

April 10, 2013

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the Joseph G. Caputo Community Center, 95 Broadway, Ossining, New York, on the 10th day of April 2013. There were present the following members of the Planning Board:

George Weeks, Chairman
Gregory McWilliams, Vice Chair
David Krieger

Absent: Dennis Kirby
Deborah Cohen
David Stolman AICP, PP, Frederick P. Clark Associates, Inc.

Also Present: Wayne Spector, Town Attorney
Daniel Ciarcia, PE, Consulting Town Engineer
Sandra Anelli, Secretary

Dr. Haroush, Veterinary Village, 513 North State Road - Site Plan Amendment

Dr. Haroush, Veterinary Village, was in attendance. An email submission of the site plan sheet and a drawing of a proposed sign were received and on file. The site plan shows two possible locations for a proposed MRI trailer. The approximate size of the trailer is 40' to 50'. With approval from his neighbor, Dr. Haroush said he can bring the trailer through their property and place it next to the side of the building. Without authorization, he is proposing the trailer in the driveway area. These two locations are highlighted on the plan. Mr. Weeks noted that the preferred location is near the side of the building but Dr. Haroush will have to provide proof that the neighbor is in agreement with this action. The plan also shows a revised paved area near the residence on site, slightly beyond the hospital building.

Dr. Haroush is also requesting an amendment to the original sign detail. A free standing pole sign 10' x 5' was originally approved. He is proposing a decorative stone sign 8' x 8' with a flag pole alongside. This stone matches the stone face design on the front of the building and other areas. Dr. Haroush said the sign will be pulled back from the roadway, but didn't specify a setback. Mr. Weeks referred this to the Town consultants for further review and discussion.

Jim Zappi, High View Farm, Barnes Road & Morningside Drive 24-Lot Subdivision

Mr. Jim Zappi, Zappico Real Estate Development, LLC, was present, accompanied by his son, Mr. Brian Zappi. Mr. Weeks reported receipt of email documents from residents which were copied and shared with all of the Board Members as well as Town Consultants. A revised conventional subdivision plan with latest revision date of March 14, 2013, Site Sketch Plan, page C-1, Topography and Utilities, page C-2, Road Profiles, page C-3, and Architectural Rendering of Proposed Cluster Plan were on file.

Mr. Zappi presented a color map of the conventional subdivision plan. Areas of wetlands were highlighted. He outlined areas of concern and talked about the wetland mitigation process to the Board and the public. Per Mr. Zappi, when a wetland area is disturbed, a wetland consultant will design another wetland on site that will be built, planted, and maintained at 100% replacement. Mr. Zappi showed areas of disturbance on the map and replacement areas. He discussed road profile drawings. A revised topographical map was also submitted for review. He pointed out storm water detention basins and their function.

Mrs. Masserman, Morningside Court, expressed concern with the road as shown on the conventional plan up to her property line. Also, behind her and her next door neighbor's property there is a 40 foot slope, which has water and streams running through. She expressed that these slopes are fragile as well as wetlands function to this area. Another speaker raised concern with this, no buffer or trees are shown between these back yards and the proposed roadway.

A question was raised with regard to the legality of cluster type subdivision. Mr. Zappi reported he is trying to comply with the section of the Town Zoning Code where there are guidelines for Cluster Developments, Section 200-31. It requires a developer to provide a conventional subdivision plan that meets the setbacks of the zone it is in. In this case the subdivision must meet all of the R-40 One-Family Residence District Bulk Regulations. Chapter 200-31 further notes that the general purpose and intent of cluster development are to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic qualities of open lands, to protect areas of meaningful ecological value and to reserve suitable lands for park and recreation purposes.

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Mr. Bill Jaenike, Morningside Court, asked for clarification on the difference between the conventional subdivision and the cluster plan. He asked Mr. Zappi for copies of the cluster plan. Mr. Zappi said there are more sheets needed to complete the conventional set. He has to receive some type of review of the conventional set before they can begin to prepare cluster plans.

Mr. Weeks reported that this review and study will take several meetings, possibly months. The Town consultants will need an opportunity to review this conventional plan; they will provide correction, comments and recommendations with respect to all of the natural elements on site and development. Reports are presented to Mr. Zappi outlining modifications, corrections and a determination as to whether or not this is a viable plan for number of lots shown. Mr. Zappi will be required to make adjustments to his plan. Then the next steps of the process begin. Audience members discussed this at length.

Mr. Spector read paragraph D. (2) from Section 200.31 of the code which offers clarification on the determination process for Cluster Developments; The number of building lots or dwelling units permitted within a cluster development shall in no case exceed the number which could have been permitted, in the judgment of the Planning board, if the land were subdivided into lots conforming to all normally applicable requirements of this chapter, the Land Subdivision Regulations, the Westchester County Department of Health Regulations and all other applicable regulations and restrictions. The basis for this Planning Board determination shall be a conventional subdivision sketch plan as described in section V.1. of the Land Subdivision Regulations, plus such other information as may be required by said Board.

Mrs. Mitzi Elkes, EAC Chair, reported that the Environmental Advisory Committee (EAC) is currently working on protection of open space in the Town of Ossining. This property abuts Ryder Park. There is a large corridor of open space with beautiful park like land. This is a very large parcel, one of the few left in the Town of Ossining. Elevations near the Morningside Court area are higher than Cliffdale Farms (Teatown). There are steep portions of this parcel, greater than 25% steepness. Another item of concern for the EAC are the significant wetlands, steep slopes and storm water that would go downstream to other developed areas. Also, Mrs. Elkes clarified to audience members that the plan that is not going to look like this. (Conventional Plan) For the purposes of Planning Board review, this is the road map to figuring out how many homes can be built against the rules and regulations of the Town, the County and the State regulations.

Mr. Zappi pointed out locations of proposed entry, which at this time is shown at the end of Tavano Road. He showed the audience the wetland/stream that would be disturbed by the proposed roadway. Residents expressed concerns about excess traffic and safety to the new homes. A resident from Morningside Drive asked if sidewalks can be installed, he expressed that Morningside Drive is a dangerous situation for walkers.

Questions regarding the sewer system tie-in were raised. The developer is obligated and required to tie into municipal sewers if they are available to the development. In this case, the public sewer hookup is located in Ryder Park. Members of the audience discussed this at length. There were many comments about sewers, traffic, runoff, roadways. In closing, Mr. Weeks thanked the public for their input. He expressed that these questions and concerns as well as all of the materials received are going to be studied and reviewed by our Boards, Town's Planning and Engineering Consultants, as well as other involved County and State agencies.

Minutes

Mr. McWilliams made a motion, seconded by Mr. Krieger and unanimously passed to adopt the draft of Planning Board Meeting minutes of March 13, 2013.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. Krieger made a motion, seconded by Mr. McWilliams that the meeting be adjourned to April 24, 2013.

Time noted 9:00 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary

Town of Ossining Planning Board

APPROVED: May 8, 2013