

November 17, 2021

A MEETING OF THE PLANNING BOARD of the Town of Ossining was **held on November 17, 2021 at 7:30 p.m. by Zoom video conference**. Members of the public were able to view and join the meeting via computer or mobile app as follows:

<https://us02web.zoom.us/j/89061872916>

There were present the following members of the Planning Board:

Gareth Hougham, Chairman  
Jim Bossinas, Member  
Carolyn Stevens, Member  
Donna Sharrett, Member

Absent: Jesus Lopez

Also Present: Kathy Zalantis, Attorney, Silverberg, Zalantis LLP (Zoom)  
Valerie Monastra, AICP, Nelson, Pope & Voorhis, LLC  
Daniel Ciarcia, PE, Consulting Town Engineer  
Sandy Anelli, Secretary  
Margaret Conn, Secretary

**Armstrong Plumbing & Heating, 593 North State Road, Site Plan Amendment, PUBLIC HEARING**

Armstrong Plumbing (the “Applicant”) is seeking Site Plan amendment of its parking lot due to a discovered Town of Ossining utility easement (“Project”). The Project will be located at 593 North State Road, Section, Block, and Lot 90.11-1-36 (“Project Site”). The Project Site is located in a GB, General Business district.

Ms. Monastra submitted a draft resolution in advance of the meeting to the Applicant and the Board. Dr. Hougham opened the Public Hearing at approximately 7:35 pm. Mr. Thomas Kerrigan of Site Design Consultants presented plans to the Board. They made some changes as requested by the Board previously. They increased the sump and drain inlet to the downstream defender. They adjusted the landscape plan per the Planning Board’s direction. Mr. Ciarcia noted that his earlier comments have been satisfied. Ms. Monastra had no further comments.

Ms. Sharrett urged that the applicant remove the Bamboo on site and a permanent eradication plan. Mr. Kerrigan noted that they are not responsible for neighboring properties which have Bamboo but they will remove anything on their own property. Ms. Sharrett recommended exchange the Viburnum with Winterberry or Spiceberry Lindera Benzoin. Ms. Monastra will add this note to the Resolution and Mr. Kerrigan will adjust the final plan.

**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and unanimously passed by the Board to close the Public Hearing for Armstrong Plumbing & Heating, 593 North State Road Site Plan Amendment.**

**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and unanimously passed by the Board to adopt the Armstrong Plumbing & Heating Resolution of Amended Site Plan Approval with changes as discussed, dated November 17, 2021.**

**River Knoll Development, 40 Croton Dam Road, Supplemental Draft Environmental Impact Statement SDEIS Completeness Review**

Dr. Hougham announced to the audience and the board that we will not be taking comments tonight from the applicant. The Board will be presenting comments and adopting those comment. We ask that the applicant review them at their leisure and reply to them in the form of a revised SDEIS or if they have issues with the comments to respond in writing.

### **River Knoll continued**

Ms. Monastra noted at the last meeting we went through in detail comment by comment. In terms of this meeting, we want to highlight some additional information or additional comments that were added and what the Board is specifically concerned with; sidewalks as well as pedestrian thoroughfares, access and emergency exits, there are additional comments asking about the retaining walls, the heights, sections of the walls, questions on stormwater just making sure about the confirmation on roadmaps, vegetation specifically looking at buffers and the locations of like landscaping and visual impacts. Some additional comments focused on demolition of the old buildings and dust mitigation, as well as dust monitoring and also hours of construction. Additional comments dealing with alternatives and the wetlands and focusing on views and the view sheds. The traffic consultants had some comments on some additional information that is needed in order for it to be complete per the scope. Ms. Zalantis said the Board may want to adopt these comments and determine that the SDEIS that was submitted is not complete.

Dr. Hougham asked Mr. Ciarcia for any thoughts on this. Mr. Ciarcia said per the third review on the prior application, the water supply and sewer lines were sufficient to handle that larger development so with the scaled down project, we really have to conclude that that would still be the case. They did prepare a SWPPP for the other project, and we do have a SWPPP for this one. In terms of everything that should be in the SWPPP it's in there. I would say the SWPPP document is complete, but we haven't done the thorough review that we would do when the projects in its final form. The issue is that they demonstrated that they've reduced their peak flows significantly from the predevelopment flows. Even if there are some minor adjustments, it appears they've demonstrated that the stormwater practices they're proposing are sufficient to mitigate the impact.

Ms. Monastra noted that the Board did ask for additional information on landscaping plans that will be visually noted on the landscaping plans. Ms. Sharrett also wanted to make sure that they're going to be demonstrating how the project meets the sustainability goals of the comprehensive plan. The comments ask the applicant to provide how it's consistent with the comprehensive plan, specifically the new comprehensive plan. Also, Ms. Sharrett asked that they have a lighting plan and another concern is with the emergency access road onto Narragansett Avenue, which looks like it is straight downhill and there's a big retaining wall. Ms. Sharrett raised concerns on how the water would come during any big rain event, shooting off of that down slope but right at Narragansett Avenue which is a low point and potential flooding on Narragansett Avenue for those homes there.

Mr. Ciarcia said there is an existing drain line that runs along the back there. Mr. Ciarcia will look at the numbers on that design point which is that area. The one year, 10 year and 100 year storm the peak run off rates were reduced by 40 to 51 and 54%. The scenario we're looking at is what they're doing should reduce flooding and it has to do more with shifting the watersheds and some of the runoff is going to go to the practices down along Croton Dam Road, but what they're doing will should significantly reduce the flooding potential on that side of the project. Ms. Monastra said that would be included into the storm water plan.

Mr. Bossinas said his biggest concerns all along have been the density differences between the R15 Zoning District conforming and the proposed and also the buffering and screening between the project and the neighbors. Dr. Hougham agreed and urged the applicant to show the screening between the development and all of the neighboring properties very carefully plus the need for a 3D model which is also mentioned in in the document. The Board and the public to really need to visualize the project given that it is a very three dimensional site, this is critical. Dr. Hougham recommended a digital model in 3D and if for any reason, the applicant is uncomfortable making a digital 3D model they can have a physical model made like it was done in the olden days out of cardboard and thin slices of wood showing elevation. Whatever the preference is as long as the Public and the Board can see it from all angles.

At this time, there were no further comments from the Board or Town Consultants, Dr. Hougham asked for a motion to adopt the comments from the consultants and the Board which finds the SDEIS as submitted is incomplete.

**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and unanimously passed by the Board to adopt Comments from Consultants and the Board which finds the River Knoll Supplemental Draft Environmental Impact Statement (SDEIS) as submitted to be incomplete**

**River Knoll continued**

Ms. Zalantis suggested to the applicant that any subsequent submissions be in red line so it is clear what changes were made to the document. Dr. Hougham thanked the Applicant and the Board.

**Borrego Solar Energy Storage Facility, 381 N. Highland Avenue (St. Augustine Property) Site Plan Amendment**

Borrego Solar Systems Inc. (the “Applicant”) has an approved plan to construct a standalone energy storage system that would be used to supplement power to the local power grid at peak hours, by utilizing New York State’s Value of Distributed Energy Resources (VDER) mechanism. The system will be enclosed by a 7 ft. chain-link fence. The system will be unmanned, and a gravel access road will be installed for occasional vehicle access. The amendment proposes an area for future expansion. The area inside the fence is proposed to change from 6,505 square feet to 7405 square feet to accommodate potential future augmentation for decreasing battery life.

Mr. Greg Gibbons and Ms. Corina Solis of Borrego Solar were in attendance. Ms. Solis noted the reason for expansion is to address the slow degradation of energy capacity of the battery cells, over time. Similar to electronics that we all use every day, like our cell phones or other portable devices that energy capacity of the battery declines over time with each successive use so augmentation of the system at a future date aims to calibrate the system back to its original capacity. Most of the new area that's identified in the plans for augmentation is space reserved for the addition of new cells. Once the system has begun to degrade sufficiently from its initial energy capacity, this will bring it back to its starting value.

Mr. Gibbons said in comparing this with the previous plan, the fence is the same but it will extend into this area. The road hasn't changed and the battery system itself hasn't changed. They have updated their stormwater plan which is currently being reviewed by Mr. Ciarcia. Environmental concerns were addressed in the previous plan and includes these changes which are minor. The applicant will submit a revised plan and application materials that will reflect these changes. Ms. Monastra noted that this will require a public hearing.

**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and unanimously passed by the Board to set a public hearing for the Borrego Solar Battery Storage Facility, 381 North Highland Avenue, Site Plan Amendment and Wetlands Permit Approval for December 15, 2021.**

**Minutes**

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**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and it was unanimously passed by the Board to adopt Planning Board meeting minutes of October 6, 2021.**

**A motion was made by Ms. Stevens, seconded by Ms. Sharrett and it was unanimously passed by the Board to adopt Planning Board meeting minutes of October 20, 2021.**

**Adjournment**

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**A motion was made by Ms. Stevens, seconded by Mr. Bossinas and it was unanimously passed by the Board adjourn the Planning Board meeting to December 15, 2021.**

Time Ended 8:43 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**APPROVED: January 19, 2022**