

Bedford Hills, New York  
June 16, 2009

A public hearing to discuss proposed Local Law # 5-2009 – Amendments to Chapter 125 – Zoning – of the Code of the Town of Bedford regarding Central Business (CB) and Neighborhood Business (NB) Zones was held by the Town Board of the Town of Bedford on June 16, 2009 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The hearing was called to order at 6:45 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	:Supervisor
	Peter Chryssos	:Councilman
	Francis Corcoran	:Councilman
	Chris Burdick	:Councilman
	David Gabrielson	:Councilman
	Lisbeth Fumagalli	:Town Clerk
	Nancy Tagliafierro	:Town Attorney
	Jeffrey Osterman	:Town Planner
	William Heidepriem	:Supt. Recreation and Parks
	Edward J. Ritter	:Comptroller
	Amy Pectol	:Receiver of Taxes
	Kevin Winn	:Commissioner of Public Works
	Christian Menzel	:Chief of Police
	Marcy Marchiano	:Asst. to Supervisor

And thirty-eight (38) residents/observers.

Proof of Publication was presented and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on June 5, 2009.

Jeffrey Osterman, Director of Planning reviewed the proposed changes to the Zoning Code, noting that each of the Town's three (3) hamlets is located adjacent to existing residential neighborhoods and that the Town strives to maintain a balance between the two areas. He pointed out that these proposals were intended to implement recommendations that had been made in the Town's Comprehensive Plan that was adopted in 2003 as well as be in concert with the guidelines from Westchester County in the *Patterns for Westchester*. He added that an additional benefit would be to help towards the Town's goal of reducing carbon emissions 20% by the year 2020.

The Town Board acknowledged the receipt of the following correspondence:

1. Letter from the Executive Board of the Katonah Village Improvement Society (KVIS)
2. Letter dated June 15, 2009 from Edward Burroughs of the Westchester County Department of Planning.
3. Memorandum dated June 16, 2009 from the Town of Bedford Planning Board.

John Marwell, an attorney representing Messrs. Bassi and Roberti who own the Arrowood property felt that the proposed amendments containing regulations on drive through facilities and restrictions on the hours of operation, were "over zoning" and that uses not users should be regulated.

Richard Hyman, a planner representing the Arrowood property commented that he did not see the basis for these amendments. He added that he had been told that Westchester County had not received ten (10) days notice of the hearing.

Mark Farrell, an attorney representing the owner's of the Kohl's Department store property in Bedford Hills expressed concerns about established drive through facilities and felt that the public notice that had been published was not sufficient.

Ken Martabano, owner of several businesses along Bedford Road requested that the Town Board not render a decision on this matter at this time and felt that these

amendments should only apply to businesses in the hamlets, not those along Route 117/Bedford Road.

Three (3) residents of Katonah voiced their support for the proposed legislation. The co-presidents of the Katonah Village Improvement Society, Dorothy Coletta and Susan Warsaw expressed support for the legislation on behalf of this organization.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following motion was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the public comment period of the public hearing concerning proposed Local Law # 5-2009 – Amendments to Chapter 125 – Zoning – of the Code of the Town of Bedford regarding Central Business (CB) and Neighborhood Business (NB) Zones be closed.

Mrs. Roberts asked Mr. Osterman to clarify roadside businesses (RB) classification. Mr. Osterman responded that the creation of this zone is Phase II of the recommendation.

Joel Sachs, Town Attorney noted that the attorneys comments were submissive and procedural and expressed his concerns with a couple of procedural issues. He suggested that the public hearing be renoticed and that any reports be distributed to those wishing to see them.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following motion was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the public hearing concerning proposed Local Law # 5-2009 – Amendments to Chapter 125 – Zoning – of the Code of the Town of Bedford regarding Central Business (CB) and Neighborhood Business (NB) Zones be closed and all minutes incorporated by reference.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following motion was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby set a public hearing on proposed Local Law #5-2009 Amendments to Chapter 125 – Zoning – of the Code of the Town of Bedford regarding Central Business (CB) and Neighborhood Business (NB) Zones for Tuesday, July 14, 2009 at 7:45 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

The hearing was adjourned at 7:45 pm.

---

Lisbeth Fumagalli, Town Clerk