

October 9, 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 9th day of October 2013. There were present the following members of the Planning Board:

George Weeks, Chairman
Gregory McWilliams, Vice Chair
David Krieger
Deborah Cohen
Dennis Kirby

Also Present:

Wayne Spector, Town Attorney
David Stolman AICP, PP, Frederick P. Clark Associates, Inc.
Daniel Ciarcia, PE, Consulting Town Engineer
Sandra Anelli, Secretary

Audubon Manor Co., LLC, 501 North State Road, Site Plan Amendment

Mr. Beldotti and his son were in attendance. Revised plans dated September 16, 2013 were on file. Mr. McWilliams recused himself from the Board and presented Mr. Beldotti's plan. He reported earlier memo items have been addressed. Included in the plan are three types of proposed potential GB uses; retail, personal service, and business office, parking criteria for those uses comply. Proposed sign details are shown. Mr. Stolman submitted and reviewed with the Board, an updated memo dated October 9, 2013, titled 501 North State Road (Audubon Manor Co., LLC) Site Plan Review, which offers analysis and recommendations. Mr. Ciarcia submitted and reviewed a memo dated October 9, 2013 which addresses drainage and storm water details.

Mr. Beldotti asked the Board to consider the fact that building is currently under construction. He said they often build what he calls a "Vanilla Shell" of a space. He obtains a tenant and then continues to design it to their needs. He wants to be able to market the property with more than one use. He said the uses they have selected are shown as allowable uses in the GB Zone, but he needs flexibility as far as what type of businesses will be occupying the building.

Mr. Spector clarified that the Board has never granted approval on a building without a declared use. If Mr. Beldotti were to come back at a later date, apply for a change of use when a certain type of tenant is secured, the application process would be quick and efficient. The code clearly states that a change of use must be granted by the Board. Mr. Weeks noted that there have been past applications where the applicant has some extra vacant space in their building, they applied for a change of use, and the permit was granted in a very short time. Mr. Beldotti noted that in these times it is difficult to secure a tenant. He urged the Board to consider more options. This precipitated a lengthy discussion.

After further review, Mr. Weeks asked the Board their feelings on approving something like this, showing three potential uses for the site. Mr. Kirby said we do want to allow some flexibility to the landowner. Mr. Stolman said the negative side is that the Board could potentially set precedence when other business owners come in and ask for a variety of uses. One option would be to amend the code to put similar uses together into categories that could be interchangeable.

Mr. McWilliams said the proposed uses seem to be very similar and could easily be categorized as the same use as far as parking, circulation and day to day operations go. Mr. Beldotti said the parking lot limits them to these types of uses either way. There are businesses allowed in GB that wouldn't work there because of the shortage of parking spaces. Ms. Cohen added that if all necessary precautionary measures are taken, and the best traffic flow and signage are being addressed, it can be considered. The Board seemed to be in favor of moving forward with the plan limiting it to the three uses described. Anything new or different would have to come back for a change of use permit. Mr. Weeks set a Public Hearing for the next meeting scheduled for October 23, 2013.

D.A.T. Properties, Inc., 518A North State Road – Conditional Use Permit

Mr. Anthony Torchia, property owner was in attendance. A plan titled, Proposed Apartment Tenancy, Coral Sea Pools Building, 518A North State Road, Briarcliff Manor, New York, dated September 30, 2013, prepared by Gregory J. McWilliams, A.I.A. Architect was on file. Mr. McWilliams recused himself from the Board and presented the plan for Mr. Torchia. The proposal is to modify a portion of the building to allow for an apartment use on the second level. This requires a conditional use permit.

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The first floor of the building is the corporate offices of Coral Sea Pools. The second story was originally office with some storage. This level has been vacant for two years. The proposed apartment space is 858 square feet. There is separate access to the second floor by stairs and a lift/elevator which was installed when the building was originally constructed. There are ample parking spaces for this use. Mr. Stolman read the definition of mixed use and the section of the code that outlines requirements that have to be met. The lot and the building appear to meet all of the zoning requirements and conditions for this use. Mr. Weeks set a public hearing for October 23, 2013. Mr. Torchia thanked the Board.

Minutes

Mr. Krieger made a motion, seconded by Ms. Cohen, and unanimously approved to adopt the draft of minutes of Planning Board meetings held September 18, 2013 and September 25, 2013.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. Kirby made a motion, seconded by Mr. Krieger that the meeting be adjourned to October 23, 2013.

Time noted 8:45 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: October 23, 2013