

March 16, 2022

A MEETING OF THE PLANNING BOARD of the Town of Ossining was **held on March 16, 2022 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/82331517187>

There were present the following members of the Planning Board:

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

Also Present:

Christie Addona, Attorney, Silverberg, Zalantis LLP
Valerie Monastra, AICP, Nelson, Pope & Voorhis, LLC
Daniel Ciarcia, PE, Consulting Town Engineer
Sandy Anelli, Secretary
Margaret Conn, Secretary

River Knoll Multi-Family Development, 40 Croton Dam Road, Completeness Review of the Supplemental Draft Environmental Impact Statement (SDEIS)

Dr. Hougham announced that the Board is acknowledging receipt of a revised supplemental draft environmental impact statement (SDEIS) from the applicant. This meeting is not a presentation or discussion of the project. The Board asked for some additional changes at the last meeting and these changes will have to be reviewed to see if they were included in this submission.

Mr. Glen Vetromile and Mr. Robert Peake were in attendance. Mr. Vetromile said they have put a lot of work in this version and he hopes everything goes well. Ms. Monastra said the Board will be undertaking the review and anticipate a completeness review by next month. There is a 30 day time frame that the Board has to review the changes but something could possibly be ready by the April 6, 2022 meeting of the Planning Board. Ms. Addona clarified this is not an entire comprehensive review again, it is limited to the items discussed that should be changed. Mr. Vetromile said he would like to show the Board and the Audience a 3D Model of the project possibly at a Planning Board Meeting and get feedback from the Board and the Public. Dr. Hougham said that would be acceptable and will discuss this with the Board. Mr. Vetromile thanked the Board.

Picucci Subdivision, Yellow Jug Corporation, 51 Croton Dam Road, Minor Subdivision PUBLIC HEARING

Mr. Ralph Mastromonaco, PE was in attendance representing the applicant. The applicant is seeking to subdivide the property where two homes and driveway currently exist to create one new buildable lot and create a new private road which will access all three lots. The project is located in the R-15 One-Family Residence District. The project received a rear yard variance of 2.1 feet on February 7, 2022. Mr. Mastromonaco said the plan hasn't changed much since last time but they were directed to speak with the Building Inspector, John Hamilton, and get his interpretation of the private road. That had to do with Section 503 of the New York State Fire Code in that if you have more than two houses, the portion of the road up to those two houses has to be 20 feet wide. The proposed private road is currently 14 feet wide except at the very beginning, where it is 20 feet wide. The widening would be accomplished using Grass Crete which is strong enough to it to hold up a fire truck and the advantage is that it doesn't actually appear to be part of the road. The grass grows up through it. The road would still appear as sort of a country road.

Picucci Subdivision continued

Mr. Mastromonaco said they think this is good solution but if it's not acceptable, they would pave it. This is a better solution than just bringing more asphalt here. Also, they have half detention, half rain garden feature down at the bottom. They went out and made a determination of the existing natural screening that would be around the proposed house and at some point they would be back in front of the Architectural Review Board for the house they are proposing to build there. Mr. Mastromonaco said they are only applying for subdivision approval at this time and would ask the Board to set a public hearing if possible.

Dr. Hougham thanked the applicant and asked the Board for a motion to set a public hearing. **A motion was made by Ms. Stevens, seconded by Mr. Bossinas and unanimously passed by the Board to set a public hearing for the Picucci Subdivision, 51 Croton Dam Road on April 6, 2022.**

Welcome Homes NY Building Company LLC, 68 Somerstown Road, New Single-Family Home, Architectural Review

Welcome Homes NY Building Company LLC (Applicant) is seeking Architectural Review Board (ARB) approval to construct a new single-family house located at 68 Somerstown Road. The property is in the R-40 One-Family Residence District. Plans and Application materials dated March 28, 2022 were on file. Ms. Jody Cross, Attorney, Zarin & Steinmetz, Mr. Andrew Vaccarello, Civil Engineer, Welcome Homes NY Building Company, Mr. Vinny Carrino VP of Design and Ms. Kate Ryan, Senior Director of Architecture were in attendance.

Ms. Cross gave a brief presentation of the project to the audience and the Board. This property consists of two lots. These lots were created pursuant to a subdivision that was approved by resolution in 2016 filed map in. The proposed home would be located on lot two or 3.2. It's about 1.3 acres and much of this property is constrained by a pond and wetlands and wetland buffers. The home being proposed does not encroach into the buffer. It's completely outside the buffer within the building envelope that was approved in the subdivision and that took some meticulous planning, since it is a very a tight building envelope due to all the constraints on the property. The only improvements proposed on lot one is a storm water basin. The home designed by Welcome Homes is the Oasis 5 Model. It's 4,543 Square feet in size and there are 4 bedrooms and 3/1/2 baths. Minimal lighting is provided and Ms. Cross said they are willing to provide additional screening if needed or required by the Board.

Mr. Vaccarello noted the project is fully compliant with the R-40 Zone. All stormwater is managed on site on the second lot and directing water, after the onsite basin, into the on-site pond. The home is serviced by municipal water and sewer. The development is proposed to maintain as much of the natural vegetation as possible. They will prepare a landscaping plan and provide anything the Board would like to see incorporated. Ms. Kate Ryan discussed architectural details with the Audience and the Board.

One issue is the stormwater basin being proposed on the second building lot. Ms. Addona suggested the applicant provide some sort of recorded acknowledgement that these properties are going to be in common ownership or that the other lot is not intended to be developed because this is not what was originally contemplated with the original subdivision. It's not necessarily problematic if that's the intention, not to develop that property and to just use it for the stormwater. This is a bit beyond the scope of ARB review, but it's going to come up at the building permit level. Ms. Addona recommended that the applicant try to work through those issues sooner rather than later. Mr. Ciarcia said we have to go a step beyond that, because we should have some type of easement, a restrictive covenant filed against it, so that if it ever shows up on the market somehow that a title search would reveal that there was this restriction that would have to be dealt with. Mr. Ciarcia recommends something of that nature be recorded with the County Clerk that would come up during the title search. Ms. Cross said yes, they could come up with a way to ensure that any prospective purchaser in the future is aware of this. There is no intention at this time to develop that property, which is why they're putting the storm water basin in there and purchasing both properties.

Welcome Homes Continued

Ms. Sharrett expressed some concerns with the property because the previous owner, prior to the subdivision, had filled in the pond and culverted the stream so basically the property is hydric soils. Also, the Wetland buffer from the Pond on Tavano Road is not shown only the larger wetland on Somerstown Road. Mr. Bossinas said he's in agreement with all of this and would like to see what they are proposing for screening between this house and the properties along Tavano Road. Ms. Stevens is also in agreement with these suggestions and finding a way to limit further development of this property if they're putting the stormwater on that second lot. Dr. Hougham also urged that they show the wetland buffer from all ponds, including the Tavano Road side. Mr. Ciarcia suggested showing the limits of disturbance of what was originally approved and proposed for these two lots under the original subdivision. Mr. Vaccarello agreed. Dr. Hougham noted that the neighborhood on Tavano Road received historic recognition and said this should be addressed as well. Ms. Monastra can look into state regulations, if any, and the State Historic Parks Office (SHPO). Ms. Cross noted that this property is next to that historic district, not in the historic district. This doesn't apply to the Somerstown Road property.

Dr. Hougham reminded the applicant to provide a landscaping plan, lighting plan, and asked that they provide the scientific and Latin name of each tree mostly in the areas of disturbance and anything buffering any of the surrounding homes near the Tavano Road neighborhood, also the driveway and property boundaries including areas near the large pond connected to Somerstown Road. With regard to lighting, Dr. Hougham asked that they be particularly careful with light bleeding over to other properties and color temperature of less than 3000K. Ms. Sharrett urged that they look at using downward facing lights rather than up and down lighting on the exterior areas. The applicant agreed to show these items in the next submission which would be in time for the next meeting scheduled for April 6, 2022. The applicant asked if the Board could set a Public Hearing.

A motion was made by Ms. Stevens, seconded by Mr. Bossinas and unanimously passed by the Board to set a public hearing for April 6, 2022 for Welcome Homes NY, 68 Somerstown Road Architectural Review for a Single Family Home.

MGM Subdivision, 5 Hawkes Avenue, Re-approval of Expired Resolution of Subdivision Approval PUBLIC HEARING

The application is for minor subdivision plat approval, wetlands permit approval and tree removal permit approval. Plans and copies of the 2019 Resolution of Approval materials were on file and submitted to the Board. There is one single-family residence existing on the lot and the subdivision creates one new vacant building lot. Mr. Thomas Kerrigan, PE, of Site Design Consultants, was in attendance representing the applicant. Mr. Kerrigan gave a brief update to the Board and noted that there are no changes to the plan that what was previously approved by the Board. He also said they've updated the plan to include items discussed at the last meeting.

Ms. Monastra submitted and reviewed a draft resolution of approval dated March 16, 2022. Ms. Sharrett recommended putting in notes about deer fencing, removal of invasive plants and salt tolerant trees should be clearly shown on the plan. The Board agreed to include notes in the resolution that will require the existing vegetative screening on site shall be maintained and if the existing screening is damaged or dies, the Applicant needs to replace the vegetative screening. All replacement landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first, second, and third year of installation. Individual species that do not survive beyond the first, second, and third year shall be replaced at the beginning of the next growing season with another native species suitable for the site conditions. Also, a note that the landscape plan can be reviewed at the time of Architectural Review of the proposed new home. After further discussion, the resolution will be updated to reflect this. Dr. Hougham asked for a motion to adjourn the Public Hearing to April 6, 2022.

A motion was made by Ms. Stevens, seconded by Mr. Bossinas and unanimously passed by the Board to adjourn the public hearing for the MGM Subdivision, Re-Approval of Expired Resolution of Subdivision Approval to April 6, 2022.

Minutes

A motion was made by Ms. Sharrett, seconded by Ms. Stevens and unanimously passed by the Board to approve the minutes of February 16, 2022 Planning Board meeting.

Executive Session

A motion was made by Ms. Stevens, seconded by Mr. Bossinas and unanimously passed by the Board to go into executive session to discuss procedural issues and advice of Counsel at approximately 8:35 p.m.

At approximately 9:20 p.m. a motion was made by Ms. Stevens, seconded by Ms. Sharrett to reopen the meeting.

Adjournment

A motion was made by Ms. Stevens, seconded by Ms. Sharrett and unanimously passed by the Board to adjourn the Planning Board meeting to April 6, 2022.

Time Noted: 9:25 p.m.
Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: June 15, 2022