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Ching Wah Chin, Chairman and Members
Town of Ossining Planning Board
John Paul Rodrigues Operations Center
101 Route 9A – PO Box 1166
Ossining, New York 10562

June 8, 2022

Hand Deliver

Re: Subdivision prepared for Mark Picucci
Section 89.08, Block 1 Lot 78.1
51A and 51 Croton Dam Road / Town of Ossining, New York

Dear Chairman and Members of the Board:

Enclosed please find the following materials and further information on this project as requested:

1. Two (2) Copies of the Preliminary Drainage Assessment dated June 7, 2022,
2. Six (6) copies of the "Triangular" easement, Control Number 5883373297,
3. Six (6) copies of the Preliminary Plat prepared for Mark Picucci – Yellow Jug Corp dated December 5, 2019 revised March 15, 2022,

This is a response to comments received by Nelson Pope Voorhis, dated April 18, 2022 and Dan Ciarcia dated March 15, 2022.

(1) Response to Comments by Nelson Pope Voorhis:

1. SEQR. This project is categorized as an Unlisted Action under SEQR. The Planning Board will be undertaking an uncoordinated SEQR review. The Applicant has provided a Short Form EAF.

Response: No Response Required

2. Subdivision Approval. This application requires subdivision approval from the Planning Board, and a public hearing is required.

Response: No Response Required

3. Zoning Board of Appeals. This Project received a rear yard variance of 2.1 feet for proposed Lot 1 on February 7, 2021.

Response: No Response Required

1. Street Design. The Applicant is proposing a 50-foot right-of-way with a road width of 20 feet that reduces to 13 feet at the end of Lot 2. It was recommended that the Building Inspector review the revised road to confirm that they road meets all applicable fire access requirements.

In an email sent by the Building Inspector on April 11, 2022, he noted that the Fire Chief expressed concerns about the steepness of the grade of the roadway where it meets Croton Dam Road. The Fire Chief thinks the grade is too steep, and the fire apparatus will have trouble accessing the site.

Response: The Building Inspector has more recently commented by email (5/3/2022) to the Board that the access by fire equipment will be reviewed during the building permit process.

2. Sewer and Water. The Applicant will need to provide information that the proposed subdivision will meet the requirements of Section 176-17, Sewer and Water Facilities.

Response: The plat requires approval of the Westchester County Department of Health for sewer and water compliance. This is done after the preliminary approval and before the final approval or filing in Land Records.

3. Stormwater. The Applicant will need to provide information on the stormwater management for the Town Engineer to review.

Response: a Drainage Assessment is provided for review, dated June 7, 2022. In short, the Rain Garden / Detention Basin is provided to ensure there will be no stormwater impacts.

4. Additional Subdivision Provisions. The Applicant should provide information on how the proposed subdivision will meet the requirements Section 176-20, Parks and playgrounds; natural factors; reserve strips.

Response: It appears the owner would be paying the recreation fee of \$7,500.

5. Trees. The Applicant should provide information on the proposed tree removal as per Chapter 183, 1 Tree Protection.

Response: The site is open lawn and no trees are proposed to be removed.

6. Easements. The new private road will be servicing three (3) properties. The Applicant should provide the Planning Board attorney with a copy of the proposed easement for review. In addition, the plat notes that there are water and sewer easements on proposed Lots 1 and 3. Copies of those easements should also be provided to the Planning Board attorney for review.

Response: Easement agreements would be prepared following the Board's Preliminary approval of the subdivision and prior to filing in Land Records. In other words, the Board would need to approve the locations of the easement before the descriptions can be written. In general, this would be a condition for final approval.

The 2009 Final Plat was provided as a response to this comment. However, the agreement / recording information has not been provided. Additionally, recording information for the 5-foot-wide sewer easement along the northern boundary of Lot 1 ("Lot 1" in 2022 "Lot 2" in 2009) has not been provided. Furthermore, there is a water easement near the same location as the aforementioned sewer easement (northwest corner of "Lot 1" in 2022, "Lot 2" in 2009) that is not identified on the 2009 plat but is shown on the 2022 plat. This information has not been provided as well.

Response: Based on our investigation the water easement, although shown on the original plat in 2009, the easement was not recorded in Land Records as it should have been. The owner will file the offer of easement with the new plat and any other easements.

In February we sent the Town a copy of the original driveway easement. This would be the model for the revised driveway easement to be provided after preliminary approval and prior to filing.

It is noted that these easements would be prepared by our Attorney and reviewed by the Town Attorney prior to filing the plat.

7. Existing Frame Garage. It appears that the existing frame garage will remain as part of proposed Lot 3. The location of the garage may interfere with the access of proposed Lot 1. Please demonstrate that the garage would not interfere with access to Lot 1. Will there be landscaping to block the visual impacts of the garage? Where will the vehicles enter and exit the garage?

Response: The demonstration of the access is that there is no impediment to travel currently. The existing garage cannot be seen from Croton Dam Road and there is no actual need to screen it.

(2) Response to Comments from Daniel Ciarcia, PE: Village Consultant March 15, 2022.

1. Provide a driveway profile to evaluate the concerns of the Fire Department.

Response: As noted the driveway may need to be modified to accommodate a fire truck and the Building Inspector has opined that this should be done at the building permit stage. During that stage we assume the Village Engineer will be consulted.

2. Provide stormwater calculations to evaluate the design of the rain garden to mitigate the increase in runoff resulting from the proposed residence and the driveway improvements.

Response: A Drainage Assessment, dated June 7, 2022 is been provided.


3. Provide an erosion control plan.

Response: Erosion Controls are noted on the Revised Site Plan

4. Explain the rationale for the length of the widened driveway. Why does the driveway narrow at the lot 1 property line and not at the driveway that serves the existing residence?

Response: The Code requires that roads with more than 2 lots must conform to Fire Code or the ruling of the appropriate Town Officer. Consequently, for a three-lot subdivision, only the road along the first lot needs to conform, which opinion will be checked by the Building Inspector for the Building Permit.

Sincerely,



Ralph G. Mastromonaco, PE

RGM/mte
cc: Mark Picucci