

May 23, 2012

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the Ossining Operations Center, 101 Route 9A, Ossining, New York, on the 23rd day of May 2012. There were present the following members of the Planning Board:

George Weeks, Chairman  
David Krieger  
Dennis Kirby  
Deborah Cohen

Absent: Gregory McWilliams, Vice Chair  
David Stolman, F.P. Clark Associates

Also present: Wayne Spector, Town Attorney  
Daniel Ciarcia, Town Engineer  
John Hamilton, Building Inspector  
Sandra Anelli, Secretary

**Tinman Management, 37A Old Albany Post Road, Site Plan Amendment**

Mr. Javier Taborga of AT Design Group LLC was in attendance representing the applicant, Mr. Jim Damm. A memo titled Tinman Management – Site Plan Review, dated May 23, 2012, prepared by Mr. Stolman was submitted and reviewed with the Board. The memo offers analysis and recommendations with regard to parking and hours of operation.

Mr. Weeks reminded Mr. Taborga that the applicant was asked to consider providing “Item 4” at the parking spaces along Stanley Avenue as a courtesy to the residents that live there. This was not shown on the plans. Mr. Taborga asked if the Town could provide asphalt at these parking spaces. It was determined by Mr. Taborga that these parking spaces belong to Tinman Management, 37A Old Albany Post Road. In the past, property owners of the site made some sort of handshake agreement to allow residents of Stanley Avenue to park there. This part of the property has been used this way for a number of years. It is at a higher elevation than the rest of the site and not necessarily usable for the proposed storage building project. Mr. Taborga agreed that Item 4 would not be a problem.

Mr. Weeks expressed concern regarding the current hours of operation, particularly Corvettes of Westchester, Building 2 of the site. The excessive noise from race engines and motorcycles creates a serious disturbance to the residents on Sundays and late nights. The applicant is requesting hours of “Sundays by appointment” and “Weekdays 8 am to 8 pm (in peak season summer months)”. Mr. Taborga noted that most repairs and servicing of Corvettes are done indoors. There are some deliveries that happen after hours, but for the most part, they conduct business indoors. There are no motorcycles it is Corvettes only.

Mr. Hamilton reported that the type of complaints coming in from residents are mostly that there are cars outside, engines are being revved up on Sundays and late at night, sometimes even at 11:30 p.m. The doors of the building are generally open, so even if work activities are being done indoors as Mr. Taborga said, they will have to open the doors for exhaust fumes when the cars are started up. Mr. Spector confirmed that some evenings late at night the bay doors are open and various things are going on there.

Mr. Taborga said motorcycles and other racecars driving through the area will always automatically be associated to this site even if they have nothing to do with it. Usually, if Corvettes are being tested for speed, they will not use Old Albany Post Road as a route. Mr. Weeks reminded Mr. Taborga that they still should not conduct any business on Sunday and suggested a key drop box for deliveries of vehicles after hours.

Mr. Hamilton asked Mr. Taborga to clarify exactly how many businesses are operating at this site. Mr. Hamilton noted, per his last inspection, there were a number of different landscaping trucks and a variety of contractor equipment stored there. Mr. Hamilton expressed concern with the landscaping trucks which sometimes operate snow plowing in the winter months. He asked Mr. Taborga if these trucks will be starting up in the winter months at 2:00 am or 5:00 am in the morning for snow removal. Mr. Hamilton said some of the original complaints against the property were based on a combination of things such as; the type of materials stored outdoors, the variety and quantity of trucks utilizing the site, and truck noise and loud engine sounds. Mr. Hamilton expressed to the Board that he would like to see something in writing that the applicant would have to adhere to, because at every inspection all of these things are being expanded further and it doesn't seem to fit into the category of the owner using subcontractors for special projects related to his business. The combination of noise, the esthetics, and condition of the property has become problematic.

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Mr. Spector recommended the Board be more specific as to what would be prohibited rather than what is permitted on site. The parking spaces obviously cannot be rented out separately to landscapers for storage of trucks and equipment. Mr. Taborga noted that they are trying to organize and clean up the site and the proposed garage building is being done to help that process. He said the owner is aware that there will be no outdoor storage of these materials and equipment. Mr. Taborga said that the landscape businesses are related to the owner's projects, they are subcontractors that also park and leave their vehicles parked there for an unspecified length of time. Ms. Cohen asked Mr. Taborga to clarify whether or not the owner is leasing spaces to contractors, or is he in contract with them for a specific project. This precipitated a lengthy discussion. Mr. Weeks asked Mr. Taborga to have Mr. Damm attend the next meeting so the Board can ask him these questions and he could outline exactly day-to-day operations and uses of the site.

### **Miscellaneous**

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The Planning Board welcomed Mr. Daniel A. Ciarcia, P.E. as the new Planning Board Consulting Engineer. Mr. Ciarcia will provide Engineering Services to the Planning Board.

### **Minutes**

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Ms. Cohen made a motion, seconded by Mr. Krieger and unanimously passed to adopt the draft minutes of Planning Board meeting April 11, 2012.

### **Adjournment**

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There being no further business to come before the Planning Board of the Town of Ossining, Ms. Cohen made a motion, seconded by Mr. Krieger that the meeting be adjourned to June 13, 2012.

Time noted 8:20 p.m.

Respectfully submitted,

***Sandra Anelli***

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**Approved: June 13, 2012**