

November 15, 2017

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 15<sup>th</sup> day of November 2017. There were present the following members of the Planning Board:

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

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

### **Butler Subdivision, 2 Hillcrest Drive, 2 Lot Subdivision**

Mr. Dennis Butler, Applicant and Mr. Dave Sessions of Kellard Sessions Consulting were in attendance.

At approximately 7:36 p.m. Mr. Chin asked the Board for a motion to enter into executive session. Dr. Hougham made a motion, seconded by Mr. McWilliams and it was unanimously passed to move to executive session.

At 8:20 p.m. Mr. McWilliams made a motion, seconded by Dr. Hougham and it was unanimously passed to come out of executive session and reopen the public meeting.

Mr. Sessions gave an overview of a driveway allocation plan which was added to the most current plan set. He said a draft of a proposed driveway easement being prepared by their attorney. Based on comments from the last meeting, they've added screening at the curve of the driveway. They modified the guardrail leaving 16 feet of width for the neighbor's future access.

Mr. Stolman submitted and reviewed a draft resolution of approval titled Butler Resolution of Minor Subdivision Plat, Steep Slope Permit and Tree Removal Permit Approvals, dated November 15, 2017.

The issue of the driveway allocation plan was discussed in detail. Mr. Chin said the applicant offered a driveway maintenance plan with proportionate values in terms of usage of the paper road and since it is not a Town designated road, the Board cannot mandate a particular breakdown of maintenance. Mr. Chin noted that it would benefit all parties involved to have some type of agreement in place and the Board then could incorporate that agreement into the approval in order to establish rights of all parties involved.

Ms. Zalantis said a condition can be added to the resolution that prior to issuance of a building permit, a if the applicant submits any maintenance agreement between the property owners along Hillcrest and offers proof of recording that agreement, it can become part of the approval, but if a maintenance agreement is not agreed to between property owners, that doesn't preclude the issuance of the building permit. This will give an opportunity for the applicant to discuss a maintenance agreement with the neighbors and have that agreement incorporated into the file. If the involved parties cannot come to a resolution, road maintenance will continue as is.

Mr. Chin noted that Environmental Advisory Committee (EAC) submitted a memo which was reviewed considered by the Board. EAC comments do not change the Planning Board's approval and do not require amendments to the Environmental Assessment Form.

Questions were raised by Ms. Harris with regard to language in the resolution. Mr. Stolman clarified that the language in the Resolution clearly reads "lots adjacent to Hillcrest Drive" and not "lots adjacent to the Butler lot". Also, Ms. Cocozza asked about the easement shown on the map near the back of her property. This is for future planning of utilities if needed, but the new home will be built with a private sanitary system (septic). Ms. Teneyck brought up the issue of a mailbox location plan for the neighborhood. After some discussion, it was agreed that an area on Deer Trail (in the Town right-of-way, not on private property) is a reasonable location for all involved.

November 15, 2017

There were no further questions or comments at this time.

Mr. Hoeflich made a motion, seconded by Mr. Bossinas and it was unanimously passed to adopt the **Butler Resolution of Subdivision Plat, Steep Slope Permit and Tree Removal Permit Approvals, dated November 15, 2017, with amendments.**

### **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 December 6, 2017.

Time noted 9:20 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

APPROVED: December 6, 2017