

Bedford Hills, New York
June 8, 2010

The Town Board of the Town of Bedford held a public hearing on June 8, 2010 at the Town Offices, 321 Bedford Road, Bedford Hills, New York to discuss the proposed Bedford Park South rezoning application. The meeting was called to order at 7:30 P.M. by Supervisor Roberts.

Present: Lee V. A. Roberts : Supervisor
Peter Chryssos : Councilman
Chris Burdick : Councilman
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk
Joel H. Sachs : Town Attorney
Jeffrey Osterman : Town Planner
Marcy Marchiano : Asst. to Supervisor

Absent: Francis Corcoran : Councilman

And approximately sixty (60) residents/observers.

Mrs. Roberts called the meeting to order at 7:30 and explained that the first order of business was the review of a memorandum dated June 8, 2010 from Kevin Winn, Commissioner of Public Works, requesting to re-bid the purchase of three (3) 2-yard dump trucks, as the bids received on April 28, 2010 were above budget.

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

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

RESOLVED that the Town Board does hereby grant approval for the Kevin Winn, Commissioner of Public Works to reject the bids received April 28, 2010 for the purchase of three (3) 2-yard dump trucks, as the bids received were more than the budgeted amount for the purchase of these vehicles and go out to bid again for the purchase of the trucks and related appurtenances.

Mrs. Roberts called the public hearing to order at 7:35 P.M.

Present representing the applicants were attorney Geraldine Tortorella, planner John Saccardi, traffic engineer John Collins, engineer Ed Delaney of Bibbo Associates and the applicants, Mr. and Mrs. Merv Blank.

Proof of Publication was presented and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on May 21 and May 28, 2010.

Mrs. Roberts read the list of correspondence received on this application:

In opposition:

February 6, 2009	Mayte and Joe Martino
August 3, 2009	Stewart R. Alpert (to Village of Mt. Kisco)
December 28, 2009	Stewart R. Alpert
January 22, 2010	Larry Trainor
January 25, 2010	Michael and Nancy Fisch
January 26, 2010	Lawrence and Mary Trainor
January 26, 2010	Lucia A. Roberta
June 1, 2010	Henry Freeman
June 2, 2010	Penwood Homeowners Association

In support:

June 8, 2010	Interfaith Council/Clergy Association
May 19, 2010	Rabbi David Greenberg

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Blue Mountain Housing Development Corp.

Town Attorney Joel Sachs explained that a protest petition had been received from Carla and Michael Bird, who live across McLain Street from the property under discussion. He explained that the petition required that for the rezoning application to be approved it would need to be passed by a “super-majority “ vote of the Town Board, thus requiring affirmative votes of four (4) of the five (5) members of the Board.

Ms. Tortorella reviewed the application before the Board that if approved would change the zoning from Residential Two (2) Acre to create a new zoning district to be known as “Housing for the Elderly Residential Planned Development District”, with there to be age restricted and affordable housing constructed on the site. She pointed out that the access to the site is from Route 172 with an emergency exit onto McLain Street. She added that this application was supported by the Town of Bedford Planning Board, Blue Mountain Housing Development Corporation and the Westchester County Planning Board who feel this site is good for the Westchester 2025 guidelines and met the Westchester County housing requirements.

Traffic engineer John Collins discussed the access to the property noting that the plan would keep traffic off of McLain Street.

Ms. Tortorella advised that a mailing had been done to the neighboring property owners within 500 feet of the site and an affidavit of mailing had been filed in the Town Clerk’s office.

Mrs. Roberts opened the floor to public comment at 8:00 P.M.

Helen Mauch from the law firm of Zarin & Steinmetz spoke on behalf of her clients in the Penwood subdivision that are in opposition to this application, citing that it is not consistent with the Town of Bedford Comprehensive Plan, concerns with traffic and effects it may have on the water resources in the area.

Several residents in the area voiced opposition to the application as they were felt that there would be impacts on neighboring properties from the increased traffic on Route 172 and McLain Street as well as water usage. A few individuals felt that this site was not a good location for affordable housing, although they added that they did support having affordable housing in the Town of Bedford, they were against the rezoning of the parcel. Stanley Bernstein of the Mount Kisco Planning Board noted a concern for the aquifer with this proposed development. Questions were asked concerning previously conducted traffic and environmental studies.

Those that spoke in favor of the twelve (12) units of affordable housing that are proposed along with the thirty-four (32) units for senior housing included the Chairman of the Blue Mountain Housing Development Corp, Thomas McGrath; Sheila McSpeddon, Blue Mountain Housing Development Corp.; Rev. Paul Alcorn of the Bedford Presbyterian Church and attorney Marc Bergman.

Responding to some of the comments that had been made Ms. Tortorella, stated that the studies would be updated as requested and that there was no evidence that the aquifer would be polluted by the development. She pointed out that the left hand turn on to Route 172 was existing and would not change.

The Board was asked if they had would be monitoring the traffic on Route 172 and McLain Street. Mrs. Roberts answered that the Board had been out to the area many times to review the conditions, and those cannot be changed.

Mrs. Roberts advised that that public comment period would remain open.

Mrs. Roberts made the following motion that was seconded by Mr. Chryssos.

RESOLVED that the public hearing to discuss the proposed Bedford Park South rezoning application be closed.

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Mrs. Roberts withdrew the motion after a discussion on whether the public comment period should be left open for written comments.

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

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

RESOLVED that the Town Board does hereby close the public hearing on the proposed Bedford Park South rezoning application and shall leave open for thirty (30) days the period for the submission of written comments.

The hearing was adjourned at 10:05 P.M.

Lisbeth Fumagalli, Town Clerk