



**SPECIAL MEETING
TOWN BOARD
TOWN OF OSSINING
MUNICIPAL BUILDING
16 CROTON AVE. 1ST FLOOR
OSSINING, NY 10562
DECEMBER 15, 2015**

7:30 P.M.

**SUPERVISOR
Susanne Donnelly**

COUNCILMEMBERS

**Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey Northern Wilcher**

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

The Special Meeting of the Town Board of the Town of Ossining was held on December 15, 2015 in the Municipal Building, 16 Croton Avenue, 1st Floor Board Room in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Eric Blaha, Kim Jeffrey Northern Wilcher and Geoffrey Harter. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Supervisor Donnelly read the following statement:

What an exciting evening we have in front of us.

We are having a special session to vote on many of the laws we have been working on for the past few years. What a process, a fantastic learning experience and a wonderful way to use the expertise of this community. So much input went into the update of the Comp Plan – Vision portion as well as the new laws on

- *Notifications of Planning and Zoning requests, not only expanding the area to notify but also to post signs on potential properties.*
- *Amending tree protection*
- *Amending our wetland codes*
- *Amending our steep sloop codes*
- *Amending the subdivision of land and zoning chapters*
- *Adoption of adding to the code a chapter on Architectural Review Board giving the Planning Board more say in the facades of new and rehabbed construction projects.*
- *And last but certainly not least amend the enforcement provisions for Assessor dwelling units in the Unincorporated Area of Ossining giving the Building Dept the ability to inspect approved assessor apartments more frequently and to take corrective action should the owner not keep the apartment in good working order.*

These are very important additions to our Town Code and we are proud of everyone involved in this process and cannot thank each of you who participated enough for your input.

AKRF, Inc., 34 South Broadway, White Plains, NY, on behalf of Glenco Group, LLC., have asked us to refer River Knoll a development on the old Stony Lodge property to the Planning Board for comments and to review the project. While there is a time frame that this review needs to be completed -- the Planning Board can come back to the Town board for extra time should they need it. This developer has been to visit many groups in this community including the Chamber, the Schools, this Board as well as neighbors. This is not an endorsement of the development but rather a request that the Planning Board review and give the Town Board their opinions.

We will also be appointing Victoria Cafarelli, of Ossining as the Part time confidential secretary for the Supervisor. We will be having Victoria start now so that she is prepared for the new year. This is Supervisor-elect Levenberg's choice and after spending some time with her along with Maddi I truly believe she will be an asset to the office during the transition and beyond. Her experiences in other municipalities as well as her passion for municipal government and her desire to serve her community are refreshing. Maddi will continue the outstanding job she does every day and with the assistance of Victoria - the Supervisor's office will be second to none. Supervisor-elect Levenberg will be able to get acclimated and I foresee these three women starting new projects, focusing on new grant opportunities as well as staying on top of the current grants we have received along with the day to day workload they will be handling every day

III. PUBLIC COMMENT ON AGENDA ITEMS-None

IV. BOARD RESOLUTIONS

A. Adoption of Negative Declaration in Connection with Comprehensive Plan Amendments and Local Laws #5 through #10 of 2015

Councilmember Wilcher moved and it was seconded by Councilmember Harter that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of amendments to the Town Comprehensive Plan as well as the adoption of proposed Local Laws #5 through #10 of 2015 (the "Proposed Action"); and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA), the Town Board is the only Involved Agency with respect to the Proposed Action and is therefore the Lead Agency; and

WHEREAS, the Town Board has had a Full Environmental Assessment Form prepared in connection with the Proposed Action by Frederick P. Clark Associates, Inc., the Town's Planning Consultants.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

- 1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.**
- 2. After conducting a "hard look" at the Full Environmental Assessment Form and other materials related to the Proposed Action, the Town Board hereby adopts the attached Negative Declaration for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment and thereby ending the SEQRA process.**
- 3. The Town Board hereby directs the Supervisor to sign the Negative Declaration on page 2 of the form in the space provided and to have the Declaration filed with the New York State Department of Environmental Conservation's Environmental Notice Bulletin.**

Motion Carried: Unanimously

B. Resolution to Adopt Amendments to Vision Portion of Town Comprehensive Plan

Councilmember Jeffrey moved and it was seconded by Councilmember Harter that the following be approved:

Whereas, the Town of Ossining, pursuant to section 272 – a of the New York State Town Law adopted a Comprehensive Plan in 2002, following extensive public participation; and

Whereas, pursuant to section 272 – a of the New York State Town Law, the Town of Ossining commenced proceedings to review and amend, where appropriate, certain existing provisions of the adopted Comprehensive Plan consisting of the “Vision Statement” portion of the Comprehensive Plan; and

Whereas, the Town of Ossining as duly noticed and held a public hearing on the proposed amendments on July 14th, 2015 (adjourned), and re-opened on September 1st, 2015, following the procedures set forth in the Town Law, following extensive public participation procedures for Comprehensive Plan amendments adopted by the Town; and

Whereas, the Town has complied with all the requirements set forth in SEQRA, and determined that the proposed amendments to the Comprehensive Plan will have no negative environmental impacts;

Now, Therefore, Be It Resolved, that the Town hereby approves and adopts the amendments to the comprehensive Plan in the form attached hereto.

Motion Carried: Unanimously

C. Adoption of Local Law #5 of 2015- “Amending Notification Provisions of the Town Code”

Councilmember Wilcher moved and it was seconded by Councilmember Harter that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending the Notification Provisions of the Town Code” which law would amend the notification provisions of sections 200-31., 200-46.A, 200-48A, 200-49B, 200-50.C(5), 200-52C, of The Zoning Code, sections 176-5E, 176-6 F, 176-7E, 176-11.1 of the Subdivision of Land Chapter, sections 105-7B, 105-7D of The Freshwater Wetlands, Watercourses and Water Body Protection Chapter, sections 167-11E, 167-11G of the Steep Slope Protection Chapter, and sections 180-80F and 183-10G of the Tree protection Chapter of the Town of Ossining; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 5-2015 entitled “Amending the Notification Provisions of the Town Code” on September 1, 2015 and which hearing was continued on the following dates September 8, 2015, September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 5-2015, entitled “Amending the Notification Provisions of the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 5-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

D. Adoption of Local Law #6 of 2015 – Amending the Subdivision of Land and Tree Protection Chapters of the Town Code

Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending the Subdivision of Land and Tree Protection Chapters of the Town Code” which law would amend section 176-20B of the Subdivision of Land Chapter and 183-6 of the Tree protection Law of the Town of Ossining; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 6-2015 entitled “Amending the Subdivision of Land and Tree Protection Chapters of the Town Code” on September 1, 2015 and continued on September 8, 2015, September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 6-2015, entitled “Amending the Subdivision of Land and Tree Protection Chapters of the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 6-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0

Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

E. Adoption of Local Law #7 of 2015- “Amending the Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Code”

Councilmember Blaha moved and it was seconded by Councilmember Harter that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending the Freshwater Wetlands, Watercourses, and Water Bodies Protection Chapter of the Town Code”, which law would amend sections 105-1A,105-2B,105-3A, 105-5A, 105B(4), 105-5C, 105-6A (8) 105-8A,105-8B, 105-10B and 105-10C and adding new sections 105-2B, 105-1A, and 105-6A of the Freshwater Wetlands, Watercourses and Water Body Protections Chapter of the Town of Ossining; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 7-2015 entitled “Amending the Freshwater Wetlands, Watercourses, and Water Bodies Protection Chapter of the Town Code” on September 1, 2015 and continued on September 8, 2015, September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m.at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 7-2015, entitled “Amending the Freshwater Wetlands, Watercourses, and Water Bodies Protection Chapter of the Town Code”

with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 7-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

F. Adoption of Local Law #8 of 2015-“Amending the Steep Slope Protection Chapter of the Town Code”

Councilmember Blaha moved and it was seconded by Councilmember Wilcher that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending the Steep Slope Protection Chapter of the Town Code” which law would amend section 167-5 of the Steep Slope Protection Chapter of the code of the Town of Ossining; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 8-2015 entitled “Amending the Steep Slope Protection Chapter of the Town Code” on September 1, 2015 and continued on September 8, 2015, September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 8-2015, entitled “Amending the Steep Slope Protection Chapter of the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 8-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

G. Adoption of Local Law #9 of 2015-“Amending the Subdivision of Land and Zoning Chapters of the Town Code”

Councilmember Harter moved and it was seconded by Councilmember Jeffrey that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending the Subdivision of Land and Zoning Chapters of the Town Code” which law would amend sections 200-6 F, of the Zoning Chapter and 176-18 F of the Subdivision of Land Chapters of the Town of Ossining.

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 9-2015 entitled “Amending the Subdivision of Land and Zoning Chapters of the Town Code” on September 1, 2015 and continuing on September 8, 2015, September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m. at the Birdsall/Fagan Police Court Facility, 86-88

Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 9-2015, entitled “Amending the Subdivision of Land and Zoning Chapters of the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 9-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

H. Adoption of Local Law #10 of 2015 – Adding a Chapter Entitled ‘Architectural Review Board’ To the Town Code

Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Adding a Chapter Entitled ‘Architectural Review Board’ To the Town Code” which law would Add a Chapter Entitled “Architecture Review Board to the code of the Town of Ossining.

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 10-2015 entitled “Adding a Chapter Entitled ‘Architectural Review Board’ To the Town Code” on September 10, 2015 and continuing on September 22, 2015, October 13, 2015, October 27, 2015 and November 10, 2015 at 7:30 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 10-2015, entitled “Adding a Chapter Entitled ‘Architectural Review Board’ To the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 10-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

I. Adoption of Local Law #11 of 2015- “Amending Enforcement Provisions for Accessory Dwelling Units in Single Family Homes within the Town of Ossining”

Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the following be approved:

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amending Enforcement Provisions for Accessory Dwelling Units in Single Family Homes within the Town of Ossining” which law would amend the Chapter 50 of the Town of Ossining; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 11-2015 entitled “Amending Enforcement Provisions for

Accessory Dwelling Units in Single Family Homes within the Town of Ossining” on November 24th, 2015 at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 11-2015, entitled “Amending Enforcement Provisions for Accessory Dwelling Units in Single Family Homes within the Town of Ossining” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law No. 11-2015 to be filed and/or distributed in accordance with applicable law.

Roll Call Vote: 5-0-0
Ayes: Jeffrey, Wilcher, Blaha,
Harter & Donnelly

J. River Knoll: Referral to Town Planning Board

Councilmember Wilcher moved and it was seconded by Councilmember Harter that the following be approved:

Whereas, the firm of AKRF, Inc., 34 South Broadway, White Plains, NY, on behalf of Glenco Group, LLC., has presented the River Knoll development to the Town of Ossining, which is proposed to be constructed at 40 Croton Dam Road;

Now, Therefore be it Resolved, that the Town Board hereby refers the development, and the subsequent documentation, to the Town Planning Board for review and comments.

Motion Carried: Unanimously

K. Personnel: Supervisor’s Office- Appointment

Councilmember Wilcher moved and it was seconded by Councilmember Harter that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby appoints Victoria Cafarelli, Ossining, to the Part-Time position of Confidential Secretary in the Office of the Town Supervisor at an hourly rate of \$22/hour, effective December 21st, 2015.

Motion Carried: Unanimously

V. ADJOURNMENT-WORKSESSION

At 7:55 P.M., Trustee Harter moved and it was seconded by Trustee Blaha that the Special Meeting be adjourned to Worksession

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Village Clerk

