

**MINUTES
VILLAGE OF ARDSLEY
PLANNING BOARD MEETING of
MONDAY, SEPTEMBER 11, 2023**

I. Call to Order

The Chair called the meeting to order at 8:07 PM.

Present: Rob Pellegrino, Esq., Chair
Paul Bialowas
Susan Jainchill
Bernhard Preisser

The Chair announced that the Agenda would be taken out of order.

II. Approval of Minutes

The approval of minutes was adjourned.

**III. Christopher Petit and Jee-Young Ham
7 Dellwood Lane
Applications for Steep Slopes Permit and Site Plan Approvals,
For Proposed Building Demolition and New Construction
Continuation of Public Hearing**

Present: Rob Pellegrino, Esq., Chair
Paul Bialowas
Susan Jainchill
Bernhard Preisser

Also Present: Alan Filch, Architect for applicants

The Chair noted that the applicants are close or complete in terms of the engineering comments. Mr. Filch stated his belief that they have addressed all of them. The Chair stated that the Board could not proceed further because of the difficulty in viewing the property. The Chair stated that the property needed to be mowed and low lying branches and limbs removed so that Board members could walk the property safely. This request was previously made. The Chair specified that after that is done, the architect would need to check that the landscapers did not move the flags marking the foundation.

The Chair also stated that the trees had not been properly marked. He had been to the property just a few days ago and, in addition to the fact that the property had not yet been mowed or minimally cleared as requested, many trees around the property were wrapped with not one but two tapes of different colors. Simply put, only trees slated for removal are to be marked, and marked all in the same color, such as red.

Ms. Jainchill requested that new plantings not include blue spruce, which she deems inappropriate for this area, and instead recommends balsam fir, Fraser fir, or white spruce.

The Chair stated that in the interim, applicants may proceed to the Board of Architectural Review.

The Chair asked if any member of the public wished to speak in support of or in opposition to the application, and none so wished.

The public hearing then was adjourned and will be continued.

IV. Mr. Yen Wong
88 Lincoln Avenue
Applications for Excess Floor Area Special Permit and Site Plan Approvals,
for Proposed Building Demolition and New Construction
Continuation of Public Hearing

Present¹: Rob Pellegrino, Esq., Chair
Paul Bialowas
Bernhard Preisser

Also Present: Emilio Escalates, Architect for applicant

¹ Ms. Jainchill is recused on this matter, as she is a neighbor.

Susan Jainchill, 10 Taft Lane, Ardsley, NY

The Chair stated that the Building Inspector had advised that there are approximately twenty points in the Village consulting engineer's memo that need to be resolved, and noted that this memo was very recent. Mr. Escalades confirmed that he had not yet received this latest memo.

The Chair stated that applicant may not utilize any part of the parcel owned by the Village. Mr. Escalades stated that in the revised all had been removed from it.

The Chair asked if any member of the public wished to speak in support of or in opposition to the application.

Ms. Jainchill [in her capacity as neighbor] stated that Mr. Escalades revised plan is more refined and addressed most of the issues she had raised in her letter to the Board. A remaining concern is the visibility of the driveway and garage from her back yard which is separated from the applicant's property by a Village owned parcel. Currently vegetation on the Village owned parcel and vegetation on the applicant's property screens the house from view. Ms. Jainchill is concerned that the applicant's proposed layout will remove this screening. She would like to be assured that existing vegetation on Village owned parcel will not be disturbed and that a dark colored fence be placed along the property line to screen views of cars from her back yard. Mr. Escalades assured her that the grading would remain basically the same and that the vegetation would not be removed by excavation or otherwise.

The public hearing then was adjourned and will be continued.

**V. Anthony and Helen Racanelli
18 Mt. View Avenue
Applications for Two Lot Subdivision and Site Plan Approvals,
for Proposed Demolition of Existing Dwelling and Construction of
Two New Dwellings
Continuation of Public Hearing**

Present: Rob Pellegrino, Esq., Chair
Paul Bialowas
Susan Jainchill
Bernhard Preisser

Also Present: Anthony Racanelli
Paul Petretti, Engineer for applicant

Justin Maron, 23 Mt. View Avenue, Ardsley, NY

The Chair stated that the Building Inspector had advised the Board that there are still comments from the Village's Consulting Engineer that need to be addressed. The Chair stated that the Building Inspector recommended that Mr. Petretti meet with Mr. Tomasso and Mr. Sessions to discuss the remaining points.

The Chair asked if any member of the public wished to speak in support of or in opposition to the application.

Mr. Maron asked about the encroachment by the neighbor onto applicants' property. The Chair reiterated that a mere letter from a purported owner of the encroaching property will not be sufficient; the Board needs to be assured that the owner or owners, as the case may be are accurately identified and sign off in an acceptable way. The Chair also stated that the Board does not approve site plans that allow encroachments of improvements onto other people's property.

Mr. Maron also asked about the concerns that had been expressed by the owner at 32 Wilmot, that the planned work might impact the boulder that traverses both properties. Mr. Petretti reminded everyone that part of the retaining wall would go into the boulder. The Chair reassured Mr. Maron that the Village Code has provisions that govern any rock chipping or blasting, including requirements of surveys and insurance. Mr. Maron stated that there was also the question of whether the applicant might need to work on the neighbor's property. The Chair advised that whether minimal entry, if any, onto the neighbor's property would be needed would depend on where the retaining wall is relative to the property line. That entry, if any, can be discussed with the Building Inspector.

The Chair reiterated that Mr. Petretti and his client ought to meet with Mr. Sessions and Mr. Tomasso, as suggested by Mr. Tomasso, to attempt to resolve the remaining points.

The Public Hearing was then adjourned and will be continued.

**VI. 774 Saw Mill River Road LLC
(By Kristina Capolino and M. Capolino MBR)
774 Saw Mill River Road
Proposed Plans for Demolition of Existing 3-Unit Multi-Family Building,
And Construction of New 9-Unit Multi-Family Building
Continuation of Review and Comment to the Board of Trustees**

This matter was adjourned.

VII. Ferdinand Markushi
27 Abington Avenue
Application for Approval of Proposed Landscape Plan (Condition of March 12,
2018 Wetlands Permit for Rear Deck, Filling and Grading, Stream Bank
Restoration, and Tree and Shrub Removal and Planting)
Continuation of Review

This matter was adjourned.

VIII. Adjournment

Mr. Preisser moved, and the Chair seconded, to adjourn the September 11, 2023 meeting of the Planning Board at 8:37 PM.

Vote: 4 in favor, none opposed, none abstaining, as follows:

Rob Pellegrino, Esq., Chair –	Aye
Paul Bialowas –	Aye
Susan Jainchill –	Aye
Bernhard Preisser –	Aye

Respectfully submitted,
Judith B. Calder, Recording Secretary