

August 28, 2013

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 28th day of August 2013. There were present the following members of the Planning Board:

George Weeks, Chairman  
David Krieger  
Deborah Cohen  
Dennis Kirby

Absent: Gregory McWilliams, Vice Chair  
David Stolman AICP, PP, Frederick P. Clark Associates, Inc.

Also Present: Wayne Spector, Town Attorney  
Daniel Ciarcia, PE, Consulting Town Engineer  
Sandra Anelli, Secretary

#### **Yogolicious Briarcliff, 516 North State Road, Site Plan Amendment**

Mr. Enzo and Steven Paternostro were in attendance. Mr. Spector read a memo prepared by David Stolman, F.P. Clark Associates, Inc. titled Yogolicious Site Plan, dated August 23, 2013. The memo offers analysis and recommendations. There was discussion regarding existing shared parking lot access between the neighboring property at 518 North State Road. Mr. Weeks noted that the diagonal parking spaces which were previously used for access to a side entrance deli of the restaurant could be discontinued. The deli is no longer in operation, but elimination of the existing shared access between the two parking lots should be reconsidered as the two sites have operating this way for many years.

Mr. Paternostro agreed that they will not need to make any changes the open access through the two parking lots. At this time, they are looking for amended site plan approval for the changes that have already been made to the site such as the rear patio, installation of a new shed and front area improvements.

Mr. Ciarcia submitted and reviewed a memo dated August 28, 2013, regarding drainage easement items, curbing, and parking lot issues. Mr. Ciarcia asked Mr. Paternostro for a copy of their survey to identify the location and maintenance responsibility of the two twin 48" drainage pipes on site. Mr. Weeks asked Mr. Paternostro to provide copies of their title and deed as well.

A public hearing was set for September 12, 2013, subsequently rescheduled to September 18, 2013.

#### **The Woods in Westchester, Hawkes Avenue & Croton Dam Road, Wetland Permit Approval**

Mr. Peter Gregory of Keane, Coppelman, and Gregory Engineers, P.C. was in attendance. Plans titled Proposed Wetland Permit Plan, Woods In Westchester – Homeowner's Association, Croton Dam Road & Hawkes Avenue, Town of Ossining, Westchester County, New York, originally dated May 1, 2012, with latest revision date of August 9, 2013 were on file.

Mr. Gregory gave an overview of the project to the Board, sediment and debris to be removed from the pond. The sediment will be de-watered in the staging area. He also mentioned that due to costs associated with prepping, transporting, spreading and stabilizing the soil deposit areas around the site as shown in the original submission, a decision was made to haul dredged material off site. It is approximately a two week operation. Then cleaning and restoration of the staging area; stabilization of the embankment, removal of existing brush vegetation; planting of new grasses and landscaping along the perimeter of the pond will take place.

Mr. Gregory said samples from the pond have been taken and tested and forwarded to NYS Department of Environmental Conservation. A determination was made by the DEC that the soils are not contaminated. A copy of this letter dated June 21, 2013 is on file. Also, a letter from The Army Corps of Engineers, dated January 3, 2013 noting that a Use and Protection of Waters Permit will not be required through their agency.

Mr. Weeks asked that the Town Consultants prepare a review and report for the next meeting. A public hearing was set for September 12, 2013, subsequently changed to September 18, 2013.

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## **Miscellaneous**

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**Tinman Management, 37A Old Albany Post Road**, a pre-planning meeting was held with the applicant's architect, Mr. Javier Taborga. Mr. Taborga was given until September 23, 2013 to complete resolution requirements and plans.

**Bob Gee, 557 North State Road**, Mr. Spector noted that the new business and additional parking of junk and damaged vehicles cannot be deemed as part of the approved parking layout for this site. The owner is in violation of site plan requirements by adding this use. The owner is in receipt of an Order to Remedy Violation by Mr. Hamilton.

**September 11<sup>th</sup> Memorial**, Mr. Weeks announced that the Town will be holding a memorial service at the Louis Engel Waterfront Park at 7:00 p.m.

## **Minutes**

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Mr. Krieger made a motion, seconded by Mr. Kirby and unanimously passed to adopt the draft of Planning Board Meeting minutes of July 10, 2013.

## **Adjournment**

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There being no further business to come before the Planning Board of the Town of Ossining, Mr. Krieger made a motion, seconded by Mr. Kirby that the meeting be adjourned to September 12, 2013.

Time noted 8:45 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**Approved: September 18, 2013**