

October 19, 2022

A MEETING OF THE PLANNING BOARD of the Town of Ossining was **held on October 19, 2022 at 7:30 p.m. at the John Paul Rodrigues Ossining Operations Center, 101 Route 9A, Ossining, NY and by Zoom video conference.** Members of the public were able to attend in person or view and/or join the meeting via computer or mobile app as follows:

<https://us02web.zoom.us/j/88470047404>

There were present the following members of the Planning Board:

Jim Bossinas, Member
Donna Sharrett, Member
Jason Mencher, Member

Absent: Carolyn Stevens, Chair
Manny Enriquez, Member

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

**Picucci Subdivision, 51 Croton Dam Road, New Single-Family Residence Architectural Review
PUBLIC HEARING CONTINUED**

Mr. Mark Picucci (“Applicant”) is seeking Architectural Review Board Approval for a Proposed New Single-Family Residence on a newly subdivided lot. The Project will be located at 51 Croton Dam Road, Section, Block, and Lot 89.08-1-78.1 (“Project Site”). The Project Site is located in an R-15, One Family Residence zoning district.

Mr. Picucci, Applicant was in attendance (in person), Mr. Ralph Mastromonaco, PE was in attendance via Zoom. Copies of draft Resolution of Architectural Review materials and were on file and given to the Board and the applicant for review. A review memo from Nelson, Pope & Voorhis Ecologist regarding the design of Mr. Picucci’s rain garden was on file and provided to the applicant. Ms. Sharrett expressed concern with the size of the proposed rain garden and in her opinion it seems undersized for the house and the driveway. Also looking at the proposed plantings, it doesn’t seem to offer a lot of plants that work well in a rain garden. Ms. Sharrett also expressed concern with follow up and maintenance of this feature.

Mr. Bossinas said as far as stormwater functionality, this practice is acceptable and there is going to be vegetation planted in the rain garden. That planting is something that the Board would like to see thrive in that location and work the way it is designed to work.

Mr. Ciarcia noted that in his review, the rain garden is being looked at more as a feature to handle actual storm water which is what its intended design was for. The most important thing to do with the stormwater is to capture and treat it. This proposed practice will be able to treat and separate apart from what it is attenuating as far as storms so you won’t have damage to conveyances or flooding and the applicant has demonstrated that in this design. From the hydrology point of view and the requirements of the Town’s local law (derived from New York State Law) and guides you to use the New York State Stormwater Design Manual and the applicant has done that. There are other issues in terms as far as planting and the applicant has used a generic detail to show what the rain garden will look like. This profile plan can be updated to be more specific to the project by selecting plantings that are appropriate. Mr. Ciarcia suggested the Board consider developing a generic rain garden detail with selected plantings because this is a practice that the Board would want to encourage. Also, Mr. Ciarcia can review the stormwater calculations further during the building permit process.

Ms. Monastra will add a condition to the resolution under landscaping noting that final details of the rain garden can be submitted for review before building permit issuance. The Board agreed.

Picucci ARB Continued

At this time, there was no one from the audience or the Board with additional comments or concerns. **A motion was made by Mr. Mencher, seconded by Ms. Sharrett and it was unanimously passed by the Board to close the public hearing for Mark Picucci, 51 Croton Dam Road, New Single-Family Residence Architectural Review**

A motion was made by Mr. Mencher, seconded by Ms. Sharrett and it was unanimously passed by the Board to adopt the Resolution of Architectural Review Board Approval for Mark Picucci, 51 Croton Dam Road, New Single-Family Residence, as modified to include comments above.

Rose Lodge, LLC, 83 Somerstown Road, Wetlands, Fill & Grade Permits, PUBLIC HEARING CONTINUED

The applicant is requesting a Wetlands Permit and Filling & Grading Permit in order to restore certain wetlands that were previously disturbed on the property. Original plans dated November 22, 2021 were prepared in response to the Order to Remedy dated October 12, 2021. The applicant requested permits in order to construct a .46 acre sandy beach within the property. The applicant has now revised the application and now proposes to restore the prior disturbance to its original condition.

Mr. Taylor Palmer, Cuddy & Feder LLP, and Mr. Andrei Lukianoff of Engineering & Surveying Properties PC were in attendance in person and Mr. Duncan Simpson, PE, Princeton Hydro on zoom. Mr. Taylor gave a brief overview of their EAC Response Memo, Response to Mr. Coleman's Memo, a copy of Draft Wetland Buffer Monitoring & Maintenance Plan and related plans and materials which were submitted by the applicant for review on October 18, 2022. Ms. Monastra reported that the Board is waiting for additional final comments and approval from the Town's Environmental Consultant, Mr. Coleman. A resolution can be drafted for review at the November 2, 2022 meeting of the Planning Board. Mr. Taylor said they would like to receive a draft copy as soon as it is available. Ms. Monastra agreed. There were no further new comments by the Board or from anyone in the audience. The public hearing will remain open until November 2, 2022.

A motion was made by Mr. Mencher, seconded by Ms. Sharrett and unanimously passed by the Board to continue the public hearing for Rose Lodge, LLC, 83 Somerstown Road, Wetlands, Fill & Grade Permits to November 2, 2022.

Terra Rustica Ristorante, 550 North State Road, Site Plan Amendment PUBLIC HEARING CONTINUED

The applicants were not in attendance. Prior to the meeting, Mr. Kory Salomone of Zarin & Steinmetz LLP submitted a request in writing asking the Board for an adjournment to the next meeting date. Mr. Bossinas, Acting Chair, announced this to the Board. A member of the public on Zoom asked to speak on this matter.

Mrs. Vera Albrecht, 552 North State Road, said she lives directly behind the restaurant. She expressed concerns with a light pole where the steps are which were to be located lower to the ground. Mr. Bossinas thanked Ms. Albrecht for her input and advised her that the applicant will be present at the next scheduled meeting for a continuation of the public hearing.

Miscellaneous

Draft Zoning Text Amendment – Artist Community

Copies of draft zoning text amendment were submitted for review by the Board. Ms. Monastra gave a brief overview to the Board. Currently, artist communities currently within the town fall under the category of special permit. There are no specific standards in the code that relate to artist communities. Part of the Town's Comprehensive plan is to encourage more arts communities.

Draft Zoning Text Amendment – Artist Community

The Town Board is looking to establish standards for artist communities. This would still be a special permit process. The special permit standards establish minimum and maximum occupancies in terms of who can live on the site and the amount of public events that take place. This draft highlights some of the issues that the Zoning Board is working with, instead of having each application create its own standards, it will be more uniform. This stipulates the number of acres as five and then there is management of the facility, such as caretakers living on the premises. These are some of the things to consider. Ms. Monastra noted that this would set some standards but any new facility will still have to petition for a special permit.

Planning Board members raised the question as to the percentage number of 15%. Although this document doesn't pertain to Bethany Arts Community, it is the only existing facility in the Town and to use as a model. Ms. Sharrett asked about the 15% and would it be included as number of people or number of units and if it includes employees would it be an employee's family and children be able to live there. Ms. Sharrett recommends setting a limit to the number of people that can live there. Mr. Bossinas recommended looking at the density of existing zoning and lean toward less dense zoning like the R40 district. Mr. Bossinas said this needs to fit in to the surrounding neighborhoods within the Town, it shouldn't seem like an apartment complex in a single-family zoned residential neighborhood. Mr. Mencher asked if the Board can look into how Bethany fits into these metrics and also to clarify the section where it talks about amplified sound/noise after 9:00 pm and number of people outside. Although this was not a public hearing, Jessica Irons and Kasey Brenner on behalf of Bethany Arts Community asked to be heard. Ms. Irons gave a brief overview of how Bethany is currently laid out and how this is something they are looking to implement, allowing staff and caretaker to reside at the facility. After some review and discussion, Ms. Monastra will update the draft document and re-circulate, incorporating the Board's thoughts and comments as discussed this evening.

Planning Board Meetings Calendar 2023

Meetings calendar for 2023 was circulated for the Board's review and approval. Some minor changes include submissions due from applicants at the beginning of the month for a planning board meeting date on the third Wednesday of each month. Work sessions or special meeting dates can be on the first Wednesday of the month, as needed. The Board approved this schedule setting 2023 meeting dates.

Minutes

A motion was made by Mr. Mencher, seconded by Ms. Sharrett and unanimously passed by the Board to approve Planning Board meeting minutes of September 7, 2022.

A motion was made by Mr. Mencher, seconded by Ms. Sharrett and unanimously passed by the Board to approve Planning Board meeting minutes of September 21, 2022.

Adjournment

A motion was made by Ms. Sharrett, seconded by Mr. Bossinas and unanimously passed by the Board to adjourn the Planning Board meeting to November 3, 2022.

Time Noted: 9:00 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: January 18, 2023