

April 5, 2017

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the Joseph J. Caputo, Ossining Community Center, 95 Broadway, Ossining, New York, on the 5th day of April 2017. There were present the following members of the Planning Board:

Ching Wah Chin, Chair
Gareth Hougham, Member
Jim Bossinas, Member
Marc Hoeflich, Member

Absent: Greg McWilliams, Vice Chair

Also Present: Katherine Zalantis, Attorney, Silverberg, Zalantis LLP
David Stolman, Frederick P. Clark Associates, Inc.
Daniel Ciarcia, PE, Consulting Town Engineer
Sandy Anelli, Secretary

River Knoll Development, 40 Croton Dam Rd., Rezone & Site Plan Review

Mr. Glen Vetromile of Glenco Residential LLC, Ms. Nanette Bourne of AKRF, Inc., and Mr. William Null of Cuddy & Feder, LLP were in attendance. A Draft Environmental Impact Statement and Site Plans dated February 15, 2017 were on file.

Mr. Stolman submitted a review memo dated April 4, 2017 titled Completeness Review of the Proposed Draft Environmental Impact Statement (DEIS). Ms. Zalantis submitted a memo dated April 5, 2017 which offers Comments on River Knoll DEIS, and Mr. Ciarcia submitted his memo dated April 5, 2017.

Mr. Null submitted six alternative plans which were not included in their earlier submission. The alternatives show the site as R-15 Zone, R-15-Clustered, R-5 Zone, R-5 Zone Clustered, MF Zone @ 8 DU/Acre and MF Zone.

Mr. Null asked for clarification with regard to comparison request to use the hospital use as one of the comparisons. Ms. Zalantis said there are several references comparing the proposed project to the impacts of the Stony Lodge Hospital. The information regarding the impacts of Stony lodge should be replaced by new data reflecting the reduced impact resulting from Stony Lodge Hospital's ceased operations. Ms. Zalantis advised Mr. Null that this applies to the executive summary.

Ms. Bourne noted that the original plan was submitted to State Historical Preservation Office (SHPO) but have not received a response to date. Ms. Bourne asked for clarification regarding the requirement of a maintenance plan. Mr. Null noted that with a typical rental property maintenance of the property is under one management. He said they can describe how landscaping and roads will be maintained. Ms. Bourne asked Mr. Stolman how she can provide more with regard to the character of existing neighborhoods. The Board agreed that photographs of the surrounding neighborhoods of establish character of existing neighborhoods. After some discussion about the types of photos, Mr. Null and Ms. Bourne agreed to do what they can.

At this time, Mr. Ciarcia reviewed his memo which outlined some minor corrections that need to be put into the DEIS; the correct flow of water, sewage and flow analysis and additional downstream conveyances that should be added to the Storm Water Prevention Protection Plan.

Dr. Hougham asked if in the traffic study the number of trips could be translated into delay times. Dr. Hougham urged that while number of trips in very interesting, what people are more interested in is how this translates to delay time. Mr. Bossinas said that this should compare to alternatives and attention to the regular R-15 Zoning.

Mr. Hoeflich mentioned a letter from Mr. Sanchez, Superintendant of Ossining Schools. Mr. Hoeflich urged that they revisit the school study. Mr. Hoeflich stated that when you have an extra bedroom, there's a child in it, when you have a den, there's a child in it. This is the worst case scenario but definitely something to consider. In response to Mr. Hoeflich, Mr. Null said they have met with the schools but he would like to see the letter and they will consider revisiting this. Mr. Vetromile spoke about their numerous studies and said they have met with the schools and they looked at three different methodologies in determining the number of school children. Mr. Chin clarified that the letter from the school speaks in a generic fashion and it says that all developments should have this as a consideration.

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Mr. Chin advised Mr. Vetromile that if he has had discussions with the school district, the Planning Board would like to have that documented to analyze the calculations derived from that. Mr. Null said they will provide more on the school report if something is missing.

Dr. Hougham asked for an additional information in the alternatives table where earlier he mentioned traffic delays, he also recommended they provide a “yes” and “no” box for whether the tax revenue generated would cover school costs for each of the different alternatives. Mr. Vetromile agreed and thanked the Board.

Draft of Local Law 2 of 2017 Amending the Zoning, Tree Protection and Cabaret Chapters of the Town Code

Mr. Stolman reviewed changes and additions to Section 200-18 A. (18) where self storage facilities are being deleted from a permitted use and will become a grandfathered use in this zone. Setback and screening requirements for nonresidential uses that are contiguous to residentially used or zoned lots. A new use, Artist live/work spaces and mixed use has been added to the Neighborhood Commercial District. New information on outdoor lighting and the color temperature of outdoor lighting shall not exceed three thousand Kelvin (3,000)K. Also, Mr. Stolman discussed the use of permeable pavements for driveways and structural soil in the planting of landscaping and street trees.

Dr. Hougham pointed out that the many of the residents near 39 Old Albany Post Road, known as the Curtain property and recently purchased by Mr. Fiorito, are strongly opposed to the property being used as GB-1. Although the property has been historically zoned GB-1, the residents have always considered this property as important visual buffer from the GB zone. Letters received via email on April 5, 2017 from Barbara and Calvin Henniger, Estel Matra, and Evelyn Garrett were on file. Dr. Hougham recommended this parcel be changed to a residential use. The GB use is out of character with the remaining neighborhood. After some discussion regarding the different zones in this area, the Board agreed to recommend that the lot be re-zoned to residential R-5 or R-7.5 Zone.

The issue of updates to the Cabaret chapter were discussed. Mr. Hoeflich suggested that anyone having a cabaret use should have their building 100% sound proof; no noise should come out of the building having a cabaret, especially buildings that come within 500 feet of a residential zone. It is Mr. Hoeflich’s opinion that a local ballroom dancing/cabaret building on North State Road, can and has the ability to do some type of sound proofing. Mr. Stolman read through points in the noise chapter, however; noise complaints are generally handled by Police. Mr. Ciarcia agreed that the dance studio has to do a more effective job of sound proofing the space or perhaps lower the volume. Mr. Ciarcia will be making a site inspection to see what can be done at this particular site.

Mr. Stolman reviewed amendments to the tree chapter with the Board. Dr. Hougham talked about tree replacement and the implementation of a Town tree bank. The Board discussed tree replacement options as it relates to a single-family homeowner verses a developer. With regard to the high number requirement for tree replacement, and the tree bank donation suggestion, the Board agreed that for a single-family homeowner this should not be required. A developer would normally have an application to the Planning Board which automatically requires a tree replacement plan in addition to other conditions which could include tree bank donations or a higher number of replacements.

Minutes

Meeting Minutes of February 15, 2017 were held over.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. Bossinas made a motion, seconded by Mr. Hoeflich that the meeting be adjourned to April 19, 2017.

Time noted 10:10 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

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Approved: April 19, 2017