

April 17, 2019

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 17th day of April 2019. There were present the following members of the Planning Board:

Ching Wah Chin, Chair  
Jim Bossinas, Member  
Carolyn Stevens, Member

Absent: Greg McWilliams, Vice Chair  
Gareth Hougham, Member

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

**Rayford Deverne & Sons, 52 Old Albany Post Road, Lot 3, New Single-Family Home Architectural Review**

Mr. John Fussell, Applicant, was in attendance. Mr. Fussell submitted an application, site plan, and miscellaneous photos. Mr. Stolman submitted and reviewed a memo dated April 17, 2019 which offers analysis and recommendations. Mr. Ciarcia submitted a memo dated April 17, 2019 which offers review and comments regarding the grading and utility plan. Both memos were given to Mr. Fussell.

Mr. Fussell gave a brief presentation. He said the walls proposed for this home will be the same as the walls for the first home on lot 1; natural stone with dry joints in the front and up the driveway then a manufactured type wall around the sides and in the back. Mr. Fussell noted this lot will be identical to lot 1.

Mr. Chin raised concerns with regard to a permission letter on file from the neighboring property owner, Mr. Rizzi. At the last meeting a geogrid type wall was discussed which may have to be installed partially on Mr. Rizzi's property. Ms. Zalantis clarified to Mr. Fussell and the Board that this type of installation would require a formal legal easement agreement on the neighbor's property. Mr. Fussell then asked what if he were to build a regular retaining wall without using the geogrid.

Mr. Ciarcia reminded Mr. Fussell that he should first determine which wall system he is using, based on the topo and elevations. When the height of the wall will be known, then the detail of the retaining wall will be dictated by the system used and design standards for that system. These are details that should be on the plans. The Board needs to know whether or not this wall is going to be done on the confines of the property or specify whether he will need to go onto someone else's property and this goes for both sides of the property.

Mr. Fussell said he would like to bring the walls in onto his own property so he wouldn't have to disturb anyone else's property. Mr. Chin urged Mr. Fussell to provide a detailed plan with this information shown so the Board will have something to work with instead of verbal hypotheticals. Mr. Fussell agreed to update the plans.

**River Knoll Multi-Family Development, 40 Croton Dam Road, Review of Preliminary Final Environmental Impact Statement (pFEIS)**

Mr. Glen Vetromile, Developer, and Mr. Wayne Spector, Attorney, were in attendance. Mr. Vetromile passed out his analysis outlining recreation amenities provided by the River Knoll project. Mr. Vetromile used the Parth Knolls Project to compare some of his analysis and discussed how they determined their costs with regard to Recreation Fees. He further talked about proposed improvements being offered to the intersection where Croton Dam Road meets Route 9A. Also, he said they are making a direct payment to the school district. Some of the things being offered on site are a walking path, connection to Veterans Park, a playground, a pool, community garden, a coffee bar, dog day care, and yoga studio with workout facilities.

In response to Mr. Vetromile, Mr. Stolman clarified that recreation fees are requirements that can be offset by recreation facilities, which are very different from project amenities. Mr. Spector noted that when the project is providing community rooms, pools and outdoor community space, this offsets the use of those types of facilities within the Town and can be included in the formula as recreation.

**River Knoll – continued**

Mr. Chin asked for an update with regard to the Town's consideration of rezoning. Mr. Spector noted that the Town Board is waiting for the FEIS and the findings from the Planning Board. Ms. Zalantis added that that we are still going through the SEQRA process and working on the FEIS. Ms. Addona reported that the Town Board met with the applicant at a Town Board work session and the Town Board is interested in seeing additional mitigation measures. If the Planning Board would like more direct feedback from the Town Board, another work session can be held and that request can be made. Mr. Stolman reported that the Planning Board is waiting to get all of the mitigation measures in place in order to memorialize them in the FEIS. Once the Planning Board is satisfied with those measures, which will be included in the FEIS, then the Planning board will accept the FEIS and write a findings statement and send it to the Town Board.

Mr. Chin asked Mr. Vetromile to clarify the cost sheets that were submitted and provide some additional budgetary detail. Mr. Vetromile said he has spoken to builders and has some estimates but is not at that stage yet. This was not a public hearing, however, Mr. Chin asked if there were any comments or concerns from the Public or the Board.

Mr. Ray Santucci, 29 Grandview Avenue, raised questions concerning certain revisions to the plan. Also, there was mention of sidewalks, Mr. Santucci asked the Board how sidewalks are going to work in that neighborhood and he said drainage and stormwater retention is located in the front of the site which is practically in Mr. Santucci's back yard. Mr. Santucci urged that the site doesn't offer any benefit to the existing residents.

Ms. Laura Gwin, 4 Cherry Hill Circle, addressed the Board. Ms. Gwin said that although they are proposing things like dog day care, yoga studio, and coffee bar, these are things that we already have in our community and would want the people that live there to support the businesses in the community, not be in their own utopia. Ms. Gwin asked why we are taking away from the people who have supported businesses in the area for all of this private business. Also, the issue of installing a playground, it was her understanding that there wouldn't be that many children in this development, but there's still going to be a playground. She also stated that the Schools are filled to capacity.

Mr. Antonio Santucci, 27 Grandview Avenue, said he owns two properties that abut the Stony Lodge property and Mr. Vetromile said he has approached all of the homeowners in the area, but Mr. Santucci said he has never spoken to Mr. Vetromile. Mr. Santucci said in the past when it was still Stony Lodge, there were fire trucks or ambulance coming onto the property it was difficult at the entrance and going up the driveway. He also said there was a three-car accident at the intersection of Croton Dam Road and Route 9A just tonight. Per Mr. Santucci, the only way to fix the intersection is to install an overpass and the site itself needs another exit over on the other side of the property. Mr. Santucci says, in his opinion, this building just doesn't fit there and said that they have written letters and tried to speak out on this project and they feel they haven't been heard.

In response to Mr. Santucci, Ms. Zalantis said he will have opportunity for further input and comment. There was a public hearing on the draft environmental impact statement which has been closed. There will be another public hearing with the Planning Board on the Final Environmental Impact Statement and then there is another public hearing process with the Town Board on the proposed zoning change.

The Board asked for additional details on the cost information sheet. Mr. Vetromile agreed to substantiate the costs on his report and to provide additional information from builders who can vet the costs.

**Rinaldi Subdivision, 39 Stormytown Road, 10-Lot Subdivision**

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Mr. Jorge Hernandez, Architect, was in attendance representing the applicant. Mr. Stolman submitted and reviewed with the Board, a memo dated April 17, 2019 titled Rinaldi Subdivision, 39 Stormytown Road. Mr. Ciarcia submitted and reviewed with the Board, a memo dated April 15, 2019, titled Rinaldi Property Subdivision. Copies of these were given to the applicant.

Mr. Hernandez addressed items in Mr. Stolman's memo. Mr. Stolman pointed out that the project is planting more tree caliper than what would be required for replacement based on their tree plan. Additionally, the memo asks for clarification for an extra lot along the proposed roadway on the westerly side of the subject property. Mr. Hernandez noted that this is not for access to the neighboring lot it was put on the plan for sewer or utility easement if needed. Also, Mr. Stolman noted that the cul-de-sac should be pulled further away from the side property line.

**Rinaldi Subdivision – continued**

Mr. Hernandez agreed. Mr. Ciarcia reviewed his memo. He said these items are pretty standard and the applicant has now retained a Civil Engineer to work on profiles, utilities, grading and storm water pollution protection plan. Mr. Hernandez asked if the Board would consider opening a public hearing. The Board agreed that the subdivision plan would not change dramatically so a public hearing can be scheduled at this time. Mr. Chin asked if the Board for a motion:

**Ms. Stevens made a motion, seconded by Mr. Bossinas and it was unanimously passed by the Board to set a public hearing on the Rinaldi Subdivision, 39 Stormytown Road, for May 15, 2019.**

Mr. Hernandez thanked the Board.

**Miscellaneous**

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**Santucci and Schemmer Subdivision -** A letter from Divney, Tung, Schwalbe, LLP dated April 8, 2019 was submitted to the Board requesting an Extension of Subdivision for the Santucci and Schemmer Subdivision, 37-41 Croton Dam Road for a period of 90 days. The Planning board granted minor subdivision plat approval on November 7, 2018 which will be expiring on May 6, 2019. The applicant is still working to fulfill conditions of the Resolution of Approval. Mr. Chin asked if there were any questions or concerns from the audience or the Board. There were none. Mr. Chin asked for a motion from the Board:

**Ms. Stevens made a motion, seconded by Mr. Bossinas and it was unanimously passed by the Board to approve a 90 day extension of time to the Santucci and Schemmer Resolution of Minor Subdivision Approval to complete conditions as described which will extend the approval to August 4, 2019.**

**Minutes**

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A motion was made by Mr. Bossinas, seconded by Ms. Stevens and unanimously passed by the Board to adopt meeting minutes of the March 20, 2019 Planning Board meeting.

**Adjournment**

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There being no further business to come before the Planning Board of the Town of Ossining, Ms. Stevens made a motion, seconded by Mr. Bossinas, and unanimously passed by the Board that the meeting be adjourned to May 1, 2019.

Time Noted: 8:55 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**Approved: May 15, 2019**