

MOUNT KISCO PLANNING BOARD

Agenda

Tuesday, December 8, 2015

7:30 PM

Minutes

- a. *October 13, 2015*

Formal Applications:

- b. **Lexington Avenue Realty, LLC – 326 & 328 Lexington Avenue (Former Lexington Avenue Gym)**
PB2015-0291, 80.48-1-6 & 7.1 (SBL)
Site Plan
 - *Draft Resolution dated November 24, 2015*
 - *Memorandum from Anthony Oliveri, P.E., dated December 2, 2015*
 - *Memorandum from Keane Coppelman Gregory, dated November 4, 2015*
 - *Site Plan prepared by Keane Coppelman Gregory, dated October 31, 2014*
- c. **Hudson City Savings Bank – 29 Carpenter Avenue**
PB2014-0260, 69.91-3-2.1 (SBL)
Site Plan
 - *Memorandum from Robert Melillo, Interim Building Inspector, dated December 3, 2015*
 - *Memorandum from Anthony Oliveri, P.E., dated December 2, 2015*
 - *Memorandum from McCullough, Golderberger & Staudt, LLP, dated November 17, 2015*
 - *Handicap Ramp Plan prepared by Gabriel E. Senor, P.C., dated November 16, 2015*
 - *Floor Plans prepared by Richau, Mustacato, Grippi Associates, dated November 16, 2015 (2 Sheets)*

Sensitive Natural Areas Permit

- d. **Michael & Justine Rutherford – 87 Beverly Road**
PB2015-0318, 80.23-3-40
Steep Slopes Permit
 - *Memorandum from Robert Melillo, Interim Building Inspector, dated December 3, 2015*
 - *Memorandum from Anthony Oliveri, P.E., dated December 2, 2015*
 - *Steep Slopes Application*
 - *Short EAF*
 - *Memorandum from Hudson Land Design, dated November 4, 2015*
 - *Plans prepared by Hudson Land Design, revised November 4, 2015*

Conceptual Applications:

- e. **HVA Realty, LLC – 299 Kisco Avenue (Volvo)**
PB2015-0310, 69.44-2-1 (SBL)
Amended Site Plan
 - *Memorandum from Robert Melillo, Interim Building Inspector, dated December 3, 2015*
 - *Conceptual Application*
 - *Memorandum from Charles V. Martabano, dated November 17, 2015*

- *Site Plan prepared by Langan Engineering, dated November 6, 2015*

Special Discussion:

- *2016 Meeting Schedule*

**PLANNING BOARD RESOLUTION
VILLAGE OF MOUNT KISCO**

SITE PLAN APPROVAL

**LEXINGTON AVENUE REALTY, LLC
326 AND 328 LEXINGTON AVENUE**

**Section 80.48, Block 1, Lots 6 & 7.1
Application No: PB2015-0291**

December 8, 2015

WHEREAS, the subject property is comprised of two (2) parcels consisting of ± 0.36 acres of land and located at 326 and 328 Lexington Avenue within the CL Zoning District ("the subject property"); and

WHEREAS, 326 Lexington Avenue is owned by Lexington Avenue Realty, LLC and 328 Lexington Avenue is owned by J & J Realty of Westchester ("the applicants"); and

WHEREAS, 326 Lexington Avenue contains a 1-story commercial building which is currently vacant, but was last used as a physical training studio; this parcel also currently contains perpendicular parking in front of the building and a gravel parking area to the rear; and

WHEREAS, 328 Lexington Avenue currently contains a 2-story building comprised of office, warehouse, and one (1) 2-bedroom non-conforming apartment which is proposed to be converted to office space; this parcel also contains an asphalt parking area with a separate curb cut onto Lexington Avenue; and

WHEREAS, 326 Lexington Avenue has no site plan of record and the rear gravel parking area was installed without Planning Board Approval; while 328 Lexington Avenue has a site plan of record (signed by the Planning Board Chairman in April of 1987), the current use and configuration of the site is not consistent with that shown on the approved site plan; and

WHEREAS, reference is made to the site plan of record for 328 Lexington Avenue, prepared by Earl Strunk Architect (RE-1A), entitled "Site Plan & Details of Site", signed by the Planning Board Chairman on April 27, 1987; and

WHEREAS, the applicant has submitted a site plan application which incorporates both parcels and the shared use of parking spaces. The proposal includes the reconfiguration of parking areas on both parcels and an overall reduction in impervious cover from that of the existing condition; and

WHEREAS, as vehicles are forced to back out onto the public right-of-way, which presents a safety issue, the applicant is proposing to eliminate the parking area located in front of 326 Lexington Avenue; and

WHEREAS, the proposed site plan includes the required number of off-street parking spaces (20 spaces); and

WHEREAS, the applicant has applied to the Zoning Board of Appeals for area variances; and

WHEREAS, the subject property is located within the New York City East of Hudson Watershed and within the New York City Department of Environmental Protection (NYCDEP) Designated Main Street Area and is subject to the NYCDEP's Rules and Regulations; and

WHEREAS, reference is made to a letter prepared by the NYCDEP, dated August 31, 2015, which states that the proposed action requires no permits or approvals from said agency; and

WHEREAS, work proposed within the Lexington Avenue right-of-way will require approval from the Westchester County Department of Public Works; and

WHEREAS, reference is made to memorandums issued by the Building Inspector (dated January 21, 2015, May 4, 2015, June 12, 2015, August 26, 2015 and October 21, 2015); the Village Engineer (dated June 18, 2015, August 26, 2015 and October 21, 2015); and the Village Planner (dated June 17, 2015, August 26, 2015 and October 21, 2015); and

WHEREAS, the Planning Board referred the application to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law ("Notification Only Referral"); and

WHEREAS, reference is made to the following architectural elevations and floor plans, prepared by The Helmes Group, LLP:

326 Lexington Avenue:

- "Existing Floor Plan" (Sheet 1), dated (last revised) October 1, 2015; and

328 Lexington Avenue:

- "Exterior Elevations & Reference Photographs" (Sheet 1 of 1), dated (last revised) September 3, 2014; and
- "Existing Floor Plans" (Sheet 1), dated (last revised) July 27, 2015; and

WHEREAS, the proposed action will not result in any steep slope disturbance or disturbance within any regulated wetland or wetland buffer area; and

WHEREAS, the proposed Planning Board action is a Type II Action and is categorically exempt from the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT RESOLVED THAT, the Planning Board of the Village of Mount Kisco hereby grants Site Plan Approval and approves the following plans (hereafter referred to as “the approved plans”), subject to the below conditions:

The following plans, prepared by Keane Coppelman Gregory Engineers, P.C.:

- “Existing Conditions Plan”, dated July 27, 2015; and
- “Site Plan”, dated (last revised) October 28, 2015; and
- “Construction Details”, dated (last revised) July 27, 2015; and
- “Lighting Plan”, dated May 31, 2015; and

BE IT FURTHER RESOLVED THAT, unless extended by the Planning Board, construction shall commence within six (6) months of the date of this Resolution and shall be completed within one (1) year of commencement of construction.

Conditions to be Satisfied Prior to the Signing of the Approved Plans:

1. The applicant shall obtain/maintain the following outside agency approvals, as necessary; copies of said permits/approvals shall be submitted to the Planning Board and Building Department. In the event that such permit(s) require any modification to the plans approved herein, a determination shall be made by the Building Inspector and Village Engineer as to whether the modification(s) is substantive and should be returned to the Planning Board for review:
 - a) Area variances as granted by the Zoning Board of Appeals; and
 - b) Architectural Review Board- Approval associated with exterior building improvements; and
 - c) Westchester County Department of Public Works – Permits associated with work proposed within the County right-of-way; and
2. The lighting plan shall be revised to comply with Village lighting standards, to the satisfaction of the Village Planner and Village Engineer, and incorporated into the plan set. All fixtures shall be illuminated with LED lights and shall be full cut-off/shielded fixtures.
3. The approved plans shall be revised as follows:
 - a) The existing evergreen hedge located immediately south of the existing curb associated with 328 Lexington Avenue shall be illustrated as an existing feature on the site plan.
 - b) The proposed 30” high dense evergreen hedge shall extend along the entire site frontage, with the exception of the curb cut and sidewalk locations, to be located

between the existing concrete sidewalk and the easterly property line; the site plan shall be revised accordingly.

- c) The site plan shall be revised to remove the parking signs proposed along the northerly property line (rear of 326 Lexington Avenue).
 - d) Provide a note on the site plan that all existing asphaltic parking spaces shall be restriped.
 - e) The "Planting Bed Section" as provided on the "Construction Details" plan shall be revised to show a 10-inch layer of uncompacted earth/soil between the topsoil and undisturbed or compacted subgrade layer.
 - f) Construction details shall be provided for the following proposed features: concrete sidewalk, handicap signage (to be mounted on building), trash enclosure, wheel stop, all details associated with the lighting plan as determined necessary by the Village Planner and Village Engineer.
- 4. The Tax Parcel Identification Number associated with 328 Lexington Avenue, as identified on the "Existing Conditions Plan," shall be revised to read: 80.48-1-7.1.
 - 5. The "Reciprocal Parking Easement Agreement" shall be prepared to the satisfaction of the Village Attorney and filed in the office of the Westchester County Clerk; proof of recording shall be provided.
 - 6. The architectural floor plans and elevations referenced above shall be signed and sealed by the design professional and resubmitted to the Planning Board (4 copies).
 - 7. The applicant shall satisfactorily address any outstanding written comments provided by the Building Inspector, Village Attorney, Village Engineer or Village Planner.
 - 8. All applicable application fees and fees associated with professional legal, engineering and planning consultation shall be paid for by the applicant.
 - 9. The approved plans shall be revised to conform to the above conditions and to the satisfaction of Village staff. The applicant shall submit four (4) original copies of the approved plans, signed and sealed by the design professional, for final review by Village staff and for signature by Village staff and the Planning Board Chairman. All plans shall be collated, folded and contain a common revision date.

Conditions to be Satisfied Prior to the Issuance of a Building Permit:

- 10. The applicant shall satisfy the above conditions and the approved plans shall be signed by Village staff and the Planning Board Chairman.
- 11. If deemed necessary by the Village Engineer, the applicant shall submit the Notice of Intent (NOI) and MS4 SWPPP Acceptance Form to the Village Engineer for review. Following the Village Engineer's review and approval of these documents, the Village's MS4 Official shall sign the SWPPP Acceptance Form. The applicant shall submit the

completed Acceptance Form, along with the Notice of Intent (NOI), to the NYSDEC, Division of Water and copy the Village Engineer with same. Prior to the issuance of a Building Permit, the applicant shall demonstrate coverage under SPDES General Permit for Stormwater Discharges from Construction Activity.

Conditions to be Satisfied Prior to the Commencement of Any Work:

12. The applicant shall have addressed the above conditions and shall have obtained a building permit.
13. The applicant shall submit a schedule for all earthwork and land disturbance to the Village Engineer for approval. The applicant shall notify the Village Engineer and Building Inspector at least 72 hours in advance of any site disturbance.
14. Before commencement of any land disturbance, placing construction equipment on-site or actual construction, the subject property must be staked out by a NYS licensed land surveyor.
15. A pre-construction meeting shall be conducted with the applicant, contractor, Building Inspector and Village Engineer.

Conditions to be Satisfied During Construction:

16. All construction activities shall be performed during the times permitted under the Village Code. If deemed necessary by the Village Engineer or Building Inspector, the applicant shall pay for a police officer to direct traffic at the entrance to the site during the permitted hours of construction, as needed.

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy:

17. Prior to the issuance of any Certificate of Occupancy for either 326 Lexington Avenue or 328 Lexington Avenue, the nonconforming residence located at 328 Lexington Avenue shall be removed to the satisfaction of the Building Inspector.
18. For aesthetic purposes, this approval expressly requires that the exterior architectural improvements associated with 328 Lexington Avenue, as illustrated on the architectural plans referred to above, be completed prior to the issuance of any Certificate of Occupancy.
19. Prior to the issuance of any Certificate of Occupancy, backflow preventer device(s) shall be installed to the satisfaction of the Village Engineer and Building Inspector, as required.
20. There shall be no Final Certificate of Occupancy issued until there is full compliance with the plans approved herein and all conditions of this Resolution.

21. Prior to the issuance of a Final Certificate of Occupancy, an as-built survey, signed and sealed by a NYS Licensed Land Surveyor and demonstrating compliance with the approved plans shall be submitted. This survey shall be prepared to the satisfaction of the Village Engineer.
22. Prior to the issuance of a Final Certificate of Occupancy, all required landscaping installations shall be completed and inspected by the Village Planner.
23. A final site inspection shall be completed by the Building Inspector, Village Engineer and Village Planner.
24. All applicable application fees and fees associated with professional legal, engineering and planning consultation shall be paid for by the applicant.

Other Conditions:

25. The Planning Board is to retain original jurisdiction.
26. All exterior lighting on the subject property shall be turned off during non-operating hours, with the exception of security lighting which luminance levels shall be reduced by 30% during non-operating hours.
27. All refuse storage and pick-up shall comply with the Code of the Village/Town of Mount Kisco.
28. All signage, including within windows, shall be fully compliant with Chapter 89 of the Village Code. No signs, lights or other materials or devices, except as approved and detailed on the approved plans, shall be permitted to be supported, hung, flown, or otherwise attached to site buildings, structures or the site grounds.
29. Landscaping shall be maintained for the life of the facility and in accordance with the approved landscaping plan. The applicant shall be responsible for any re-grading, replanting, or irrigation necessary to ensure that the landscaping is installed and maintained in accordance with the approved plan.
30. Failure to comply with any of the aforesaid conditions shall constitute a violation of Site Plan approval and shall subject the applicant to prosecution, penalties and/or permit revocations pursuant to applicable law. Deviation from any such approvals may render this Site Plan or certificates of occupancy issued in conjunction therewith null and void.
31. The conditions contained herein shall be deemed continued conditions of approval and shall apply equally to the owner(s) of 326 and 328 Lexington Avenue in the event they are or become distinct.

ADOPTION OF RESOLUTION

WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Village of Mount Kisco as follows:

The motion was moved by: _____

The motion was seconded by: _____

The vote was as follows:

JOSEPH COSENTINO	_____
ANTHONY STURNIOLO	_____
RALPH VIGLIOTTI	_____
DOUGLAS HERTZ	_____
ENRICO MARESCHI	_____
MICHAEL BONFORTE	_____
JOHN BAINLARDI	_____

Joseph Cosentino

December 8, 2015

Dolph Rotfeld Engineering, P.C.

MEMORANDUM

To: Joseph Cosentino, Planning Board Chairman

C: Edward W. Brancati, Village Manager
Planning Board Members
Robert Mellilo, Interim, Building Inspector
Whitney Singleton Esq., Village Attorney,
Jan K. Johannessen AICP, Village Planner

From: Anthony Oliveri, P.E.

Date: December 2, 2015

Re: Site Plan Review
326 / 328 Lexington Avenue
Village/Town of Mount Kisco

With regard to the above mentioned project, this office has reviewed the following plans and submittals:

- Plan entitled: "Site Plan - Lexington Avenue Realty, LLC", 1 sheet prepared by Keane, Coppelman Gregory, Engineers PC, last dated 10/28/15;

Our comments are as follows:

1. Removal of pavements and replacement of drop curbs along Lexington Avenue in front of #326 should be included in a final plan set along with all associated details. Additional landscaping along this area should be provided as per the Village Planner.
2. All other construction details as may relate to the proposed work shall be included on the final plan for review and approval prior to work start.
3. An updated lighting and photometrics plan must be provided as part of the site plan set.
4. The final site plan with all details as noted above should be reviewed and approved prior to site plan signing by the Village Planner, Building Inspector and this office.

Thank you

113 SMITH AVENUE
MOUNT KISCO, NY 10549
T: (914) 241-2235
F: (914) 241-6787

November 4, 2015

Hon. Joseph Cosentino
Chairman, Village/Town of Mount Kisco Planning
Board and Members of the Board
104 Main Street
Mount Kisco, New York 10549

**Regarding: Lexington Avenue Realty, LLC & J&J Realty of Westchester, LLC
326 & 328 Lexington Avenue
Mount Kisco, New York**

Dear Chairman Cosentino and Members of the Planning Board,

This office is submitting attached herewith, revised plans for the 326 Lexington Avenue Site Plan application. Pursuant to the comments expressed at the Planning Board of October 27, 2015, the applicant has made the suggested changes expressed by the Board members. As a result, the plans have been modified to address each of their concerns. The Site Plan has been revised as follows:

1. The parking/macadam area located in the front of the 326 Lexington Avenue site is now proposed to be removed. The handicap parking space shown in this area has been relocated to the area that was referred to as parking space 7.
2. A 6'-0" wide concrete walkway will connect the front entry of 326 Lexington Avenue with the existing sidewalk alongside Lexington Avenue.
3. Landscaping is proposed in front of the existing building as well as each side of the proposed entry walkway with lawn being proposed in place of the parking area.
4. The aisle width associated with the parking area behind 326 Lexington Avenue has been increased to 25'-0" with a sixth parking space shown in this area. While the aisle width was increased by 4'-0" and a parking space added, with the removal of the front parking area, the maximum development coverage has been reduced to 79% and now conforms with the maximum permitted coverage of 80%.
5. An updated lighting plan is in the process of being prepared reflecting the site changes.

Attached please find 12 copies of revised plans to be considered for the next Planning Board meeting. The applicant respectfully requests to be considered to be included on this agenda. Should you have any questions or require additional information, please feel free to contact me.

Very truly yours,

KEANE COPPELMAN GREGORY ENGINEERS PC


Peter J. Gregory, P.E.

RECEIVED
NOV 04 2015
PLANNING BOARD



VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

MEMORANDUM

TO: Chairman Cosentino and Planning Board Members

FROM: Robert Melillo, Assistant Building Inspector

DATE: December 3, 2015

RE: Hudson City Savings Bank
29 Carpenter Avenue, ID# 69.81-3-2.1

The applicant has submitted an application for an Amended Site Plan. The property is located within the Moderate Density Multi-Family Cluster District (RM-10).

A review of the application reveals the following:

- The applicant needs to provide a zoning analysis
- The applicant needs to provide the last approved site plan
- In review of the revised site plan dated April 11, 2005, there seem to be discrepancies with the current proposed amended site plan
 - There seems to be a retaining wall that was on the southern side of the property behind Building B, which was not approved. This will require a variance from the side yard setback
 - There have been modifications to all concrete walkways
 - The curbed areas have changed
 - Patio areas have been constructed
 - A stone wall was built in the rear yard setback
 - A chain link fence was installed on the southern side of the property
 - All landscaping has not been installed.
- The applicant should incorporate all these changes into their amended site plan

/mkl

Dolph Rotfeld Engineering, P.C.

MEMORANDUM

To: Joseph Cosentino, Planning Board Chairman

C: Edward W. Brancati, Village Manager
Planning Board Members
Robert Mellilo, Interim, Building Inspector
Whitney Singleton Esq., Village Attorney,
Jan K. Johannessen AICP, Village Planner
Michelle K. Lailer, Planning Secretary

From: Anthony Oliveri, P.E.

Date: December 2, 2015

Re: 29 Carpenter Ave
Site Plan Review
Village/Town of Mount Kisco

With regard to the above mentioned project, this office has reviewed the following:

- Plan set entitled "Proposed Alterations for Hudson City Savings Bank, 29 Carpenter Avenue", Sheets A-1 through A-2, prepared by RMG Associates, last dated 11/16/15;
 - Plan entitled "Site Plan for Handicap Ramp, Lot 2", prepared by Gabriel E. Senior, P.C., dated 11/16/15;
1. Handicap accessibility and ramp should be reviewed by the building Inspector.
 2. The question with regard to a determination of the number of stories for this structure is still pending further information to be submitted by the applicant.

Thank you

McCULLOUGH, GOLDBERGER & STAUDT, LLP
ATTORNEYS AT LAW
1311 MAMARONECK AVENUE, SUITE 340
WHITE PLAINS, NEW YORK

FRANK S. McCULLOUGH, JR.
JAMES STAUDT
LINDA B. WHITEHEAD
SETH M. MANDELBAUM

JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
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KEVIN E. STAUDT
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10605

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FRANK S. McCULLOUGH (1905-1998)
EVANS V. BREWSTER (1920-2005)

November 17, 2015



Chairman Joseph Cosentino
and Members of the Planning Board
Village/Town of Mt. Kisco
104 Main Street
Mount Kisco, NY 10549

Re: 29 Carpenter Avenue, Hilltop Condominiums
Amended Site Plan Application

Dear Chairman Cosentino and Members of the Board:

As you will recall, this firm represents Hudson City Savings Bank (the "Applicant"), the current owner of the unfinished units at Hilltop Condominiums located at 29 Carpenter Avenue. We currently have pending before you a site plan amendment application for the rear two units in building B. As set forth more fully in our prior correspondence, there was a question as to whether these two units were ever approved as two story units, despite the fact that they have been partially constructed as two story units, and the floor plans filed as part of the condominium offering indicated two story units. We had previously agreed to request amended site plan approval for the units as two story units to be sure the record was clear, and we previously submitted to you floor plans indicating the two story units. No changes were proposed to the site itself, which is why only floor plans were provided.

Based upon our recent meeting with Village staff, it was determined that one of the unfinished units must be handicap accessible. We are therefore providing to you herewith a revised floor plan for unit B5 as a one story accessible unit. The lower level will contain only storage and utility space and be accessed only from the outside rear. The interior stairs have been removed to provide adequate space for the accessibility requirements. The floor plan for unit B6, remains as previously submitted.

As part of providing for an accessible unit, we are also required to provide a ramp to provide an accessible entrance to the unit. We are therefore also providing an amended site plan

prepared by the engineer indicating the ramp access. The site plan has also been updated to reflect the as-built conditions on site.

In support of this application for amended site plan approval, we are pleased to enclose five (5) full size and six (6) reduced size sets of the following materials:

1. Site Plan, prepared by Gabriel E. Senor, P.C., showing a ramp for handicap access, as well as all existing and proposed site improvements, last updated November 16, 2015; and
2. Floor Plan for Unit B5, prepared by RMG Associates, showing the interior layout of the accessible unit, last updated November 16, 2015.

Finally, we have provided the certification that the building meets the requirement for height in feet. We have discussed the question of height in stories with staff, and will be providing them with additional analysis on that issue, although we believe the building complies with the requirement for height in stories as well. The stories have not changed since the 2005 site plan amendment, and no variance was required at that time. This issue will not impact on the site plan, and we therefore ask that the Planning Board proceed with the amended site plan. If it is determined that a variance is necessary, we will make an application to the Zoning Board.

We look forward to discussing this matter at the Planning Board's December 8, 2015 meeting at which time we request that the Board grant amended site plan approval. Thank you for your cooperation.

Very truly yours,



Linda B. Whitehead

cc: Vito LaRusso
Julius Silverstein
Mark Mustacato



VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

MEMORANDUM

RM

TO: Chairman Cosentino and Members of the Planning Board

FROM: Robert Melillo, Assistant Building Inspector

SUBJECT: Michael & Justine Rutherford
87 Beverly Road, Property ID #80.23-3-40

DATE: December 3, 2015

The Applicant is applying for a Steep Slopes Permit, the property is located in the RS-9 Moderate-Density, One-Family Zoning District.

At this time, the Building Department will defer comment to the Village Engineer.

/mkl

Dolph Rotfeld Engineering, P.C.

MEMORANDUM

To: Joseph Cosentino, Planning Board Chairman

C: Edward W. Brancati, Village Manager
Planning Board Members
Robert Mellilo, Interim, Building Inspector
Whitney Singleton Esq., Village Attorney,
Jan K. Johannessen AICP, Village Planner

From: Anthony Oliveri, P.E.

Date: December 2, 2015

Re: Rutherford Residence
87 Beverly Road
Village/Town of Mount Kisco

With regard to the above mentioned project, this office has reviewed the following plans and submittals:

- Plan entitled "Existing Conditions Plan, Rutherford Residence", prepared by Jon Bodendorf P.E., dated 11-4-15;
- Plan entitled "Retaining Wall Plan, Rutherford Residence", prepared by Jon Bodendorf P.E., dated 11-4-15;
- Plan entitled "Erosion Control & Construction Details, Rutherford Residence", prepared by Jon Bodendorf P.E., dated 11-4-15;

Our comments are as follows:

1. The submitted application indicates approximately 3,000 S.F. of disturbance proposed; should the disturbance exceed 5,000 S.F. coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-15-002 would be required. This area should be confirmed in the field and delineated at the start of construction.
2. A condition of approval must include a stipulation that only on-site materials are to be used for filling as noted on the plan, no import fill.
3. It is noted that the proposed retaining wall is in conformance with the standards for development within steep slope areas particularly the proposed retaining wall has been limited to less than 6' in height and 60' in length.

Thank you

VILLAGE OF MOUNT KISCO

WESTCHESTER COUNTY, NEW YORK

104 Main Street

Mount Kisco, New York 10549

PLANNING BOARD APPLICATION FOR PERMITS TO DISTURB SENSITIVE NATURAL AREAS (Including Wetland, Drainage Control, and Steep Slopes Permits)

RECEIVED
NOV 04 2015
PLANNING BOARD

Date 11/4/15

Case Number PB2015-0318

▪ **Property Information:**

Street Address 87 Beverly Road Property Size (acres): 0.47

Tax Map Designation of Property: Section _____ Sheet: _____ Block: 40 Lot: 65 & 66

Zoning District: RS-9 Flood Insurance Zone: N/A

Type of Proposed Improvement: New Building (), Site Work Only (), Addition (), Demolition (),

Other (X) Installation of boulder retaining wall to create level area.

▪ **Applicant Information:**

Applicant Name Michael and Justine Rutherford

Applicant Address 87 Beverly Road

Day Phone Number M-914-391-3423 Fax: _____ Email M - mrutha@gmail.com
J-914-467-0020 J - rutherford.justine@gmail.com

Owner Name (if different from above) _____

Owner Address _____

Day Phone Number _____ Fax: _____ Email: _____

▪ **Architect/Landscape Architect/Engineer or Surveyor:**

Firm: Hudson Land Design Contact: Mike Bodendorf, PE

Address: 174 Main Street, Beacon, NY 12508

Day Phone Number 845.440.6926 Fax: 845.440.6637 Email: mbodendorf@hudsonlanddesign.com

AFFIDAVIT OF OWNERSHIP

I, Michael Rutherford being duly sworn, depose and state that

Michael Rutherford is the owner on fee or contract vendee of the premises to which this application applies; that he/she (the applicant) is duly authorized to make this application; and that the statements contained herein are true to the best of my knowledge and belief.

Signature of Applicant [Signature] Date 11/4/15

Notary Public, Westchester County Michelle K. Lailer

Estimated Cost of Improvement \$ 10,000

MICHELLE K. LAILER
NOTARY PUBLIC-STATE OF NEW YORK
No. 011A6313298
Qualified in Westchester County
My Commission Expires October 20, 2018

In such cases where the total estimated market value of the proposed project, including labor and materials, exceed the sum of five thousands dollars (\$5,000.00), the plans and the specifications shall be prepared by a professional engineer or architect or landscape architect, all duly licensed for such work by the Education Department, State of New York, or by the U.S. Conservation Service or by an appropriate agency of the State of New York. A permit fee of \$500.00 is required for all projects valued under \$10,000.00. A permit fee of \$1,000.00 is required for all projects valued over \$10,000.00.

1. Does the subject property contain wetlands, wetland buffers, or drainage control systems as defined in §107 Wetlands and Drainage Control of the Mount Kisco Village Code?

Yes _____ No X

2. Does the subject property contain steep slopes as defined by §110-33.1 Natural Resources Protection Regulations?

Yes X No _____

3. Will the proposed action or project disturb rock outcrop or ledge material? If yes, by what means?

No _____

4. Will the proposed action or project result in a disturbance (permanent or temporary) to wetlands/wetlands buffer or other modification of natural topographic contours such as steep slopes, hilltops, or ridgelines?

Yes _____ No X

- a. Provide the approximate area of disturbance that would occur as a result of the proposed action or project in wetlands/wetland buffers or on steep slopes, hilltops, or ridgelines:

Wetlands

Steep Slopes

Wetlands	<u>N/A</u> acres/sq. feet	<u>0.025/1,072</u> acres/sq. feet with steep slopes 15-25%
Wetland Buffers	<u>N/A</u> acres/sq. feet	<u>0.030/1,303</u> acres/sq. feet with very steep slopes >25%
		<u>0</u> acres/sq. feet within ridgeline or hilltop

5. Will the proposed action or project require materials (cut/fill) to be deposited or removed from the site?

Yes _____ No X

- a. Provide the nature and amount of material to be deposited or removed from the site (indicate with a +/- sign whether or not the material will be deposited or removed):

Type of material _____

Amount of material _____ cubic yards.

6. Will the proposed action or project include the construction of retaining walls greater than six feet in height or 60 feet in length?

Yes _____ No X

Please describe the proposed action or project and provide an explanation for why the proposed activity cannot be located outside of the sensitive natural area (i.e., wetland, watercourse, wetland buffer, steep slope, ridgeline, or hilltop). The objective being to first avoid such a resource, then if unavoidable, minimize the impact to the resource, and lastly mitigate such impact as a last resort.

The site consists of mostly steep slopes. The proposed project consists of construction of a 5.6 foot boulder retaining wall in order to create a gentle sloped area for the Applicants to enjoy as a back yard. The retaining wall has been located at the toe of the steep slopes to minimize disturbance to slopes greater than 25%. The end result will be less steep slopes than what exists presently.

Short Environmental Assessment Form

Part 1 - Project Information

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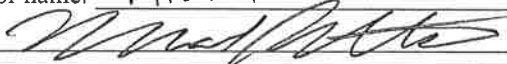
Instructions for Completing

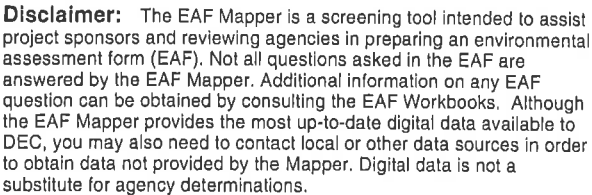
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Rutherford Residence			
Project Location (describe, and attach a location map): 87 BEVERLY ROAD, MT KISCO NY, 10549			
Brief Description of Proposed Action: The site consists of mostly steep slopes. The proposed project consists of construction of a 5.6 foot boulder retaining wall in order to create a gentle sloped area for the Applicants to enjoy as a back yard. The retaining wall has been located at the toe of the steep slopes to minimize disturbance to slopes greater than 25%. The end result will be less steep slopes than what exists presently.			
Name of Applicant or Sponsor: Michael and Justine Rutherford		Telephone: 914-391-3423 E-Mail: MRUTHA@GMAIL.COM	
Address: 87 Beverly Rd.			
City/PO: Mt Kisco		State: NY	Zip Code: 10549
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.		NO <input checked="" type="checkbox"/>	YES <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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.470 acres	
b. Total acreage to be physically disturbed?		.070 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.470 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>N/A</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>N/A</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____			

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 <input checked="checked" type="checkbox"/>	YES <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 <input checked="checked" type="checkbox"/>	YES <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 <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Michael Rutherford</u> Date: <u>11/3/15</u> Signature: <u></u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Soil Map—Westchester County, New York (87 Beverly Road)



Map Scale: 1:461 if printed on A portrait (8.5" x 11") sheet.

0 5 10 20 30 Meters

0 20 40 80 120 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey


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Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)


Soils

 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water


 Perennial Water

 Rock Outcrop


 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFOR

The soil surveys that comprise your

Warning: Soil Map may not be valid

Enlargement of maps beyond the scale may lead to a misunderstanding of the detail of map placement. The maps do not show the soils that could have been shown at

Please rely on the bar scale on each map for measurements.

Source of Map: Natural Resource
Web Soil Survey URL: <http://websoilsurvey.sc.egov.usda.gov>
Coordinate System: Web Mercator

Maps from the Web Soil Survey are in a map projection, which preserves direction but not distance and area. A projection that uses the Albers equal-area conic projection, so that calculations of distance or area are

This product is generated from the U.S. National Soil Survey Data Base (NSSDB) as of the version date(s) listed below.

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 10, September 2012

Soil map units are labeled (as space permits) with the soil name and soil texture or larger.

Date(s) aerial images were photographed: 2012

The orthophoto or other base map on which the soil map is compiled and digitized probably differs from the imagery displayed on these maps. A scale of map unit boundaries may be evident.



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Map Unit Legend

Westchester County, New York (NY119)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HrF	Hollis-Rock outcrop complex, very steep	0.4	71.1%
UIC	Urban land-Charlton-Chatfield complex, rolling, very rocky	0.2	28.9%
Totals for Area of Interest		0.5	100.0%


K Factor, Whole Soil—Westchester County, New York
(87 Beverly Road)



MAP LEGEND
















MAP INFOR

Area of Interest (AOI)

 Area of Interest (AOI)










Soils

Soil Rating Polygons



	.02
	.05
	.10
	.15
	.17
	.20
	.24
	.28
	.32
	.37
	.43
	.49
	.55
	.64
	Not rated or not available

Soil Rating Lines







	.02
	.05
	.10
	.15
	.17
	.20

	.24
	.28
	.32
	.37
	.43
	.49
	.55
	.64
	Not rated or not available


Soil Rating Points

	.02
	.05
	.10
	.15
	.17
	.20
	.24
	.28
	.32
	.37
	.43
	.49
	.55
	.64
	Not rated or not available

Water Features

	Streams and Canals
	Rails
	Interstate Highways
	US Routes
	Major Roads
	Local Roads

Background

 Aerial Photography

The soil surveys that comprise your 1:12,000.

Warning: Soil Map may not be valid

Enlargement of maps beyond the scale may lead to a misunderstanding of the detail of map line placement. The maps do not show contrasting soils that could have been seen at scale.

Please rely on the bar scale on each map for measurements.

Source of Map: Natural Resource
Web Soil Survey URL: <http://websoilsurvey.sc.egov.usda.gov>
Coordinate System: Web Mercator

Maps from the Web Soil Survey are in a map projection, which preserves direction, distance, and area. A projection that uses the Albers equal-area conic projection, which provides more accurate calculations of distance or area than the Mercator projection.

This product is generated from the latest version of the data as of the version date(s) listed below.

Soil Survey Area: Westchester County
Survey Area Data: Version 10, September 2012

Soil map units are labeled (as space permits) at a scale of 1:50,000 or larger.

Date(s) aerial images were photographed: 16, 2012

The orthophoto or other base map on which the soil map is compiled and digitized probably differs from the imagery displayed on these maps. As a result, map unit boundaries may be evident.

K Factor, Whole Soil

K Factor, Whole Soil— Summary by Map Unit — Westchester County, New York (NY119)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HrF	Hollis-Rock outcrop complex, very steep	.28	0.4	71.1%
UIC	Urban land-Charlton-Chatfield complex, rolling, very rocky		0.2	28.9%
Totals for Area of Interest			0.5	100.0%

Description

Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) and the Revised Universal Soil Loss Equation (RUSLE) to predict the average annual rate of soil loss by sheet and rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity (Ksat). Values of K range from 0.02 to 0.69. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water.

"Erosion factor Kw (whole soil)" indicates the erodibility of the whole soil. The estimates are modified by the presence of rock fragments.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Layer Options (Horizon Aggregation Method): Surface Layer (Not applicable)

Westchester County, New York

UIC—Urban land-Charlton-Chatfield complex, rolling, very rocky

Map Unit Setting

National map unit symbol: bd7n
Elevation: 100 to 1,000 feet
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days
Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 40 percent
Charlton and similar soils: 20 percent
Chatfield and similar soils: 15 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Charlton

Setting

Landform: Till plains, hills, ridges
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Acid loamy till derived mainly from schist, gneiss, or granite

Typical profile

H1 - 0 to 8 inches: loam
H2 - 8 to 24 inches: sandy loam
H3 - 24 to 60 inches: sandy loam

Properties and qualities

Slope: 2 to 15 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat):
Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Moderate (about 7.5 inches)

Description of Chatfield

Setting

Landform: Hills, ridges

Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy till derived mainly from granite, gneiss, or schist

Typical profile

H1 - 0 to 7 inches: loam
H2 - 7 to 24 inches: flaggy silt loam
H3 - 24 to 28 inches: unweathered bedrock

Properties and qualities

Slope: 2 to 15 percent
Depth to restrictive feature: 20 to 40 inches to lithic bedrock
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Low to high (0.01 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 1 percent
Available water storage in profile: Low (about 3.2 inches)

Minor Components

Sutton

Percent of map unit: 5 percent

Udorthents

Percent of map unit: 5 percent

Leicester

Percent of map unit: 5 percent
Landform: Depressions

Rock outcrop

Percent of map unit: 5 percent

Hollis

Percent of map unit: 2 percent

Sun

Percent of map unit: 2 percent
Landform: Depressions

Palms

Percent of map unit: 1 percent
Landform: Marshes, swamps

Data Source Information

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 10, Sep 17, 2014

Westchester County, New York

HrF—Hollis-Rock outcrop complex, very steep

Map Unit Setting

National map unit symbol: bd8q
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days
Farmland classification: Not prime farmland

Map Unit Composition

Hollis and similar soils: 60 percent
Rock outcrop: 20 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hollis

Setting

Landform: Hills, ridges
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: A thin mantle of loamy till derived mainly from schist, granite, and gneiss

Typical profile

H1 - 0 to 1 inches: fine sandy loam
H2 - 1 to 16 inches: fine sandy loam
H3 - 16 to 20 inches: unweathered bedrock

Properties and qualities

Slope: 35 to 60 percent
Depth to restrictive feature: 10 to 20 inches to lithic bedrock
Natural drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Very low
(0.00 to 0.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Very low (about 2.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D

Description of Rock Outcrop

Typical profile

H1 - 0 to 60 inches: unweathered bedrock

Properties and qualities

Slope: 35 to 60 percent

Depth to restrictive feature: 0 inches to lithic bedrock

Capacity of the most limiting layer to transmit water (Ksat): Low to very high (0.01 to 19.98 in/hr)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7s

Minor Components

Chatfield

Percent of map unit: 8 percent

Charlton

Percent of map unit: 5 percent

Leicester

Percent of map unit: 5 percent

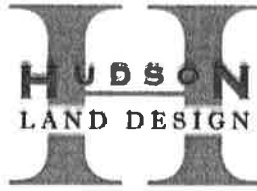
Unnamed soils, very shallow

Percent of map unit: 2 percent

Data Source Information

Soil Survey Area: Westchester County, New York

Survey Area Data: Version 10, Sep 17, 2014



*Civil & Environmental Engineering Consultants
174 Main Street, Beacon, New York 12508
Phone: 845-440-6926 Fax: 845-440-6637
www.HudsonLandDesign.com*

November 4, 2015

Mr. Joseph Cosentino
Village of Mount Kisco Planning Board Chairman
Village Hall
104 Main Street
Mount Kisco, NY 10549

Re: Rutherford Residence
87 Beverly Road
Village/Town of Mount Kisco

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PLANNING BOARD

Dear Mr. Cosentino:

On behalf of the Applicant for the above referenced project, Hudson Land Design (HLD) is pleased to submit the attached plans, Application and short Environmental Assessment Form (EAF) for the board's consideration of a steep slopes permit. The parcel is located on the southeast side of Beverly Road, within the RS-9 - Moderate Density Single Family Residence Zoning District, is 0.470 acres and contains a single family residence.

The site consists of mostly steep slopes. The proposed project consists of construction of a 5.6 foot max height boulder retaining wall in order to create a gentle sloped area for the Applicants to enjoy as a back yard. The retaining wall has been located at the toe of the steep slopes to minimize disturbance to slopes greater than 25%. The end result will be less steep slopes than what exists presently. The proposed action will require a Steep Slopes Permit under §110-33.1 of the Village Code.

The proposed project will result in an overall disturbance of 3,054 square feet (sqft). The breakdown of disturbance to steep slopes is 1,072 sqft within the 15% to 25% range, and 1,303 sqft within the greater than 25% range. The remaining disturbance is to slopes that are less than 15%. A hatched area that depicts the disturbance to steep slopes is shown on sheet 2 of the plan set. The installation of the retaining wall will create a gently sloped grass area (approximately 7%) which will provide additional resonance time for runoff. The existing slope of the area that will be flattened is approximately 15% slope on average. The flatter area will allow for additional infiltration back into the soils; therefore, the proposed project will result in no increase in runoff to the street drainage system.

The installation of the retaining wall minimizes disturbance to the very steep slopes (i.e. greater than 25%); thus minimizing potential for slope failure above the wall, as well as providing a 6% sloped area that currently is 15% on average.

The plans have previously been before the Village Building Inspector and the Village Engineering Consultant. The plans have been revised in response to comments received from Village officials during a meeting that took place on October 26, 2015 which include, but not limited to:

- An Existing Conditions Plan has been added;
- The retaining wall has been moved further away from the slopes in excess of 25%;
- The retaining wall is less than 60 feet in length;
- The retaining wall is less than 6 feet in height (5.6 feet max), and
- Arborvitae trees are proposed to replace the existing pine trees along the property frontage.

Please find the following attached items:

- 1 copy of Steep Slopes Application
- 14 copies of revised plans sheets 1, 2 and 3 signed and sealed
- 14 copies of a short EAF
- 3 copies of soils information

Should you have any questions or require additional information, please feel free to call me at 845-440-6926.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Bodendorf". The signature is fluid and cursive, with the first name "Michael" and last name "Bodendorf" clearly distinguishable.

Michael A. Bodendorf, P.E.
Principal

cc: Michael and Justine Rutherford
Jon D. Bodendorf, PE (HLD File)




VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

MEMORANDUM

TO: Chairman Cosentino and Members of the Planning Board

FROM: Robert Melillo, Assistant Building Inspector 

SUBJECT: HVA Realty, LLC
299 Kisco Avenue, Property ID #69.44-2-1

DATE: December 3, 2015

The applicant is applying for Conceptual Amended Site Plan to install pervious pavement to replace existing gravel.

A review of the proposed application for Conceptual Amended Site Plan reveals the following items that need to be addressed:

- The property is located within the Designated Main Street area and will require additional approvals
- The applicant needs to provide the last approved site plan
- The applicant needs to supply detailed drawings of the proposed dumpster enclosure
- The unloading of vehicles should be shown on the plans
- Handicap parking should be located as close to the entrances as possible
- The applicant needs to provide an existing site condition survey
- Parking spaces on the northern end of the property are required to have a depth of 18' 6" as per Code
- Proposed circulation arrows should be included in the plans
- The applicant is proposing to comply to the proposed landscaping plans of record
- The applicant needs to file a Flood Plain Development Permit in addition to their application
- The applicant is proposing a 12" high knee wall around the perimeter of the vehicle storage area
- As per the note of 1992, the originally approved site plan "During life of graveled store area, area not to be paved"
- A coverage calculation worksheet needs to be filled out and submitted to ensure no variances are required

/mkl

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Application number PB2015-0310

NOV 17 2015

PLANNING BOARD

Application for Conceptual Review

Submission Date _____
(Due 21 days in advance of Planning Board Meeting)

Fee 400.00 app
500.00 escrow

Type of Application: (Please Check All That Apply)

Site Plan Approval ☒ Land Subdivision Approval _____ Special Use Permit _____ Change of Use _____
New Construction _____ Addition _____

Applicant Information:

Applicant Name: HVA Realty, LLC

Address: 250 Kisco Avenue, Mt. Kisco, NY 10549

Phone Number: 914-598-1614 Fax: _____ Email: tomkriz@thepremiercollection.com

Applicant's relationship to property: Owner

Name of Property Owner: (if different from above) N/A

Address: _____

Phone Number: _____ Fax: _____ Email: _____

Has property owner been notified of proposed action? Yes _____ No _____

Owner's authorization [Signature] date 11-17-15

Project Information:

Project Name: 299 Kisco Avenue

Project Address/Location: 299 Kisco Avenue

Any locally recognized name of building or site: Mt. Kisco Volvo

Description of Project (be specific): Amend prior site plan to reflect existing conditions to modified to conform to Mount Kisco zoning requirements and to install previous pavement replacing existing pervious material (gravel) in vehicle storage area

Property Tax #: Section 69.44, Block 2, Lot 1

Property Acreage 1.63 acres Zoning District General Commercial (GC)

Current Land Use: Auto Dealership Proposed Land Use: _____

Size of Building or Addition None (square feet) Height N/A

Map or Plan Preparer Chuck Utschig, PE

Phone Number: 914-323-7410 Fax: _____ Email: cutschig@langan.com

Please attach any easement agreements, property covenants or deed restrictions.

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature [Signature] date 11-17-15

Owner's (or designated agent's) signature [Signature] date 11-17-15

Reviewed by: _____ Date: _____

CHARLES V. MARTABANO
Attorney at Law

9 Mekeel Street
Katonah, New York 10536
cmartabano@gmail.com
(914) 242-6200 Telephone
(914) 242-3291 Facsimile
(914) 760-9241 Cell

November 17, 2015

Chairman Joseph Cosentino and
Members of the Planning Board
Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

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PLANNING BOARD

Re: Application of HVA Realty, LLC for Amended Site Plan Approval pertaining
to 299 Kisco Avenue

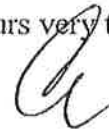
Dear Chairman Cosentino and Members of the Planning Board:

The above referenced property owner is submitting, for conceptual review, an amended site plan application pertaining to property known as 299 Kisco Avenue, site of an existing automobile dealership. The proposed amendments are very limited in nature consisting of the following:

1. Minor amendments are proposed to the previously approved site plan to bring the parking spaces into conformity with existing conditions, which such amendments are code- compliant. Such amendments are essentially limited to minor modifications to the parking in the rear of the building including the addition of one parking space;
2. The second component of the requested amendment proposes to replace the existing and previously approved gravel surface in the vehicle storage area with pervious pavement, the attributes of which will be discussed by the applicant's engineering consultant with the members of the Planning Board.

We look forward to discussing these minor site plan amendments at the upcoming meeting of the Planning Board. If, prior to such meeting, any member of the Board desires any additional information regarding the proposed amendments or the attributes of the pervious pavement proposed to be installed, please do not hesitate to contact me.

Yours very truly,

A handwritten signature in black ink, appearing to be 'C. Martabano', written over the closing 'Yours very truly,'.

Charles V. Martabano

cc: HVA Realty, LLC
Langan Engineering

2016 Planning Board Calendar
Submissions Deadlines are 21 Days before Meeting Dates
Meetings are the 2nd and 4th Tuesdays of Each Month
7:30 p.m.

Schedule is subject to change without notice

Submission Deadlines	Meeting Date
December 22, 2015	January 12, 2016
January 5, 2016	January 26, 2016
January 19, 2016	February 9, 2016
February 2, 2016	February 23, 2016
February 16, 2016	March 8, 2016
March 1, 2016	March 22, 2016
March 22, 2015	April 12, 2016
April 5, 2015	April 26, 2016
April 19, 2016	May 10, 2016
May 3, 2016	May 24, 2016
May 24, 2016	June 14, 2016
June 7, 2016	June 28, 2016
June 21, 2016	July 12, 2016
July 19, 2016	August 9, 2016
August 23, 2016	September 13, 2016
September 6, 2016	September 27, 2016
September 20, 2016	October 11, 2016
October 4, 2016	October 25, 2016
October 18, 2016	November 8, 2016
November 1, 2016	November 22, 2016
November 22, 2016	December 13, 2016
December 6, 2016	December 27, 2016