

June 6, 2018

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 6th day of June 2018. There were present the following members of the Planning Board:

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

Absent: Gareth Hougham, 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

Rayford Daverne & Sons, 52-1 & 52-3 Old Albany Post Road, New Homes, Architectural Review, PUBLIC HEARING CONTINUED

Mr. John Fussell, Applicant, was not in attendance. There was no one in attendance from the public to speak on this matter. The applicant did not make any submissions to the Board. This item was adjourned to the next meeting of the Planning Board, June 20, 2018.

Executive Session

Mr. Chin announced that the Board will go into executive session. Mr. Bossinas made a motion, seconded by Mr. Hoeflich and it was unanimously passed by the Board to enter into executive session at 7:36 p.m.

Mr. Bossinas made a motion, seconded by Mr. Hoeflich, and unanimously passed to reopen the public hearing at 7:55 p.m.

Stephanie Diesing & Brian Contreras, 68A Somerstown Road, New Home - Architectural Review, PUBLIC HEARING CONTINUED

Ms. Diesing and Mr. Contreras were in attendance. Mr. Stolman noted that the applicant submitted additional materials that the Board asked for at the previous meeting. A revised site plan and lighting plan dated May 29, 2018 were on file. Ms. Diesing stated that they added additional screening of trees and notes regarding the conservation easement to the plan and provided a detailed lighting plan. Mr. Hoeflich provided an example of the different lighting levels of brightness and temperature and asked the applicant to keep the lighting under 3000 Kelvin (K). The applicants agreed, their plan shows proposed lighting at 2700K.

Mr. Andrew Brodnick, Attorney, representing the Fitzpatrick Family Trust, 7 Tavano Road, said he appreciates the trees that have been added to the site plan and asked if they would plant trees on the Fitzpatrick property as well. Mr. Stolman advised the Board that this cannot be a condition of their approval. Ms. Diesing said they have put eight trees very close to the property line but they intend to plant these on their property, 68A Somerstown Road. Mr. Stolman reminded the Board that the applicant will need to comply with the plan and if they would like to do any extra planting with the Fitzpatricks that would be fine, but it is not part of this approval. That would have to be a separate discussion between two property owners. Mr. Brodnick asked that they adjust the dusk to dawn setting on their lighting to be manually shut off at dusk. Ms. Diesing said it is configured at zero setting, but agreed to manual shutoff at dusk. Mr. Chin asked if there were any further comments from the Public or the Board. There were none.

At approximately 8:02 p.m., Mr. Bossinas made a motion, seconded by Mr. Hoeflich and unanimously agreed by the Board to close the public hearing.

Mr. Stolman submitted and reviewed with the Board a Resolution of Resolution of Architectural Review and Approval dated June 6, 2018, titled Contreras & Diesing Single-Family Home. After review and discussion, a note will be added to the resolution regarding the lighting plan, to use LED's under 3000K and adjust the dusk to dawn settings as discussed.

Mr. Bossinas made a motion seconded by Mr. Hoeflich and it was unanimously passed to adopt the **Contreras & Diesing Single-Family Home, Resolution of Architectural Review Board Approval**, dated June 6, 2018, with amendments.

Armstrong Plumbing, 593 North State Road, LLC. 593 North State Road, Site Plan Review

Mr. Michael Bell the Applicant and Mr. Tom Kerrigan from Site Design were present. Mr. Kerrigan presented the revised plan to the Board. Mr. Stolman submitted and reviewed a memo dated June 6, 2018, titled 593 North State Road LLC (Armstrong Plumbing) Site Plan with the Board and Applicant. The memo offers additional analysis and recommendations.

A revised application form and Environmental Assessment Form (EAF) need to be resubmitted stating the proposed uses of the building. A specific tree removal and replacement plan should also be submitted. In order to comply with the Town's Tree Protection Chapter it was determined that they would be required to replace at least 44 inches of caliper. The Board discussed different parts of the site where they could potentially plant additional trees. Mr. Kerrigan expressed that the front of site area is narrow and new trees in this area would not be stable. A photograph or rendering of the proposed Ready Rock wall, or other options discussed should be submitted.

Mr. Hoeflich recommended residential low caliber motion sensor lighting up the driveway and parking area. The Board discussed other options, taking the safety of employees and customers into consideration. Mr. Kerrigan said the office closes at 5:00 p.m. so lights will be off after that. Mr. Chin agreed motion sensor and timed lighting would be appropriate. Mr. Bossinas said as long as the lights are not pointing to the residential neighborhood, it should be fine. Mr. Kerrigan said he can provide an illumination plan. A sign detail is also needed and details regarding the trash enclosure. Mr. Ciarcia noted that engineering comments from the last meeting have been addressed by the applicant.

The applicant agreed to submit these items by June 11, 2018. A copy of the plan will be sent to the Town's Environmental Advisory Committee and Westchester County Department of Planning for review and comment. At this time Mr. Chin set a public hearing for June 20, 2018.

The Learning Experience, Child Care Facility, 530 North State Road, Site Plan Review

Mr. Adam Wekstein, Attorney, Hocherman, Tortorella & Wekstein, LLP, Ms. Cheryl Schweiker Architect, Jarmel Kizel Architects & Engineers, Inc. and Mr. Jay Fain, Environmental Consultant, Jay Fain & Associates, LLC, were in attendance. Application materials, Full Environmental Assessment Form (EAF) and Site Plans titled, The Learning Experience, 530 North State Road, Briarcliff Manor, Town of Ossining, dated April 27, 2018, floor plans, wetlands report, traffic study, stormwater protection plans were on file.

Mr. Wekstein gave a brief presentation of the plan to the Board. The applicant is seeking authorization to redevelop the property as a childcare facility, with associated parking, an outdoor playground and landscaping. The existing buildings will be demolished. The property is located in the General Business (GB) Zoning District in which child care facility and nursery schools are permitted.

Ms. Schweiker presented a rendering and gave an overview of the design and operations of the proposed building. The building has a residential look, it's a single-story 10,000 square foot building with fiber cement siding with brick and shingle roof. There's an outdoor play area that is fenced in. The building will consist of classrooms from ages 6 months to 6 years. There are 36 parking spaces and the arrival times to the daycare facility vary based on the parents schedule in the morning, drop off, the parent parks comes inside with the child and electronically verifies attendance. Pick up in the evening is staggered as well, parking and car traffic is generally not an issue. The facility closes at 6:30 p.m. and it is not open on Saturday or Sundays.

Mr. Hoeflich recommended bullet proof glass on the building. Mr. McWilliams recommended instead of parking spaces at the front entry to have an island and a walking path to the second row of parking spaces. Mr. Wekstein said the there is no specific number of parking spaces required for this use in the Town Code so this could be reconfigured. Their traffic and parking study is based on activity of their other facilities in the New York Metro area and basically it works with 26 parking spaces. Mr. Chin suggested they provide a report based on other sites and any other required traffic report and that could perhaps allow room for the island. Ms. Schweiker said they can move things around to accommodate this if the Board is happy with a lower number of spaces.

Mr. Fain, Environmental Consultant for the project, announced that he is a Wetland Scientist, Certified Soil Scientist, Certified Professional Erosion Control Specialist and a Certified Environmental Restoration Practitioner. Mr. Fain provided a Biological Evaluation and Impact Assessment dated May 22, 2018, which was part of the submission package. He gave a brief overview of the property, the watercourse functions and proposed restoration of the buffer area.

At this time, Mr. Wekstein spoke to the Board regarding proposed signage. The logo contains elephant design and the lettering on the building measures larger than what is permitted in the sign regulations of the Town Code. The proposed signs may require a variance. Mr. Stolman suggested that they provide a sign detail for these and any architectural features. The front entry building blocks can be reviewed by the Board as part of their architectural review process. Ms. Zalantis recommended they amend their EAF to include the Zoning Board as an involved agency and other applicable agencies including the Village of Ossining Water Department and New York State Childcare Licensing or Health Department. Ms. Schweiker and Mr. Wekstein agreed to update the EAF listing all of the involved agencies as soon as possible.

Mr. Ciarcia recommended inspection of the 48 inch pipe that is existing on site and connected to that there is also a hole where the culvert underneath North State Road doesn't exactly connect to the site. This area needs to be protected with a guiderail or something more substantial than plantings. This area straddles the property.

Mr. Hoeflich recommended the use of solar panels in the project. Mr. Stolman asked for revised plan showing the required buffer. Mr. Bossinas recommended moving the play area over further away from the residential properties and planting additional trees in that area.

Ms. Zalantis advised that the Board can declare its notice of intent to be lead agency. Mr. Stolman and Mr. Ciarcia will provide review memos for the June 20, 2018 meeting. A revised EAF is needed to circulate and the Board can refer the plans and revised EAF to the Town's Environmental Advisory Committee.

A motion was made by Mr. Bossinas, seconded by Mr. McWilliams and unanimously passed that the **Planning Board Declare Notice of Intent to be lead agency under SEQRA and to circulate the EAF to interested and involved agencies.**

A copy of the plan will be sent to the Town's Environmental Advisory Committee and Westchester County Department of Planning for review and comment.

Schemmer & Santucci Subdivision and Reconfiguration of Lots, 37-41 Croton Dam Road, Subdivision Review

Mr. Mathew Steinberg, AICP, from Divney Tung Schwalbe, LLP, Planners, Engineers & Architects, was in attendance. Application materials, EAF, Stormwater Pollution Prevention Plan (SWPP) and plans titled, 37 – 41 Croton Dam Road, Application for Subdivision Approval, prepared by Divney Tung Schwalbe LLC, dated May 29, 2018 were on file. Mr. Steinberg presented the plan to the Board.

The proposal is for subdividing two existing parcels located in the R-15 zoning district. The property is across from the former Stony Lodge Hospital property. The lot at 37 Croton Dam Road is 3.2 acres in size and contains two existing single-family residences (a pre-existing condition), accessory structures and a single driveway providing access from Croton Dam Road. 41 Croton Dam Road is an existing 1.8 acre vacant parcel. They are proposing to subdivide the lot where the existing homes are located into two separate individual lots and the homes will remain. The second lot is proposed to be subdivided into two new lots and two new homes are proposed.

Mr. Steinberg noted the lots meet the requirements of the zoning district and they are under requirements for disturbance to steep slopes. There are no wetlands onsite. They will not be requiring a variance of any type for this project. The Board discussed the tree plan with Mr. Steinberg. They are removing approximately 100 trees and installing 133 new trees, at this time there are no provisions for the Town's tree ordinance with regard to the tree bank or tree bank fund option. The Board recommended the applicant consult with his client and try to work additional tree re-planting into their plan. Mr. Steinberg agreed.

At this time, Mr. Bossinas made a motion, seconded by Mr. Hoeflich, and unanimously passed that the **Planning Board Declare Notice of Intent to be lead agency under SEQRA and to circulate the EAF to interested and involved agencies.**

A copy of the plan will be sent to the Town's Environmental Advisory Committee and Westchester County Department of Planning for review and comment

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Minutes

Mr. Hoeflich made a motion, seconded by Mr. McWilliams and unanimously passed to adopt the meeting minutes of the Planning Board April 18, 2018.

Mr. Hoeflich made a motion, seconded by Mr. Bossinas and unanimously passed to adopt the meeting minutes of the Planning Board May 16, 2018.

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. McWilliams that the meeting be adjourned to June 20, 2018.

Time noted 9:48 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: June 20, 2018