



**Briarcliff Manor**

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**March 2006- Minutes**

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Village of Briarcliff Manor, New York  
 Planning Board Meeting Minutes  
 Tuesday March 14, 2006



A regular meeting of the Planning Board of the Village of Briarcliff Manor, 1111 Pleasantville Road, Briarcliff Manor, New York 10510, was held in the Village Hall on Tuesday, March 14, 2006 at 8:00pm.

Members Present: Andrew Tung, Chairman  
 Bill Gorlin, Member  
 Ed Nolan, Alternate Member  
 Nancy Pine, Member  
 Jay Teitelbaum, Member

Also Present: Patrick LaRow, Planning Consultant  
 Daniel Pozin, Village Attorney  
 David Turiano, Building Inspector  
 Christine Dennett, Stenographer

Absent: Jay Neveloff, Member  
 Ingrid Richards, Assistant Village Manager

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Call to Order: Chairman Tung called the meeting to order at 8:00pm.

PB-01-2005 - PUBLIC HEARING - CYNTMAR SUBDIVISION/STEEP SLOPE APPROVAL: The Planning Board held a public hearing on an application to subdivide one lot into two lots. The property is located on the west side of Pleasantville Road, across from Osage Drive.

Upon motion by Member Pine, seconded by Member Teitelbaum, the Board voted unanimously to open the public hearing.

Mr. Adam Wekstein from Hocherman, Tortorella & Wekstein, LLP, representing the applicant, respectfully asked the Board to close the public hearing and approve the resolution.

Chairman Tung stated the Board received revised drawings, a memorandum from Cronin Engineering and communication from the Westchester County Planning Board.

Upon motion by Member Gorlin, seconded by Member Pine the Board voted unanimously to close the public hearing.

The Board reviewed the resolution.

Upon motion by Member Gorlin, seconded by Member Teitelbaum, the Board voted unanimously to approve the resolution as amended.

PB-02-2006 - CHILMARK SHOPPING PLAZA - SIGN APPROVAL: The Planning Board reviewed an application for a sign permit for property located on Pleasantville Road.

Mr. Steve Chester from Signs Inc. explained the application on behalf of the applicant.

Chairman Tung asked if the applicant approached the Food Emporium to have the sign placed partially on their property.

Mr. Chester stated the applicant felt there was adequate space on their own property. He stated he was of the opinion that the proposed location of the sign was perfectly safe and he requested that the Building Inspector do a site visit and make that determination.

Chairman Tung asked Mr. Chester to have the applicant meet with Food Emporium and then report to the Building Department.

PB-04-2006- HELLMAN-GARLICK MEMORIAL CHAPEL- SIGN APPROVAL: The Planning Board reviewed an application for a sign permit for a property located at 1300 Pleasantville Road.

Mr. Larry Brown from the Signing Company presented on behalf of the applicant.

Chairman Tung stated the Board received a memorandum from the Architectural Review Advisory Council asking the lettering on the sign be bone white in color.

Upon motion by Member Gorlin, seconded by Member Pine, the Board voted unanimously to approve the sign permit.

PB-05-2006- OLD SLEEPY HOLLOW ESTATES, LLC-SUBDIVISION AND WETLAND APPROVAL: The Planning Board reviewed an application to subdivide 5 acres into three (3) residential building lots in an R-40 zone. Each lot is proposed to be serviced by individual septic systems, public water and individual driveways. Property is located at 61 Sleepy Hollow Road.

Mr. Ed Delaney presented the application to the Board on behalf of the applicant. He stated this was a preliminary stage and that they were pursuing many different options.

The Board had a general discussion regarding the wetlands and the Department of Environmental Conservation buffers.

Ms. Linda Whitehead, attorney for the applicant, stated her opinion that wetland ordinances are regulatory and the Planning Board has the jurisdiction to approve applications and issue permits when wetlands are involved. Member Teitelbaum stated that Ms. Whitehead's contention was not supported by a reading of the Briarcliff wetland ordinance, which stated that the Planning Board was very limited in its discretionary authority and the specifics being proposed by this applicant were not permissible under the law.

Member Pine agreed with Member Teitelbaum's interpretation and went a step further suggesting that even beyond the wetlands ordinance, and the DEC authority, the PB would consider any adverse impact the wetlands and other natural resources on this property to be a very serious concern. She suggested that for guidance, the applicant might want to look over files of recent, similar applications where impacts to slopes and wetlands were involved and further stated the Board would act in a manner that was consistent with the concerns of residents and in best interest of the Village.

Chairman Tung asked that a more site specific slope map be submitted.

Ms. Karen Stern of Old Sleepy Hollow Road welcomed her new neighbors. She stated she lived there for 15 years and the erosion and runoff in that area is very intense. She further stated the DEC was very adamant about protecting those wetlands.

Mr. Barry Bosak of Old Sleepy Hollow Road stated he was a resident for 33 years and that runoff is a tremendous issue. He agreed that this was a beautiful site but maybe it wasn't meant to be developed.

Maryann Gallagher, Chairperson of the Conservation Advisory Council stated the Council had great concerns about this site and it would set a bad precedent to develop it. She further stated it was one of the most challenged sites she had seen.

Chairman Tung thanked everyone for their comments.

PB-06-2006- WUSTHOF-TRIDENT BUILDING- SPECIAL USE PERMIT REVIEW AND RECOMMENDATION- The Board of Trustees has directed said application to the Planning Board for a review and recommendation on a special use permit that would allow for multi-tenancy.

Mr. Thomas Beirne of Cuddy & Feder, LLC represented the applicant. He respectfully requested a positive recommendation from the Board for the Board of Trustees.

Upon motion by Member Pine, seconded by Member the Board voted unanimously to approve the resolution.

PB-03-2006 - TRUMP ? SITE PLAN AMENDMENT: The Planning Board reviewed an application for landscaping at Hole #12 on the existing golf course located at 100 Shadow Tree Lane.

Alternate Member Nolan joined the Board.

Mr. Vincent Stello of Trump National explained the application to the Board. He stated he would submit a landscape plan for the next meeting.

Member Pine commented on the "\*\*\*\*\*" between the existing tee box and the "illegal" teebox that has been removed. Several members questioned why this unnatural elevation would be necessary to accomplish the drainage goals.

Mr. Stello said that he would review several other alternatives for the drainage which would eliminate the \*\*\*\*. He stated he would consult his engineers and report back at the next meeting.

On a separate matter, Member Pine asked the Trump organization to consider more evergreen landscaping behind the townhouses facing Dalmeny Road. She stated that the row of buildings was stark and unattractive and that additional evergreen plantings behind each of the townhouses would help soften the view which would be a desirable for both the Club and those living or driving on Dalmeny Road

Mr. Stello stated he would take a look at it and report back on that as well.

Village Consultant, Patrick LaRow stated the landscaping plans needed to be stamped by a New York State licensed landscaper.

VILLAGE ENGINEER'S REPORT: Village Engineer provided a report to the Planning Board on ongoing projects.

? Sleepy Hollow Country Club completed their outstanding items and is anxious to begin construction.  
? Many projects will be underway in the upcoming months. Ample notice will be given to residents.

ZONING CASES: No Comments

MINUTES:

Upon motion by Member Pine, seconded by Member Teitelbaum the Board voted unanimously to approve the minutes of December 29, 2005.

Upon motion by Member Gorlin, seconded by Member Teitelbaum, the Board voted unanimously to approve the minutes of January 10, 2006.

Adjournment

Upon motion by Member Teitelbaum, seconded by Member Gorlin, the Board voted unanimously to adjourn the meeting at 10:05pm.

Respectfully submitted by,

Christine Dennett

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