

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE PLANNING BOARD TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD SEPTEMBER 16, 2024

BUSINESS ITEMS

Acceptance of resolution of approval for Accessory Apartment Special Use application # 24-01 for existing accessory apartment in lower level of home to be transferred to new owner, 12 Reeback Drive, Valhalla, 113.5-2-32, Daniel and Allison Puccarrelli

Motion was made by Joan Lederman to adopt a resolution of approval for the accessory apartment application, seconded by Jane Abbate, all members present voted in favor.

Kensico Preserve - Legion of Christ, Inc. 25th 90-day extension request for previously approved 73-Lot Cluster Subdivision, plus 2 lots "Kensico Preserve" formerly known as Baker Residential (OB-1)

Motion was made by Joan Lederman to grant the extension request, seconded by Jane Abbate, all members present voted in favor.

NEW PUBLIC HEARINGS

- 1. Proposed: 67 Leroy - Installation of an 80KW residential generator, to be fueled by propane**

Application: Site Plan # SP- 24-7

Location: 67 Leroy Road, Chappaqua

Section/Block/Lot: 99.6-2-18.1

Zone: R-40

Owner: Kevin Orsini

Applicant: Michael Gonzaga

Architect: Granoff Architects

This application was heard simultaneously with the next application for the same address, please refer to it for the minutes.

- 2. Proposed: 67 Leroy Road - Mitigate the disturbance to the wetlands during construction of addition which was part of a previously approved steep slopes application.**

Application: Wetland Application # W 24-03

Location: 67 Leroy Road, Chappaqua

Section/Block/Lot: 99.6-2-18.1

Zone: R-40

Owner & Applicant: Kevin Orsini

Engineer/Architect: Alan Pilch

Motion was made by Jane Abbate to waive the reading of the public notice for the site plan application and open the public hearing, seconded by Joan Iederman, all members present voted in favor.

Motion was made by Jane Abbate to waive the reading of the public notice for the Wetland application and open the public hearing, seconded by JD Summa, all members present voted in favor

Mr. Ken Anderson design professional appeared to present the application, the following was discussed:

- The Proposal on the site plan is for an 80 KW generator to be placed on the site 113 ft to the rear yard setback and 157 ft to the Wetland buffer.
- The generator will have sound attenuating enclosure the code limits residential generators to 40 KW therefore we are in need of planning board approval for anything larger.
- Regarding the wetlands application with some contractor for the garage Edition inadvertently installed silt fence in the Wetland buffer this application will propose remediation for that as well as a plan to move forward and continue the garage construction.

Board Member comments:

- How far is the generator from the neighbor's house? Reply, approximately 157 ft.
- Can you help us understand what 70 decibels would equate to? 70 decibels is equivalent to a dishwasher.
- and speaking to an electrician they mentioned that this is a very large generator for a single family dwelling typically this size is used more in a commercial building. Reply, the house is run on electric heat pumps which requires a larger generator.

Comments from the public:

- Homeowner from 69 Leroy Road spoke their house is closest to the generator. they did not receive prior notification from the earlier site plan that was approved.
- There are major concerns for the safety of the wetlands. wetlands are a living thing that changes over time. They marked the wetlands, but it needs to be reassessed. Moving forward I suggest it be surveyed more frequently. Reply from Alan Pilich, Hydrology, vegetation, and soil determines a wetland and a wetland buffer. there has to be a larger change as wetlands are pretty static. this is understood but over. of time up to 5 to 10 years they can change

Steven Kavee, chair of the CAC, made the following comments:

- 100 linear feet of a temporary soap fence was the only impact to the wetlands buffer.
- The survey that was used to demark the Wetland buffer is a bit older and we are not sure when it was taken. Even the time of year matters as wetlands can be larger in the spring
- Were the wetlands flagged and if so from what survey and how long ago was that survey prepared? Reply, yes they were flagged from a survey provided from a previous addition.
- Please verify that there is no further equipment or other items in the Wetland buffer. Reply, correct there is no equipment only the silt fence is currently in the Wetland buffer.
- Is the inclination to restore the Wetland Buffer earlier or would later after all the disturbance is done be better? Reply, We were told by the engineering department to leave it alone until we receive approval. Walter Hickey commented, I would think disturbing it once at the end might be better than disturbing it now and then again later.
- Perhaps we should just go with the code which says there should be nothing in the wetlands buffer.
- The actions required are the Wetland buffer should be restored proper fill the later restoration at time of project completion may be the better option.

Motion was made by Joan Lederman to close both public hearings, seconded by JD Summa, all members present voted in favor.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval for the generator site plan, seconded by JD Summa, all members present voted in favor.

Motion was made by JD Summa to have the consultant draft a resolution of approval for the wetlands application, seconded by Eileen McClain, all members present voted in favor.

CONTINUING APPLICATIONS

- 3. Proposed: Brighton Ave and Bradhurst Ave development of vacant parcels for the construction of an approximate 3,000 Sq.Ft. business office with storage barn. Additional improvements include driveway, parking area, stormwater mitigation facilities, landscaping and screened areas. Development of the residential lot is not proposed as part of this application.**

Application: Site Plan# SP 23-07

Subdivision # SD 23-04

Steep Slopes # SS 23-13

Location: Vacant Parcel on Brighton and Bradhurst Ave, Hawthorne

Section/Block/Lot: 112.9-1-2&3

Zone: C-NR & R-10

Owner & Applicant: Brighton Ave. Properties, LLC

Engineer & Architect: KSCJ Consulting

Chairman Collins read the Zoning Board of Appeals letter of determination into the record and concluded, the use of property has been resolved by the ZBA.

Property owner Mark DiFabio appeared and made the following comments:

- Everything Remains the same on the proposed plans and property, however Lawngreen will not be the occupant. The storage barn will be put up with an interior office space all as a leased rental.

Board Member comments:

- Do you have anyone in mind to lease it yet? Reply, no we do not.
- How do we know the parking requirements will not change? Reply, if the use stays the same the requirements stay the same if something like a 7-Eleven is proposed then that will change everything.
- Are you planning to build the unit before you even get a tenant or are you waiting for the tenant first? Reply, I am not sure yet.
- How long has this process been for you so far? Reply, it has been over a year now.
- Chairman Collins acknowledged the presence of a large amount of public and permitted one person only to address the board, that being Mr. John Annasticio who made the following comments:
 - We would like a better understanding of the requested lot line change. One lot is CNR the other is R-10. Seeking to alter the lot line between two zoning districts really enlarges the C-NR use onto the R-10 parcel. We would like clarity to better understand. Reply from Chairman Collins, we are respecting the Zoning Board of Appeal decision which refers to the building inspector letter that indicates the CNR use can expand into the R-10 parcel. Eileen McClain added, The line was extended for a retaining wall and to meet setback requirements for the building, not for the expansion of the use. The building and all its uses are only occurring on the CNR parcel
 - Is the C-NR line being extended? Reply, no it is not. Only the property line is extending, not the zoning line.
 - Is there a retaining wall up near the neighbor's property? Reply, yes, more near the street entrance.
 - Are trees going to be removed? Reply, little to no trees are proposed to be removed. We want this to look natural and be left as Green Space.

Chairman Collins commented, we will get the proper conditions in the resolution to ensure

items of concern are addressed.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval for the site plan including statements for the restricted use of certain trucks and outdoor storage of materials, seconded by JD Summa, all members present voted in favor.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval for the steep slopes application, seconded by Eileen mclean, all members present voted in favor.

Motion was made by Joan Lederman to have the consultant draft a resolution of approval for the subdivision application, seconded by Walter Hickey, all members present voted in favor.

4. Proposed: 1 Point Place, construct a series of MESA retaining walls, thereby creating a usable rear yard configuration, including a pool.

Application: Steep Slopes # SS 24-05

Location: 1 Point Place, Chappaqua

Section/Block/Lot: 99.10-2-3.42

Zone: R-40

Owner &

Applicant: DoshiJay & Supriya - 50%

Doshi Vinay & Vasanti - 50%

Engineer: A.E. Professional Engineers, P.C.

Engineer Peter White appeared on behalf of the homeowner to present the application the following was discussed:

- A series of Mesa retaining walls is proposed to level the backyard and provide more usable space for the family.
- There is a lot of ledge located in the backyard, our plan proposes creating a series of terraced walls with giant drywall systems to retain the water.
- Pictures of existing conditions were shown with a replanting plan showing specimen trees and Sugar Maples.

Board member comments:

- This parcel is part of a larger subdivision from not too long ago. There was a natural effect to the land and now you are proposing to change that. Reply, that Subdivision approval did not have a robust landscape plan.
- This is a large lot with plenty of property, they knew what it was like when they bought it and yet they bought it anyway.
- There is already a flat area behind the house, you are doing this to extend the usable space even more, but the neighbor behind you will be looking at a series of walls. Reply, there are specimen trees proposed between the series of walls.

Motion was made by Joan Lederman to schedule a public hearing, seconded by Jane Abbate, all members present voted in favor

TOWN BOARD REFERRALS

5. Proposed: 75 Kensico Avenue North - Extension of the Hamlet Zoning District (VH) to the 75 Kensico Avenue North Parcel which is currently zoned as R-10.

Application: Town Board Referral TB # 24-01

Location: 75 Kensico Avenue North, Valhalla

Section/Block/Lot: 117.19-2-20

Zone: R-10

Owner: The Kensico, LLC

Applicant: Daniel Amicucci

Planning & Development Advisor: David B Smith

Applicant Daniel Amicucci and design professional appeared to present the referral to the board, the following was discussed:

- We are proposing to extend the Valhalla Hamlet zoning district line to include this parcel.
- We have presented to the town board who has referred our petition to this board for your input.
- This is one of the larger Parcels in this downtown Hamlet whose current use is not s at its fullest capacity. There are several structures on the parcel one was a church and others are accessories most of which are just being used as Office and storage space.
- We are proposing a multi-family structure developed under the Hamlet Zoning regulations. A three story building with 34 residences, 17 single bedroom units and 17 two bedroom units and outdoor amenity space as required.
- We designed the development to be fully compliant.

The applicant experienced technical difficulties in being able to present their digital program. And could not therefore proceed with their formal presentation.

The Board asked them to return and be ready to do a more formal presentation.

[MIN_SIGNATURES]

