chemical. Chemical fertilizers don't do much because the trees do not have the roots to absorb them. Robert does not believe there will be nitrogen issues. Robert states it is a big Site.

Cynthia asks if there will be any replanting in the area of the greenhouse. Mr. Hollander states they are proposing more of a meadow field with wild flowers. There will be butterflies and birds as well.

Mr. Rossi talks about procedure and confirms this will be treated as a new Application. Mr. Rossi states it is very important that the approval is for the entire project, and not have it done piece meal.

Robert states that a lot of the questions were handled the last time.

Cynthia refers to the areas that were cleared in 2001 and asks if they have been replanted. Mr. Hollander states that he was not involved in the project back then. Cynthia shows a 2000 aerial. There is a discussion about the area cleared between 2001 and 2005. Mr. Hollander states that everything is fully vegetated, and knee high. Cynthia states she would like to see a finished Plan as part of the final vision. Mr. Hollander talks about the required buffers. The front lawn is discussed. Mr. Hollander states there will be a landscaped area around the house that will transition into meadow grass.

Cynthia asks if the Town's Ordinance requires any type of buffering in regards to the plantings. Sonja does not think so. Cynthia asks the Applicant to be respectful to their neighbors. Mr. Hollander shows the Board where they are proposing plants to be located along the road from the 2005 Plan. The wetland buffer is discussed as being kept alone.

Cynthia states the next submittal will be reviewed for completeness. It will not be on an Agenda until it is complete, unless there are issues to discuss.

The timeframes are discussed in terms of how quickly a revised submittal is made.

## **9. Next Meetings:**

- Work Session – January 19, 2011
- Regular Meeting – February 2, 2011

**WORK SESSION:**

**10. Discussion Regarding Chapter 89 Fill, and Chapter 189 Sand & Gravel/Tree Removal.**

Cynthia states the Board was going to continue reviewing Chapter 89 tonight; however, they are missing two Board Members again. In addition, Bruce could not be with us tonight, he is working on an application form for stormwater. Cynthia would like the Board to consider the basic structure for the law. Cynthia states that Yorktown has a two step process.

**11. Resolution:**

**Chairwoman motions to adjourn the Planning Board Meeting. Charlotte Harris seconds. All in favor. No opposed.**