

January 20, 2016

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the John Paul Rodrigues, Ossining Operations Center, 101 Route 9A, Ossining, New York, on the 20th day of January 2016. There were present the following members of the Planning Board:

Ingrid Richards, Chair
Greg McWilliams, Vice Chair
Gareth Hougham, Member
Jim Bossinas, Member
Marc Hoeflich, Member

Also Present:

Christie Tomm Addona, Attorney, Silverberg, Zalantis LLP
David Stolman, AICP, PP, Frederick P. Clark Associates, Inc.
Daniel Ciarcia, PE, Consulting Town Engineer
Margaret Conn, Secretary

Mrs. Richards announced and welcomed Mr. Marc Hoeflich, new Planning Board Member and introduced and welcomed Ms. Christie Tomm Addona, Attorney, to the Board.

DiPiano Subdivision, 60 Croton Dam Road, 2 Lot Subdivision – PUBLIC HEARING

Mrs. Richards opened the Public Hearing at 7:40 p.m. posting of legal notice and affidavit were on file. Plans dated August 26, 2015 with latest revision date January 8, 2016 were on file and submitted to the Board. Mr. Daniel Collins of Hudson Engineering & Consulting, PC presented the plan to the Public and the Board. The property is located 60 Croton Dam Road in the R-7.5 One Family Residence District. There is an existing home on the property which will remain. A 2 ½ story dwelling and associated site improvements are proposed for the newly created lot. No changes are proposed to the existing dwelling. Mr. Collins further discussed site details such as grading and drainage. A revised site distance plan was provided.

Mr. Ciarcia provided a review memo dated January 19, 2016. The memo offers that the following issues be addressed:

1. Provide information on existing utilities and proposed connections. Water and sewer services for the existing and proposed lots should be shown on the improvement plan. The diameter and material of the water main and sewer main should be shown on the improvement plans and plat.
2. The existing water service is shown in an easement on lot 2; however, it appears this line provides water to an adjacent property. If this is correct, the easement should be extended into lot 1.
3. Provide a subdivision plat for review.
4. Provide a Storm Water Pollution Prevention Plan (SWPPP) for review.

Mrs. Richards opened the meeting for comments from the public. Ms. Gail Santucci of 58 Croton Dam Road expressed concern with the size of lot. It is her understanding that a half acre of property is needed to subdivide. In response, Mr. Collins clarified the rules of the zoning district R- 7.5, where the permitted minimum lot size is 7,500 square feet. Ms. Santucci's concerns are that the lot is too small and she urged that in past she has seen the retaining wall fall down. She also noted that all of the trees on her side are dead and the property is very wet. Mr. Collins responded to her concerns and explained that the storm water system will prevent any water from going off site. Mr. Stolman added that the zoning of this property has not changed for 40 years. It has always been R- 7.5 which equals 7,500 square feet.

Mrs. Richards asked if anyone else in the audience had comments or concerns. There were none. Mrs. Richards asked Mr. Collins if the Board could visit the site and if he could stake out site. Mr. Collins agreed. Mrs. Richards announced that the Public Hearing will remain open until the next meeting of Planning Board.

Butler Subdivision, 2 Hillcrest Dr. 3-Lot Subdivision

Subdivision Map titled Subdivision of Property Prepared for William Butler, Situate in the Town of Ossining, Westchester County, NY prepared by Thomas C. Merritts Land Surveyors, LLC originally dated March 27, 2015, with latest revision date September 3, 2015 and site plans prepared by James J. Vanoli, P.E. originally dated July 10, 2014 with latest revision October 28, 2015 were on file from the December 16, 2015 meeting of the Planning Board.

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Mr. Vanoli was in attendance. Mrs. Richards asked him to present the plan to the Board and audience members. Mr. Vanoli gave a brief overview of the plan. Mr. Stolman submitted and reviewed a memo titled Butler Subdivision, dated January 20, 2016. The property is located on Hillcrest Drive (a paper street), is 2.7357 acres in size and is zoned R-30 One-Family Residence District. One single-family home currently exists on the property. The applicant proposed to subdivide the property into three lots. The existing home would be located on lot 1 which would be 59,168 square feet in size. Lots 2 and 3 would each be 30,000 square feet in size.

After review and discussion, Ms. Tomm Addona suggested Mr. Vanoli submit plans to the Building Inspector for a determination of the proposed street frontage issue and further for review of impervious surfaces as mentioned in Mr. Stolman's memo. Also, with regard to the issue of Hillcrest Drive, a paper street, the letter included from the title company seems to indicate it is Town owned which is not the case. Mr. Vanoli said the road is an unimproved paper street, not privately owned. Their plan is to improve it to a degree, a common driveway, similar to the driveway that exists on there now, but not for dedication to the Town. He further noted that their letter from Court Street Abstract, Inc. dated August 11, 2015 was not intended to say Hillcrest Drive is a Town owned road, however; because the property continues to the end of the right-of-way, the owner of the property has the right to access his land from this paper street. Mr. Vanoli said he will submit a memo to Mr. Hamilton for a determination if frontage can be achieved.

Mr. Ciarcia discussed with the Board and provided his review memo dated January 19, 2016 as follows:

The latest set of plans for the project has been reviewed, and the following issues should be addressed:

1. A storm water pollution prevention plan (SWPPP) will be required to determine the sizing of the storm water management practices.
2. The proposed hydrant should be relocated to the end of the water main.
3. Relocate SMH #2 to align with the proposed sewer easement. Alternatively, add an additional manhole for future connections.
4. The connection to the existing sanitary manhole should be revised to indicate a drop connection to reduce the depth of the pipe.
5. Obtain a New York State Department of Transportation highway work permit for construction within their ROW.

Dr. Hougham asked the applicant if they were familiar with a neighboring property shown on some maps as the Bird Sanctuary. Mr. Vanoli said they have consulted with State Historic Preservation Office (SHPO) and there are no endangered species listed. Also, they consulted with Westchester County, Critical Environmental Areas, and this property is not shown on that. This information is provided in their EAF. Members of the Board discussed the issue of the road and asked Mr. Vanoli if they can visit the site.

A resident of Hillcrest Drive, Mr. Scott Kantrowitz, said the roadway as it exists today will not allow for two vehicles to pass at any point. Mr. Kantrowitz also said it is an impossibility to develop or extend this road. Mr. Vanoli noted that it will have to be re-graded and the proposal is to extend the pavement that is already there. Mrs. Richards reminded the audience and Board that some legal issues with regard to the road that still have to be worked out. The project will go to the Building Inspector for a determination of zoning with respect to street frontage. There were no further questions or comments.

RIVER KNOLL, 40 Croton Dam Road (Stony Lodge Property) Re-zone Review

Mr. Glen Vetromile, Glenco Group LLC and his Attorney, Mr. William Null, Cuddy & Feder LLP were in attendance. Copies of their Zoning Petition Documents, EAF, and Plans dated October 2, 2015 were on file. The plan was referred to the Planning Board by the Town Board December 2015 for comment and consideration. Mr. Vetromile discussed plan and the zoning amendment request.

The proposal is for the construction of a multi-family rental community containing 169 market rate units and 19 below market rate units, a total of 188 units. The property is 17.9 acres in size, 16.65 acres are in the Town of Ossining and 1.24 acres are in the Village of Ossining. Driveway access will remain where the current driveway is. The units will be clustered at the top of the site. One building will contain fitness center and recreation area and three additional buildings containing rental apartments. Each building will have garage under and elevator access. A school study, environmental study, existing conditions plan, traffic study, storm water facilities and improvements were discussed with the Board.

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River Knoll, 40 Croton Dam Road (Stony Lodge Property) Re-zone Review- Continued

Mr. Stolman noted that the project will require a legislative action by the Town Board. Ms. Tomm Addona noted that the Town Board has informally indicated that it would be their preference that the Planning Board act as lead agency, however; right now there is no site plan application in front of the Board. The Planning Board cannot be lead agency with only a referral from the Town Board. The Town Board only has to wait 45 days on the referral then the Town Board could take action if they wanted to. The initial review of the action doesn't start until a full site plan application is in front of the Board. Mr. Null asked if the Planning Board would consider an informal conceptual site plan as part of the application. Ms. Tomm Addona's concern is because there is nothing in the form of an application in front of the Planning Board, the Planning Board cannot take on lead agency status on this. Mrs. Richards asked if the Town Attorney could consult with the Applicant's Attorney for further discussion and determination on this.

Mr. Hoeflich expressed concerns with regard to water usage and demands, and waste water recycling methods, if legal, so water can be re-used on site. Also, hazardous material in the old hospital when and if demolished, the area should be tested. Mr. Hoeflich also urged that they consider some green methods with regard to materials and stone that are slated for removal. He would like to see these reused on site wherever possible.

Mr. Bossinas asked the applicant to share information on how they came up with the number of units. The applicant said they have offered the affordable units as part of their plan and because they are using underground parking and elevators and in order to make it more economical they are asking for additional units. The project will be clustered at the top of the hill to maintain the open areas and maintain green space.

Dr. Hougham asked the applicant to provide alternate views especially something that neighbors could access and view what the project will look like from their perspectives. Mr. Vetromile noted that the height of the new buildings will not exceed what is there now. They are also going to provide plantings, vegetation and increased landscape buffers. A part of their zoning request, the applicant is asking for zoning that would allow building height to be 50 feet where a maximum of 35 feet are allowed under current zoning.

Mr. Joe Burton, former Chief of Police and a resident of Pershing Avenue, expressed concerns with regard to water. He said currently the Village is contemplating a \$30,000,000 water filtration plant and would this project add to that number? Also, he said the property is a dumper of water. Residents in the area get water whenever it rains and he has maintained a catch basin on his property specifically for this problem. Mr. Burton asked the applicant for more information with regard to how they plan to manage this water runoff. Traffic is also an issue in the area of the intersection of Croton Dam Road and Route 9A which will always be a problem. This adds about 300+ more cars to that. Mr. Vetromile showed Mr. Burton some of the existing basins on site which Mr. Burton is familiar with. The applicant noted they have not prepared a complete storm water protection plan to date, but it is their intent if the project moves forward. After some discussion, Mrs. Richards thanked the audience and the Board for their input. There were no further questions or comments.

Minutes

A motion was made by Mr. Bossinas seconded by Dr. Hougham and unanimously passed to approve draft minutes of Planning Board meeting held December 16, 2015 with amendments.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. McWilliams made a motion, seconded by Mr. Bossinas that the meeting be adjourned to February 3, 2016.

Time noted 9:45 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary

Town of Ossining Planning Board

APPROVED: February 17, 2016