

May 15, 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 15th day of May 2019. There were present the following members of the Planning Board:

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

Absent: Greg McWilliams, Vice Chair
Katherine Zalantis, Attorney, Silverberg, Zalantis LLP

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

Executive Session

At approximately 7:31 p.m. Mr. Chin asked the Board for a motion to enter into executive session. Ms. Stevens made a motion, seconded by Mr. Bossinas and unanimously agreed to enter into executive session of the Planning Board.

At 7:50 p.m. Ms. Stevens made a motion, seconded by Dr. Hougham and unanimously agreed to reopen the regular meeting of the Planning Board.

River Knoll, Multifamily Development, 40 Croton Dam Road, Review Preliminary – Final Environmental Impact Statement (pFEIS)

Mr. Glen Vetromile, Developer, and Mr. Wayne Spector, Attorney were present. Mr. Vetromile discussed the breakdown of recreation facilities and costs outlined in his memo titled, Recreation Amenities Provided by River Knoll, dated April 25, 2019. Mr. Ciarcia submitted comments in response to Mr. Vetromile's breakdown of costs of amenities and recreational to the Board dated May 15, 2019. Ms. Stevens asked Mr. Vetromile to clarify which of the recreation facilities are open to everyone and which would be for the River Knoll residents only. The community garden and trails are open to the public. Dr. Hougham asked Mr. Vetromile if there is consideration of a conservation easement for the sledding hill. Mr. Spector pointed out that the sledding hill could be an issue of liability. They can discuss this with the Town to see if the Town would like to accept some of the responsibility through some type of an easement or agreement.

Mr. Spector said in his plain reading of the Town's fee schedule, which refers to an adjustment to the recreation fee, it refers to recreation facilities provided within the subject development. He said, it's private property, so it doesn't talk about making it open to the public. In Mr. Spector's interpretation, it's providing a credit for the fact by providing recreation facilities within your development for your residents, so you're putting less of a burden on the Town's recreation facilities which is why the credit is given, or at least authorized under the code.

Dr. Hougham agreed that some of the line items listed can be considered in this formula, but not all of them. Dr. Hougham agreed that Yoga Facilities, Fitness Center and Exercise Studios would be utilized on site, but the outdoor Pool is a different issue because the type of pool it is. The Town's indoor pool can be utilized during all seasons of the year. Mr. Bossinas agreed, there's no mitigation as far as the pool goes. The Town Pool offers organized events, swim team programs, lap lanes, this is a very different use of a pool facility.

Mr. Spector argued that if you are giving a lesser credit for a pool, then you should give a greater credit for a community garden and a trail. Mr. Vetromile argued that even if you pull some of the items out of the formula, they are double the proposed or suggested costs. He said they are also going to be extending the water main for redundancy in water and the highway ramp proposed modification.

Mr. Bossinas reminded Mr. Vetromile that, as opposed to a conforming project, this is three times the population of what the zoning district would allow if it were single-family residential. This project is three times the population of one of the alternatives that shows 30 single-family lots, 110 residents, compared to the 188 units which would equal about 373 residents.

River Knoll – Continued

After some discussion and review of breakdown of costs, Dr. Hougham suggested the proposed building community room, the doggie daycare, pool, and courtyard should be discounted from the formula, which brings the value down substantially. It still brings it closer to what the required recreation amount. Ms. Stevens suggested having someone vet the numbers shown. Mr. Vetromile said work proposed to connect to the Greenway trail is a separate cost from the onsite trail. This number should be included as an additional cost. It was recommended Mr. Vetromile show both trail numbers in the cost breakdown. Mr. Ciarcia said he can analyze and re-verify construction line items as shown and the planning board can then review everything. Mr. Ciarcia asked Mr. Vetromile to send an architectural plan showing where these spaces are. Mr. Vetromile agreed. Although this was not a public hearing, Mr. Chin asked if anyone from the public that was interested in speaking on this matter.

Mr. Lino Sciarretta, Partner of the firm of Montalbano, Condon & Frank, P.C. said he is representing Antonio Santucci and Marisa Caruso and their opposition to this project. Mr. Sciarretta said they've voiced their concerns and further said that he would like to know if there is zoning in place for this. He said documents have been submitted and he can't find these documents. Mr. Sciarretta expressed in his words, this project is ill advised and ill-conceived and violates zoning. Mr. Sciarretta urged that everything be made available to him for review. Mr. Chin asked that the document being discussed be made available.

Rinaldi Subdivision, 39 Stormytown Road, 10-Lot Subdivision PUBLIC HEARING

Mr. Jorge Hernandez, Architect, was in attendance representing the applicant. Mr. Hernandez discussed some updates to the plan. Mr. Hernandez gave a brief overview of the plan to the Audience and the Board. This is a ten lot subdivision. Two of the properties are going to be fronting Stormytown Road. One home is existing. The proposed road is following an existing sewer easement to the property. The property also has a stream which a tributary to the Sing Sing Kill. Mr. Hernandez noted that they have walked the property with some of the Neighbors, Members of the Planning Board and Members of the Environmental Advisory Committee. He said they are doing some stormwater testing in preparation of their Storm Water Pollution Prevention Plan (SWPPP). In order to accommodate some of the grading in some areas, they have reduced the size of the proposed homes to more moderate sized homes. Mr. Hernandez also pointed out that their tree plan shows removal of about 114 trees, however, half of this are either dead or in very poor condition. They are replacing over 50% of the calipers of these trees.

One of the homes that is proposed along Stormytown will not be visible from the street, the driveway will be accessed from the new street. The Board reviewed the wetland buffer plan briefly. Mr. Chin asked if there were members of the public that would like to comment.

Ms. Nava Bat-Avraham, 20 Stormytown Road expressed concerns with potential blasting and if there is a bond amount. She wants to know what the length of construction will be and a traffic light. She noted that they would like to have them install a stop light because no one ever stops at the stop sign near there. Ms. Bat-Avraham expressed concerns with litter along Stormytown Road, wildlife, traffic and busing.

Mr. Robert Rodriguez, 28 Stormytown Road, said he concurs with everything Ms. Bat-Avraham said. One item with regard to the existing property which he believes is being rented. He wants to know if these homes are going to be rental or owner occupied.

Ms. Iris Rosario, 22 Stormytown Road, said she is in agreement with installing a traffic light in this area. It is a very busy area. They have a lot of difficulty coming out of their driveway in the morning so more homes are going to create more of a problem. Ms. Rosario asked what the property values are going to be in the development. Also, she wanted all of the negative impacts studied before construction.

Mr. Hernandez noted that they will research all of the issues discussed. He also said the lots are going to be privately owned properties. At this time, Mr. Stolman indicated that there are still some work to do on this so it can be adjourned to a date certain. Mr. Chin announced to the audience members that this is a continued public hearing, the process is just starting; public input is important and valuable to the process.

Rinaldi Subdivision Public Hearing

Ms. Rosario from 22 Stormytown Road, asked if all of the details from the builder will be shared online, construction plans, power lines, electricity, and how these items are going to impact.

It was determined by the Board that certain items, like construction plans and electrical, are covered under the Building Code and the State Code. These requirements are handled at the Building Department level. All Planning Board submission sets will be available to the public throughout the Planning Board process. There were no further comments.

Ms. Stevens made a motion, seconded by Dr. Hougham and unanimously passed by the Board to adjourn the Rinaldi Subdivision Public Hearing to June 19, 2019.

Minutes

A motion was made by Mr. Bossinas, seconded by Ms. Stevens and unanimously passed by the Board to adopt meeting minutes of the April 17, 2019 Planning Board meeting.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Ms. Stevens made a motion, seconded by Dr. Hougham, and unanimously passed by the Board that the meeting be adjourned to June 19, 2019.

Time Noted: 8:30 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: July 17, 2019